



ACTA HISTRIAE
30, 2022, 1



UDK/UDC 94(05)

ISSN 1318-0185
e-ISSN 2591-1767



Zgodovinsko društvo za južno Primorsko - Koper
Società storica del Litorale - Capodistria

ACTA HISTRIAE

30, 2022, 1

KOPER 2022

ISSN 1318-0185
e-ISSN 2591-1767

UDK/UDC 94(05)

Letnik 30, leto 2022, številka 1

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Zgodovinsko društvo za južno Primorsko - Koper / Società storica del Litorale - Capodistria® / Institut IRRIS za raziskave, razvoj in strategije družbe, kulture in okolja / Institute IRRIS for Research, Development and Strategies of Society, Culture and Environment / Istituto IRRIS di ricerca, sviluppo e strategie della società, cultura e ambiente®

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Tisk/Stampa/Print:

Založništvo PADRE d.o.o.

Naklada/Tiratura/Copies:

300 izvodov/copie/copies

Finančna podpora/

Supporto finanziario/

Financially supported by:

Javna agencija za raziskovalno dejavnost Republike Slovenije / Slovenian Research Agency, Mestna občina Koper

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Redakcija te številke je bila zaključena 31. marca 2022.

Revija Acta Histriae je vključena v naslednje podatkovne baze / Gli articoli pubblicati in questa rivista sono inclusi nei seguenti indici di citazione / Articles appearing in this journal are abstracted and indexed in: CLARIVATE ANALYTICS (USA): Social Sciences Citation Index (SSCI), Social Scisearch, Arts and Humanities Citation Index (A&HCI), Journal Citation Reports / Social Sciences Edition (USA); IBZ, Internationale Bibliographie der Zeitschriftenliteratur (GER); International Bibliography of the Social Sciences (IBSS) (UK); Referativnyi Zhurnal Viniti (RUS); European Reference Index for the Humanities and Social Sciences (ERIH PLUS); Elsevier B. V.: SCOPUS (NL); DOAJ.

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KUŽNI PRIVILEGIJI V OBČEPRAVNI DOKTRINI IN EVROPSKIH CIVILNIH KODIFIKACIJAH

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IZVLEČEK

Čeprav so se rimski in srednjeveški juristi soočali z izbruhi kužnih bolezni, bi v njihovih delih zaman iskali pravila, ki bi civilno pravo prilagajala epidemičnim razmeram. Šele italijanska jurista Ripa in Previdelli sta v 16. stoletju sistematizirala »kužne privilegije« (privilegia pestis) v pogodbenem, dednem in postopkovnem pravu. K omilitvam splošno veljavnih pravil občega prava sta ob upoštevanju učenja, da je izbruh kuge Božja kazen, ki je naložena grešnemu ljudstvu, pristopala zadržano. Njuna ustvarjalna pravna argumentacija je odločilno zaznamovala poznejšo pravno doktrino, prek nje pa določbe evropskih civilnopravnih kodifikacij 18. in 19. stoletja. Občepravni nauk o kužnih privilegijih je v prispevku prikazan v luči določb Občega državlanskega zakonika.

Ključne besede: epidemija, kuga, recepcija rimskega prava, privilegiji, evropske civilne kodifikacije, civilno pravo, Obči državljanski zakonik

PRIVILEGIA PESTIS NELLA DOTTRINA DEL DIRITTO COMUNE E NEI CODICI DEL DIRITTO CIVILE EUROPEO

SINTESI

Sebbene molti giuristi romani e medievali abbiano affrontato il tema dei focolai di malattie infettive, non vi è traccia nelle loro opere delle norme che regolavano il diritto civile adattato alle situazioni epidemiche. Soltanto nel XVI secolo due giuristi italiani del tempo, Ripa e Previdelli, avevano sistematizzato i "privilegi della peste" (privilegia pestis) nel diritto contrattuale, di successione e in quello processuale civile. Nel mitigare le regole generali del diritto comune, tenendo conto di come la dottrina prendeva in considerazione lo scoppio della peste come un giusto castigo divino per i peccati della popolazione, i due giuristi avevano trattato l'argomento in una maniera piuttosto riservata. Le loro argomentazioni giuridiche avevano influito in maniera decisiva sulla dottrina giuridica successiva e, attraverso essa, sulle disposizioni in merito alle codificazioni ottocentesche e novecentesche del diritto civile europeo. Nell'articolo i privilegia pestis vengono presentati in particolare alla luce delle disposizioni del Codice civile generale austriaco.

Parole chiave: epidemia, peste, ricezione del diritto romano, privilegi, codici civili europei, diritto civile, Codice civile generale austriaco

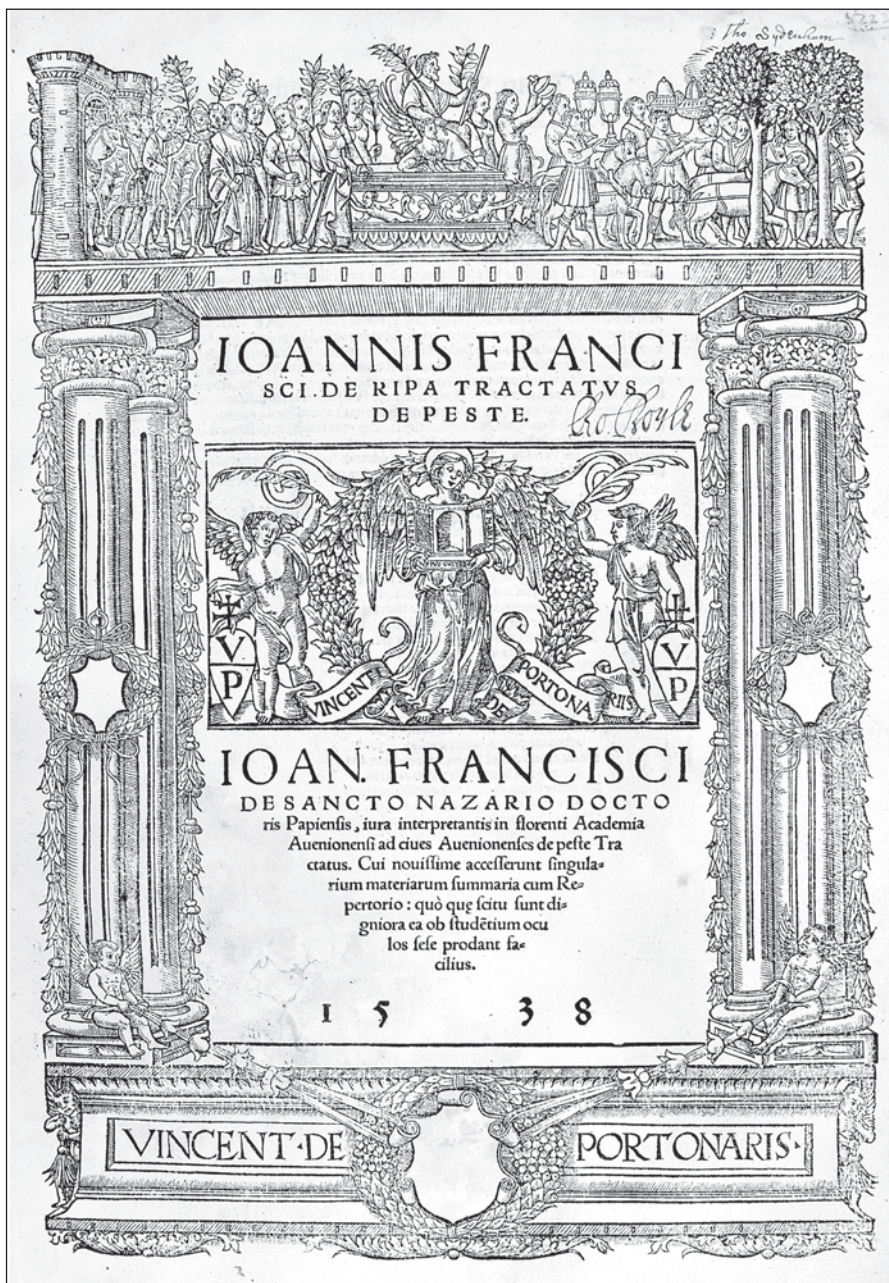
UVOD

[O]b necessitatem enim praesentem, a regulis iuris communis recte disceditur [...] et tempus pestis dicitur tempus mortis, quo solvuntur omnia iura, tam ratione contractum, quam iudiciorum, et ultimarum voluntatum.¹

Tempore pestis leges silent²

Med prve dokumentirane epidemične izbruhe prištevajo Justinijanovo kugo (*pestis Iustiniana*), ki je leta 531 v prvem, deset let kasneje pa še v drugem valu, zajela tudi Konstantinopol.³ Preseneča, da kužni izbruh ni zakasnil dela kompilacijske komisije, ki je tisti čas pripravljala Justinijanovo kodifikacijo. V drugi izdaji Justinijanovega kodeksa (*Codex repetitae praelectionis*) bi zaman iskali cesarske konstitucije, ki bi civilno pravo prilagajale novim epidemičnim razmeram.⁴ Epidemije kot pravno relevantne okoliščine ne najdemo niti v pravniških spisih, čeprav so največji rimski klasični juristi (Ulpijan, Pavel, Papinijan) ustvarjali v času izbruha antoninske kuge (169–194) (Little, 2007, 4).⁵ Molk antičnih pravnih avtoritet so nadaljevali srednjeveški juristi. Izhajali so iz stališča, da je Justinijanova kodifikacija izčrpen vir vsega prava.⁶ V upanju, da bo kuga, ki je med letoma 1347 in 1353 prizadela tudi severno Italijo, hitro minila, so razprave o »kraljici vseh bolezni«⁷ prepuščali zdravnikom in teologom. Toda potreba po razjasnitvi pravnih dilem, ki so jih v vsakodnevno življenje vnašali ponavljajoči se epidemični valovi, se je le še povečevala.⁸

- 1 »[Z]aradi neposredne nevarnosti se upravičeno odstopa od pravil splošnega prava [...] Čas kuge je imenovan tudi čas smrti, ki razveže vse pravo, tako glede pogodb, postopka in oporok.« (Gail, 1578, 114)
- 2 »V času kuge zakoni molčijo.« (Diana, 1664, 146)
- 3 Zgodovinar Prokopij opisuje, da je na vrhuncu prvega epidemičnega vala (531) dnevno umrlo po 10000 ljudi, v drugem valu (542) pa naj bi za kugo pomrla kar polovica prebivalstva tedanjega imperija (Procopius, 1963, 18, 44; Procopius, 1914, 2, 23). Izbruh kuge je v Skrivni zgodovini pripisal demonski naravi cesarja Justinijana (Procopius, 1963, 18, 36 in 18, 1). Nekateri sodobni zgodovinarji štejejo Justinijanovo kugo za prelomnico prehoda iz antike v srednji vek. Epidemija kuge naj bi na sredozemskem območju terjala med 15 in 100 milijoni človeških žrtev (tj. od 25 do 60 % tedanje populacije). Novejše raziskave (Mordechai et al., 2019) z navajanjem mnogo nižjih števil relativizirajo Prokopijeva pričevanja.
- 4 Leta 544 je cesar Justinijan izdal edikt *De constitutione artificum* (Iust. Nov. 122), s katerim je zaradi vsesplošne druginje trgovcem in obrtnikom odredil normalizacijo cen. Cesar ugotavlja, da je bilo ljudstvo (z epidemijo) kaznovano po božji milosti (Nov. 122 pr.: [...] *post castigationem quae secundum domini dei clementiam contingit* [...]) Gre za edino posredno omembo oziroma aluzijo na izbruh kuge v Justinijanovi zakonodaji (Miller & Sarris, 2018, 799).
- 5 Med rimske sanitarne norme, ki so posredno varovale tudi pred izbruhom epidemije, lahko omenimo prepoved onesnaževanja pitne vode (Paul. D. 47, 11, 1, 1), zapoved o rednem vzdrževanju javnih odtočnih kanalov (D. 43, 23) in prepoved pokopa znotraj mestnega obzidja (Ulp. D. 47, 12, 3, 5; Diocl. Max. C. 3, 44, 12).
- 6 [O]mnia in corpore iuris inveniuntur. (glosa *Notitia* k D. 1, 1, 10 po Accursius, 1627, 20).
- 7 *Regina est omnium aegritudinum pestilentia* (Ripa, 1598, 250 (r. št. 1)).
- 8 Da so se potrebe po razjasnitvi pravnih učinkov kuge zavedali tudi juristi sami, ugotavlja Previdelli, 1524, 2: *Nec forsitan hic melius labor erit inutilis, quandoquidem de hac re parum uel nihil admodum scripti reliquit antiquitas. Cum tamen materia esset magnopere scriptione digna.*



Slika 1: Gianfrancesco Sannazzari della Ripa: *Tractatus Iuridicus ac Politicus de peste* (1538). Vir: Attribution 4.0 International (CC BY 4.0).

Tractatus Iuridicus ac Politicus de peste (1522), ki ga je napisal profesor rimskega in kanonskega prava Gianfrancesco Sannazzari della Ripa (1480–1535) (o njem Ascheri, 1997, 19), lahko označimo kot prelomno pravno delo. Šolani jurist je prvič sistematično prikazal obsežen komentiran nabor privilegijev, ki jih je podkrepil z alegiranjem rimskih in občepравnih avtoritet. Ripinemu pregledu omilitev civilnega prava je neodvisno sledil *Tractatus legalis de peste* (1524) bolonjskega jurista Girolama Previdella (1496–1534) (o njem Ascheri, 1997, 23). Traktata, ki sta bila zaradi svoje izvirnosti, preglednosti in široke uporabnosti večkrat ponatisnjena,⁹ sta bila za razliko od gostobesednih in zapletenih civilnopravnih komentarjev namenjena širšemu krogu bralcev in ne zgolj specializiranim juristom (Ascheri, 1997, 13).

Civilnopravne vidike epidemije obravnavajo tudi pravniške disertacije nemških »novih praktikov« (Seidell, 1653; Valder, 1674; Einert, 1680; Engelbrecht, 1683; Reyger, 1704, 253–255; Weinling, 1733; Stiegleder, 1742). Ti spisi upoštevajo tudi določila deželno knežjih kužnih redov (Pestordnungen, Infections-Ordnungen), ki so v pretežnem delu posegali na javnopravno področje (Engelbrecht, 1683, § 11).¹⁰ Iz navedkov v disertacijah je mogoče razbrati, da sta Ripin in Previdellijev traktat ostala glavni avtoriteti poznejše občepравne doktrine, kar pomeni, da se je njuno mnenje štelo za *communis opinio doctorum*. Njuni razpravi sta bistveno vplivali tudi določbe evropskih civilnopravnih kodifikacij, kolikor so urejale prilagoditve civilnega prava med epidemijo.

V pričujoči razpravi v luči rimskih in kanonskopравnih virov predstavljam nabor najznačilnejših kužnih privilegijev, ki jih je mogoče razbrati iz obeh omenjenih traktatov, poznejše pravne doktrine in določb evropskih civilnih kodifikacij 18. in 19. stoletja s poudarkom na osnutku Terezijanskega kodeksa (*Codex Theresianus* – CT, 1766) in na njem temelječemu Občnemu državljskemu zakoniku (ODZ, 1811).

Opredelitev kuge v občepравni literaturi

Občepравni juristi so kugo (*pestis*, *lues pestifera*, Pest, Pestilenz, Seuche) opredeljevali kot hudo bolezen, ki naj bi se širila po zraku ali prek umazane vode in ki je po splošnem prepričanju veljala za tako nalezljivo, da je ljudi silila k begu.¹¹ Beg je bil tudi po mnenju juristov splošno pričakovano, legitimno in družbeno zaželeno ravnanje, ki ga oblast ni smela ovirati.¹² Posameznik, ki bi lahkomišelno vztrajal v kužnem kraju, bi

9 Ascheri (1997, 14) omenja tudi razpravo *Tractatus iuridicus de peste* Silvestra Aldobrandinija (1522), ki pa ni izšla v tiskani obliki in mi žal ni bila dostopna.

10 Prvi kužni red za notranjeavstrijske dežele je izdal nadvojvoda Ferdinand leta 1521 (Travnar, 1934, 40; Flamm, 2008, 11–23). Cesarski kužni patenti so zbrani v *Codex Austriacus*, 1704, 516–556. Upravnopravnih in kazenskopравnih razsežnosti kužnih privilegijev v tej razpravi ne obravnavam. O tem Previdelli, 1524, 3; Valder, 1674, I, VIII–X; Engelbrecht, 1683, § 9. Novejša lit.: Pastore, 1991; Musumeci, 2017, 5; Železnik, 2006, 403, in 2015 pass.

11 [D]e eo solummodo morbo contagioso accipi solet, qui incolis metum aliquem incutit (Valder, 1674, 7 (4)).

12 »Sel tengano a memoria [...] la fuga in tali casi è lecita, e nello stesso tempo utile al pubblico, e al privato: hanno i Principi e Magistrati da premettere, che tutti Cittadini, a' quali non manchi la comodità di farlo, si ritirino alle lor Ville, e al largo della campagna [...]« (Muratori, 1720, 32).



Slika 2: Girolamo Previdelli: *Tractatus legalis de peste* (1524). Digitale Bibliothek – Bayerische Staatsbibliothek München.

po splošnem prepričanju skušal Božje potrpljenje (Ripa, 1598, 3 (8)).¹³ Bežečim pred kugo (*fugientes*) so zato priznali posebno pravno zaščito in številne privilegije.¹⁴ Begunci denimo v pribežališču niso bili podvrženi davčnim bremenom (Ripa, 1598, 62 (158), ki navaja Marc. D. 39, 4, 16, 8 in Anton. C. 11, 6, 1) ali za tiste čase značilnemu represalijskemu arestu (Ripa, 1598, 62 (164)). Izjemoma so se smeli začasno zateči tudi v sakralne stavbe, da bi se obvarovali pred najhujšim (Ripa, 1598, 61 (156)). Duhovščini, mestnim magistratom (tudi sodnikom) in zdravnikom kot predstavnikom vitalnega dela javne infrastrukture upravičenja do bega niso priznali (Ossiandro, 1611, cap. 33–37).

Kuga je v pravna razmerja vnašala precejšnjo mero negotovosti. Ta je narekovala prilagajanje splošno veljavnega prava (*ius commune*) »novi normalnosti«. ¹⁵ Omilitev pravnih pravil se je oprijel izraz »kužni privilegiji« (*privilegia pestis*) (prim. Seidell, 1653, 4; Engelbrecht, 1683, 2).¹⁶ Privilegijev niso prištevali med osebne privilegije (*privilegia personarum*), pač pa za privilegij prizadetega območja (*privilegium loci*) (Stiegleder, 1742, 20). To je pomenilo, da se je smela na privilegije sklicevati tudi oseba, ki za kugo (še) ni zbolela, bila pa je navzoča v kužnem kraju in tam trpela različne omejitve javnega življenja.¹⁷ Privilegiji so stopili v veljavo brž ko je bila epidemija oblastno razglašena, po nekaterih stališčih pa je zadoščalo že, če je bila vsaj splošno znana. Vsekakor se pri razpršenih okužbah, zaradi katerih prebivalstvo ne bi množično bežalo, na privilegije ni bilo mogoče sklicevati (Ripa, 1598, 83 in Ripa, 1598, 82 (11): [*L*]euis contagio non excusat.)¹⁸

PRIVILEGIA PESTIS

Privilegiji v pogodbenem pravu (*privilegia contractuum*)

Nenadni epidemični izbruh je dolžnika razbremenil odškodninske odgovornosti, če zaradi epidemičnih omejitev gibanja pogodbene obveznosti ni mogel izpolniti na pogodbeno dogovorjenem kraju (Ripa, 1598, 15 (1)). Obveznost je bil v tem primeru

13 *Et pestilentioso in loco versari, est Deum tentare* (Reyger, 1704, 256 (6)).

14 Na statusnopravnem področju so otrokom beguncev, ki so bili spočeti v domačem kraju, na temelju fikcije *nasciturus* priznali domicil v kraju, od koder je pribežala mati (Ripa, 1598, 69 (183)). Če pa je bil otrok v pribežališču ne le rojen, marveč tudi spočet, so juristi predlagali fingiranje materinega prvotnega domicila z utemeljitvijo, da je imela mati namen vrnitve (*animus revertendi*, sec. Gai. D. 41, 1, 5, 5) (Ripa, 1598, 67 (181, 182)). Pravnih fikcij so se posluževali zato, ker so mestni statuti izvrševanje vodilnih funkcij v mestni samoupravi redno pogojevali z rojstvom meščana v mestu (Ascheri, 1997, 66).

15 [*N*]am quo tempore gentes peste affliguntur, ea est rerum omnium perturbatio, ut noui casus emergentes nouas ordinationes necessario exigere uideantur (Previdelli, 1524, 2).

16 Ascheri (1997, 60) govori o »rahljanju« (*relaxatio*) pravil splošno veljavnega prava.

17 Da so kužni privilegiji po svoji naravi »krajevni privilegiji« je jasno izhajalo iz čl. 986 francoskega CC, ki je v Franciji veljal med leti 1804 in 2007: »Les testaments faits dans un lieu avec lequel toute communication sera interceptée à cause de la peste ou autre maladie contagieuse, pourront être faits devant le juge du tribunal d'instance ou devant l'un des officiers municipaux de la commune, en présence des deux témoins. Cette disposition aura lieu tant à l'égard de ceux qui seraient atteints de ces maladies que de ceux qui seraient dans les lieux qui en sont infectés, encore qu'ils ne fussent pas actuellement malades.«

18 Prim. Carpoz, 1638, 927: *Alioquin vbi homines morbum non metuunt, nec fugiunt, ratione aequitatis cessante, de numero testium septentatio in confectione nil prorsus remittendum esse.*

zavezan izpolniti na drugem primernem kraju. Če bi upniku zaradi protipogodbenega ravnanja nastala škoda, je moral to nositi sam, če le ni bil dolžnik v zamudi z izpolnitvijo že pred izbruhom epidemije (Ripa, 1598, 15 (5)).¹⁹ Dolžnika, ki je zaradi epidemičnega izbruha obveznost izpolnil po preteku roka ali po upnikovem opominu, niso prizadele posledice dolžnikove zamude.²⁰ Pogodbena kazen, določena za primer nepravočasne izpolnitve v primeru zadržanosti zaradi epidemičnega izbruha ni zapadla (Ripa, 1598, 16 (11)).²¹ Kugo sta za razlog, ki izključuje pogodbeno odškodninsko odgovornost zaradi nepravilne izpolnitve, izrecno omenjala Bavarski civilni zakonik²² in Terezijanski kodeks.²³

Četudi je dolžnik zavezo o izpolnitvi obveznosti na določenem kraju podkrepil s prisego, nepravočasne izpolnitve, ki ji je botrovala epidemija, niso šteli za prelomitev prisege (*perjurio*) (Ripa, 1598, 16 (8)). Šteli so, da je bila prisega dana pod tihim pogojem (*condicio tacita*), da do epidemije kot višje sile ne bo prišlo.²⁴

Privilegij izpolnitve pogodbene obveznosti na drugem primernem varnem kraju so preslikali tudi na javnopravna razmerja. Tako je bilo v času kuge novorojenčke izjemoma dopustno krstiti na domu (Ripa, 1598, 79 (200)), bogoslužje pa so smeli opravljati tudi na prostem.²⁵ Ripa celo navede, da bi kronanje rimskega kralja, ki se je tradicionalno odvijalo v Rimu, uživalo polno veljavnost, četudi bi se zaradi strahu pred širjenjem epidemije izvedlo na drugem varnem, a častnem kraju (Ripa, 1598, 60 (154); 64 (169)).

V pogodbenem pravu so juristi največ pozornosti posvetili prilagoditvam pogodbenih obveznosti pri trajajočih obligacijskih razmerjih, zlasti pri zakupni pogodbi (*locatio conductio rei*). Zakupniku so zaradi upravičenega strahu pred okužbo dovolili, da zapusti zakupljeno zemljišče tudi brez zakupodajalčevega pristanka.²⁶ V izogib škodi, ki bi zaradi zanemarjenega zemljišča utegnila nastati zakupodajalcu, mu je moral zakupnik

19 Dolžnik, ki je zamujal z izpolnitvijo obveznosti, je po rimskem pravu odgovarjal za naključno uničenje individualno določenega predmeta obveznosti (Paul. D. 46, 1, 58, 1).

20 [Q]uia omnis justa causa metus excusat a mora. Ripa, 1598, 15 (1). Prim. Pomp. D. 12, 1, 5; Ulp. D. 22, 1, 21 in 23. O subjektivni koncepciji zamude v občem pravu Coing, 1985, 436.

21 [Q]uia ubi non est culpa, ibi nulla est poena. Et non est in culpa, qui non vadit ad locum suspectum de peste. Ripa, 1598, 17 (13), ki se sklicuje na Paul.–Lab. D. 50, 16, 244. O krivdi kot predpostavki zapadlosti pogodbene kazni (prim. Cels.–Ulp. D. 4, 8, 23, 1; Afr. D. 44, 7, 23; Pap. D. 45, 1, 115, 2).

22 »Ueberhaupt aber muß 4tò der Zahlungs- Ort bequem und gelegen, mithin weder mit Pest, [...] behaftet seyn.« (CMBC, 1756, 4, 14 §10).

23 »Diese [...] Entschädigung höret jedoch in jenem Fall auf, wann rechtmäßige Ehehaften den Zugang zu dem bestimmten Ort verwehren, als da solcher durch [...] ansteckende Seuche erschweret, oder gar unmöglich gemacht würde [...]« (CT, 1766, 3, 24, § 1, 66).

24 [Q]uia intellegitur rebus sic stantibus. Eadem est ratio si quis juravit [...] ibi superveniat pestis, excusabitur a perjurio (Blumberg, 1733 [1688], 873). Prim. C. 22 q. 4 c. 17.

25 [T]empore Pestis, quia tunc potest Episcopus concedere licentiam celebrandi in publicis viis, & in privatis domibus [...] (Capone, 1705, 219).

26 Nam iustissimus est timor pestilentiae (Ripa, 1598, 18 (17)). Ripa se sklicuje na Ulp. D. 4, 6, 3: Metus autem causa abesse videtur, qui iusto timore mortis vel cruciatus corporis conterritus abest.

svoj odhod pravočasno naznaniti in mu predati ključ poslopij (Ripa, 1598, 19 (23)).²⁷ Zakupno razmerje, ki je bilo sklenjeno za določen čas, pa z zakupnikovim begom ni samodejno prenehalo (Ripa, 1598, 18 (19)). Zaradi epidemičnih razmer ga tudi ni bilo mogoče enostransko razdreti. Šele v 17. stoletju so se pojavila dokaj osamljena stališča, da je mogoče zakupno pogodbo v novonastalih epidemičnih razmerah razdreti, saj naj bi bila vsaka pogodba sklenjena s tiho klavzulo, da ostanejo gospodarske okoliščine v bistvenem enake kot v trenutku sklenitve pogodbe.²⁸

Zakupnika, ki zaradi bega pred kugo ni mogel uživati zakupljenega zemljišča, so pod pogojem, da je zakupodajalca pred odhodom o tem obvestil, oprostili plačila zakupnine.²⁹ Osnutek Terezijanskega kodeksa (CT, 1766, 3, 1, § 9, 188) je naključje, ki ga ni bilo mogoče odvrniti, predvideti in preprečiti, konkretiziral z omembo »neozdravljive živinske ali človeške kuge« (»unheilbare Seuchen unter Vieh und Menschen«).³⁰ ODZ je zakupnika oziroma najemnika, ki zaradi izbruha kužne bolezni kot oblike »izrednega naključja« stvari v celoti nista mogla uporabljati oziroma je uživati, popolnoma razbremenil plačila zakupnine oziroma najemnine. Zakupodajalec pa je bil razbremenjen izredne uprave zakupljene stvari:

Ako se v rabokup vzeta stvar sploh ne more rabiti ali uživati zaradi izrednih naključij, kakor ognja, vojne ali kužne bolezni (Seuche) [...] ni dolžan zakupodavec ali najemodavec popravljati jo, toda tudi najemnine ali zakupnine ni treba plačati. (ODZ, 1811, § 1104)

Kadar je prišlo le do delnega izpada uživanja zakupljene stvari, denimo zato, ker je nevarnost epidemije trajala le manjši del zakupne dobe, bi moral škodo nositi načeloma zakupnik sam.³¹ Kljub temu so občepравни juristi zagovarjali blagohotno stališče, da naj zakupodajalec sorazmerno zniža zakupnino (*remissio mercedis*),³² če

27 Ripa se sklicuje na Ulpijanov primer zakupnika, ki je pobegnil zaradi strahu pred vdorom sovražne vojske – Ulp. D. 19, 2, 13, 7: *Exercitu veniente migravit conductor, dein de hospitio milites fenestras et cetera sustulerunt. si domino non denunciavit et migravit, ex locato tenebitur: Labeo autem, si resistere potuit et non resistit, teneri ait, quae sententia vera est. sed et si denunciare non potuit, non puto eum teneri.*

28 *Quemadmodum etiam alias omnes contractus & promissiones intelliguntur cum clausula rebus sic stantibus.* (Valder, 1674, 17 (3)). Pravica razdora pogodbe zaradi spremenjenih okoliščin v literaturi predstavnikov naravnopravne šole ni bila splošno priznana (Coing, 1985, 412; Zimmermann, 1992, 580 s; čl. 112–115 OZ).

29 Afr. D. 19, 2, 33; Alf. D. 19, 2, 27, 1: *[S]i quis timoris causa emigrasset, deberet mercedem, necne. respondit, si causa fuisset, cur periculum timeret, quamvis periculum vere non fuisset, tamen non debere mercedem: sed si causa timoris iusta non fuisset, nihil minus debere.*

30 Prim. Ulp. D. 50, 17, 23: *[A]nimalium vero casus mortisque, quae sine culpa accidunt, fugae servorum qui custodiri non solent, rapinae, tumultus, incendia, aquarum magnitudines, impetus praedonum a nullo praestantur.*

31 Gai. D. 19, 2, 25, 6: *[M]odicum damnum aequo animo ferre debet colonus, cui immodicum lucrum non aufertur.*

32 Ulp. D. 19, 2, 15, 3–5; Alex. C. 4, 65, 8; X. 3, 18, 3: *Propter sterilitatem, afficientem magno incommodo conductores, vitio rei sine culpa coloni, seu casu fortuito contingentem, colonis ecclesiae tuae pro rata est pensionis remissio facienda [...]*

je zakupnik dokazal znaten izpad donosov. Če bi resna nevarnost okužbe trajala zgolj kak mesec, torej zakupodajalcu zakupnine ne bi bilo treba zniževati. To ne bi veljalo tedaj, ko bi zakupnik že s kratkotrajnim izpadom donosov zemljišča (npr. če bi kuga izbruhnila v žetveni sezoni) utrpel nadpolovično prikrajšanje (*laesio in dimidia parte* oziroma *laesio enormis*) (Ripa, 1598, 20 (24, 25)). Zakupnik je smel po stališču občeppravne doktrine izrecno prevzeti obveznost plačila polne zakupnine, četudi bi mu višja sila onemogočila uživanje zemljišča.³³ Toda, če je zakupnik tovrstno jamstvo prevzel le »na splošno«, torej brez izrecnega prevzema jamstva za primer izbruha epidemije, so mu kljub temu širokogrudno priznali možnost znižanja zakupnine. Kugo so očitno razumeli za tako kvalificirano obliko višje sile, da je pogodbenem določilo o prevzemu tveganja višje sile zahtevalo njeno poimensko omembo (Ripa, 1598, 35 (74)).

Tudi ODZ je predvidel možnost sklicevanja na sorazmerno znižanje zakupnine, če je bil njegov zemljiški donos zaradi izbruha kužne bolezni za več kot polovico manjši od navadnega donosa (ODZ, 1811, § 1105). Najemniku pa so zahtevek na sorazmerno znižanje najemnine priznali brezpogojno.

Ripa našteva tudi tipske zakupnike, ki jim pravo ne dopušča sklicevanja na znižanje zakupnine. Gre za primere, ko bi bila zakupna pogodba sklenjena v času notornosti kuge ali če je bilo zemljišče po svojem namenu izpostavljeno izbruhom epidemij (Ripa, 1598, 24 (36 in 41)). Primeroma navaja zavetišče za študente in romarje. Ker so v načinu življenja javnih grešnikov, med katere šteje razbojnike, ode-ruhe in bogokletnike, videli razlog božje jeze, tem niso priznali zahtevka na znižanja zakupnine (Ripa, 1598, 22 (34)). Enako je veljalo tudi za tiste, ki so Božje potrpljenje skušali z lahkomišelnim obiskovanjem kužnih območij (Ripa, 1598, 23 (39)).

Ripa tudi razpravlja, kako je s plačilom univerzitetnim profesorjem, ki so jim z zaprtjem fakultet zaradi izbruha epidemije onemogočili izvedbo predavanj. Pri tem navaja Bartolovo mnenje, da je smel profesor tudi v tem primeru zahtevati celoletno plačilo, ker »ni bilo zaradi njega, da ni mogel predavati« (Ripa, 1598, 47 (115)).³⁴

Posebna oblika podjemne pogodbe je bila prevozna pogodba. Po splošnem pravilu je prevoznik, ki se ni držal pogodbeno določene trase poti (denimo, da bi se izognil plačilu cestnih pristojbin), odgovarjal za naključno uničenje blaga.³⁵ Gre za tipično odgovornost za mešano naključje (*casus mixtus*). Toda, če bi samolastni prilagoditvi poti botroval upravičen strah pred epidemijo, prevoznik ni odgovarjal za naključno uničenje blaga (Ripa, 1598, 62 (161)).

V normalnih razmerah se je domnevalo, da je darilna pogodba sklenjena s takojšnjim učinkom (*donatio inter vivos*) (Pap. D. 39, 6, 42, 1). V epidemičnih razmerah pa se je domnevalo, da je darilna pogodba ob odsotnosti drugečnega dogovora učinkovala šele

33 Prim. Iul. D. 19, 2, 9, 2: [S]i quis fundum locaverit, ut etiam si quid vi maiori accidisset, hoc ei praestaretur, pacto standum esse.

34 Paul. D. 19, 2, 38 pr.: Qui operas suas locavit, totius temporis mercedem accipere debet, si per eum non stetit, quo minus operas praestet.

35 [N]unquam enim quis excusatur propter casum, quando culpa praecessit casum (Ripa, 1598, 23 (39)).

po darovalčevi smrti (*donatio mortis causa*) (Ripa, 1598, 65 (171)).³⁶ Bistvena posledica je bila v tem, da je smel darovalec darilo preklicati tudi brez utemeljenega razloga (*sola poenitentia*) (Ripa, 1598, 65 (172)),³⁷ kar pri darilnih pogodbah med živimi ni bilo mogoče, saj se je moral v teh primerih darovalec sklicevati na taksativno določene pogoje.

Mož se od žene ni smel ločiti od mize in postelje, četudi bi žena bolehala za gobavostjo ali za drugo hudo nalezljivo boleznijo.³⁸ Ripa pa je zagovarjal stališče, da soprogu zakonskih dolžnosti (*debita carnis*) zaradi nevarnosti preteče okužbe ni bilo treba izpolnjevati (Ripa, 75 (201)). Mož je bil ženi dolžan zagotoviti živež in zdravila (Ripa, 1598, 75 (202) s sklicevanjem na Alex. Sev. C. 2, 18, 13).³⁹ Če bi mož umirajočo ženo zapustil, so mu juristi odrekli zahtevek na povračilo darila, ki ga je dal ženi ob sklenitve zakonske zveze (*donatio propter nuptias*). Vrh tega je bil ženinim sorodnikom zavezan povrniti ne le vrednost dote, marveč tudi vrednost vseh njenih donosov. Zakonsko zvezo je Ripa slikovito primerjal s fevdnim razmerjem: kakor bi vazal izgubil fevd, če bi seniorja zapustil v vojni, tako bi mož izgubil vse ugodnosti iz zakonske zveze, če bi ženo zapustil v epidemiji (»Božji vojni«).⁴⁰

ODZ je med ločitvene razloge uvrščal tudi »trajne telesne hibe, ki od njih preti nevarnost, da se nalezejo« (ODZ, 1811, § 109). Pri tem je imel zakonodajalec v mislih spolno prenosljive bolezni, zlasti sifilis (Stubenrauch, 1902, 185). Ženina obolelost za kugo tako ni bila utemeljen razlog za ločitev od mize in postelje.

Da je bila skrb za okužene bolnike v prvi vrsti na plečih sorodnikov, kaže osnutek Terezijanskega kodeksa, ki je otrokovo opustitev skrbi za starše, obolele za kugo (izrecno omenja »Pest«) opredelil kot upravičen razlog za razdedinjenje (CT, 1766, 2, 15 §2, 18). § 768 ODZ otrokovo odklonitev pomoči staršem v stiski še vedno razume kot zakoniti razlog razdedinjenja, vendar kuge ne omenja več. Tudi v tem se kaže nototehnični napredek ODZ-ja, ki je v primerjavi s Terezijanskim kodeksom na znatno abstraktnjšem nivoju.

Privilegiji pri napravi oporoke (*privilegia ultimarum voluntatum*)

Tipični izrazi »kužnega prava« so v rahljanju pogodbenih in oporočnih obličnosti. Če je denimo mestni statut za veljavnost pogodbe, ki sta jo sklenila ženska ali nedorasli, zahteval sodelovanje dveh notarjev, je bila pogodba veljavna tudi, če sta jo sklenila

36 *Existens autem in loco pestifero, satis cogitatione mortis donare videtur propter instans mortis periculum* (Ripa, 1598, 65 (172)).

37 Paul. D. 39, 6, 35, 4: *[N]am et sic potest donari, [...] ut reddatur, etiamsi prior ex eadem valetudine decesserit, si tamen mutata voluntate restitui sibi voluerit.*

38 X. 4, 8, 2: *[N]emini licet, [...] uxorem suam dimittere: constat, quod, sive mulier lepra percussa fuerit, seu alia gravi infirmitate detenta, non est a viro [suo] propterea separanda, vel etiam dimittenda. Enako C. 2 q. 32 c. 18: Si uxorem quis habeat sterilem, [...] siue morbis, uel laboribus doloribusque, confectam [...] pro societate fideque sustineat.*

39 V času epidemije so kristjanom izjemoma dopuščali kupovanje zdravil tudi od judovskih lekarnarjev. V običajnih razmerah to ni bilo dovoljeno (C. 28 q. 1 c. 13; Valder, 1674, 36 (3); Reyger, 1704, 254 (12)).

40 *Nam vasallus relinquens dominum in bello humano, perdit feudum. Sic dicamus in marito relinquente vxorem in bello Dei* (Ripa, 1598, 76 (205)).

pred enim notarjem (Ripa, 1598, 63 (165); Engelbrecht, 1683, 5). Juristi so želeli oporočitelje razbremeniti zlasti toge rimske zahteve, ki je za veljavnost redne oporoke predvidevala sočasno navzočnost sedmih poklicanih moških prič, ki so oporočno listino podpisali in pečatili v časovno in krajevno enotnem pravnem dejanju (Diocl. Max. C. 6, 23, 9; Theodos. Valentin. C. 6, 23, 21.).⁴¹ Delno oporo jim je zagotavljala konstitucija cesarjev Dioklecijana in Maksimijana iz leta 290:

C. 6, 24, 8: Ista cesarja (= Dioklecijan in Maksimijan) Marcelinu. »Zaradi velikega in nenavadnega primera, ko je strah pred okužbo odvrčal priče, je treba nekaj poenostaviti v pravnem oziru, vendar pa s tem niso ukinjene preostale oporočne obličnosti. (1) Oproščeno je bilo, da se priče družijo in zbirajo z nekom, ki bolega za tako boleznijo, medtem ko pravilo o številu zahtevanih prič ni bilo razveljavljeno. Dano na julijske kalende v četrtem oziroma tretjem konzulatu obeh cesarjev.« (1. julij 290)⁴²

Ker v konstituciji ni pojasnjeno, o čigavi okužbi je pravzaprav govora, se je pojavilo več različnih razlag. Bizantinski sholist Stephanos je bil prepričan, da je moral za okužbo bolehati oporočitelj (Bas. 35, 2, 7, po Heimbach, 1843, 545). Baldus de Ubaldis je menil, da se je obolelost nanašala na eno od prič (Baldus, 1577, 61). Iz besedila konstitucije prav tako ni jasno, na katero bolezen bi se nanašala. Zakonodajalec naj bi imel v mislih epileptičen napad, ki sta ga doživela ali priča ali zapustnik (Gothofredus, 1642, 642).⁴³ Ker pa so epilepsijo šele v srednjem veku šteli za nalezljivo bolezen, sodobna literatura to kritično razlago, ki so jo zagovarjali predvsem humanisti z Gothofredom na čelu, zavrača (Willems, 2021, 623). Vse kaže, da sta se cesarja odzvala na epidemijo črnih koz, ki je v tretjem stoletju prizadela nekatere dele rimskega cesarstva (Willems, 2021, 626).

Občepravni juristi so šteli, da se je na navedeno konstitucijo mogoče opirati v času kuge (*testamentum tempore pestis conditum*). Njeno uporabo so razširjali tudi na primere, ko je oporočitelj bolehal za tifusom, sifilisom, grižo, gobavostjo in epilepsijo (Carpzov, 1638, 927). V razmerah, ko so navedene bolezni veljale za posebej kužne, bi težko zagotovili sočasno navzočnost kar sedmih prič ob umirajočem oporočitelju. Po splošnih pravilih so morali oporoko napisati, prebrati in pečatiti v enotnem pravnem dejanju (*unitas actus, diei, loci et temporis*), praviloma torej na isti dan, v istem prostoru in v sočasni navzočnosti vseh sedmih prič (Rüfner, 2011, 20). Konstitucija je jasno določila, da so smele priče listino

41 Enake obličnosti je za redno oporoko predpisal tudi Državni notarski red (1512), II §§ 2–4 (Emminghaus, 1824, 131; Von der Beck, 1995, 30 s; Wendehorst, 2011, 228).

42 Idem AA. [= Imp. Diocl. et Maxim.] Marcellino. *Casus maioris ac novi contingentis ratione adversus timorem contagionis, quae testes deterret, aliquid de iure laxatum est: non tamen prorsus reliqua etiam testamentorum sollemnitas perempta est.* (1) *Testes enim huiusmodi morbo oppresso eo tempore iungi atque sociari remissum est, non etiam conveniendi numeri eorum observatio sublata.* s. k. Iul. ipsi IIII et III AA. cons. O tem Willems, 2021.

43 Prim. Iust. C. 6, 23, 28, 1, kjer poudarja, da epileptični napad (*morbus comitalis*) ene od prič sam po sebi ni mogel ogroziti veljavnosti oporočnega akta.

pečatiti oziroma podpisovati tudi sukcesivno druga za drugo, pri čemer je bila torej olajšana predpostavka sočasne navzočnosti vseh prič ob bolehnem oporočitelju (Windscheid, 1901, 220, op. 7). Rahljanje obličnosti pa ni razbremenjevalo sodelovanja sedmih prič (Previdelli, 1524, 7; Muyden, 1749, 8). Ker jih je bilo v kritičnem obdobju epidemije težko zbrati, so nekateri juristi želeli prevzeti rešitev kanonskega prava, ki je priznalo veljavnost oporoki, če je bila ta napravljena pred dvema polno poslovno sposobnima pričama in duhovnikom.⁴⁴ Kanonskopравnih določil po večinskem stališču zunaj cerkvenih ozemelj niso smeli uporabljati, če Cerkev ni bila eden od upravičencev iz oporoke (Wolter, 1975, 99). Ripa je zato razmišljal o naslonitvi na pravila rimske podeželske oporoke (*testamentum ruri conditum*), za katere je zaradi redkejšje poselitve podeželskih območij zadoščala navzočnost petih prič (Ripa, 1598, 83 (12) s sklicevanjem na Iust. C. 6, 23, 31). Ker pa je bila ta privilegirana oporoka omejena na podeželske predele, ni bilo nobene podlage za širitev njene veljavnosti tudi na gosto poseljene mestne predele. V luči stare bartolistične analogije med vojno in kugo je zato priznal uporabo določb o privilegiranih vojaških oporokah, za katere se ni zahtevala navzočnost prič.⁴⁵ Previdelli je Ripin predlog zavrnil, saj grešno ljudstvo v pravični božji vojni ne sme biti privilegirano.⁴⁶ Vrh tega privilegiji niso trpeli analogne uporabe (Paul. D. 50, 17, 141 pr.). Previdelli pa je dopuščal, da rimskopravno zahtevo po sedmih pričah izrecno nadomestijo z novim pravilom partikularnega prava, ki bi po splošnih pravilih uživalo primarno veljavo.⁴⁷ Odmik od določil splošnega prava so nekateri juristi 17. stoletja izvajali neposredno iz naravnega prava,⁴⁸ drugi pa so se opirali na analogijo med vojno in epidemijo.⁴⁹ Temu je sledil pruski ALR (1794, 1, 12, 1 § 198), ki je vse omilitve vojaških oporok razširil tudi na civilno prebivalstvo v epidemičnem času.⁵⁰

44 X. 3, 26, 10: [Q]uum scriptum sit: »In ore duorum vel trium testium stet omne verbum« [...] testamenta, quae parochiani vestri coram presbytero suo et tribus vel duabus aliis personis idoneis [...] firma decernimus [...]«. Navedeni dekretal papeža Aleksandra III. temelji na Mt. 18, 16.

45 [Q]uia isti non minus pro Republ(ica) militant in bello Dei, quam milites armatae militiae in bello hominum, quos milites constat, dum sunt in acie, habere privilegium testandi, quomodo velint & quomodo possint (Ripa, 1598, 83 (15)).

46 Licet tempore pestis sit bellum inter deum & homines [...] tamen haec militia ex parte nostra non est fauorabilis nec privilegiata: quia tunc a deo iuste plectimur. Propter enim peccata deus nobiscum est iratus & propterea pestilentias immittit [...] (Previdelli, 1524, 5).

47 Nec tempus militiae & pestis ad remittendas solennitates testamentarias aequiparant [...] Necessesse est ergo facere novam reformationem uel statutum (Previdelli, 1524, 6). Saške konstitucije (Vorordenungen und Constitutionen, 1579, 54) so denimo določile, da je za napravo oporoke tempore pestis zadoščala navzočnost dveh ali treh verodostojnih prič.

48 [I]n testamento pestis tempore, cui solennitates iuris gentium sufficiunt (Carpzov, 1638, 930, def. 8).

49 Quemadmodum enim inter arma silent leges, sic etiam in militia & vi pestilentiali leges conquiescere necesse est, & pestilentiali gladio caesum & vulneratum quaque ratione testari sufficit, cum pestis & belli tempus aequiparentur (Weinling, 1733, 23).

50 »Das Privilegium, militairisch zu testiren, wird auch auf Personen des Civilstandes ausgedehnt, in so fern sie, wegen ansteckender Krankheiten oder Kriegesgefahr, sich des richterlichen Amts zu bedienen verhindert werden« (ALR, 1794, § 198). Prim. CMBC, 1756, 3, 4 § 6.

Posebna omilitev se je nanašala tudi na vprašanje, ali so morale biti priče tudi v času epidemije po oporočitelju posebej pozvane (*testes rogati*) (Ulp. D. 28, 1, 21, 2). Sedmih naključnih prišlekov, ki bi jim odprli okno, da bi opazovali napravo oporoke, v normalnih razmerah namreč niso šteli kot primerne priče. Previdelli (1524, 8) pa je tako rešitev v času epidemije izjemoma dopustil in temu so sledili tudi poznejši juristi (Carpzov, 1638, 930).⁵¹ Čeprav ženska po splošnih pravilih ni bila verodostojna oporočna priča (*testis idoneus*),⁵² so ji to sposobnost v epidemičnih razmerah izjemoma priznali (Ripa, 1598, 85 (24); Previdelli, 1524, 10; Weinling, 1733, 26).

Ker je vojaški oporoki leto dni po oporočiteljevem častnem odpustu iz vojaške službe prenehala veljavnost (Afr. D. 29, 1, 21), je enako veljalo tudi za oporoko, napravljeno v času epidemije (Ripa, 1598, 86 (30–31)).⁵³ Oporočitelj je moral po prenehanju epidemije poslednjo voljo izraziti znova, tokrat ob upoštevanju splošnih obličnostnih pravil (Ripa, 1598, 86 (29)).

Navedenim oporočnim olajšavam je v znatnem obsegu sledil tudi ODZ.⁵⁴ Določbe tega zakonika so sicer mnogo splošnejše od kazuističnega osnutka Terezijanskega kodeksa (CT, 1766, 2, 11 § 6, 171–180):

Pri poslednjih naredbah, napravljenih [...] v krajih, kjer so razširjene kuga ali podobne nalezljive kužne bolezni, so veljavne priče tudi osebe, ki so dovršile štirinajsto leto. (ODZ, 1811, § 597)

Za te olajšane poslednje naredbe je treba le dveh prič, od katerih sme ena spisati oporoko. Tudi ni potrebno, da sta obe hkratu prisotni, ako je nevarnost za okuženje. (ODZ, 1811, § 598)

Šest mesecev [...] po kužni bolezni izgube svojo moč olajšane naredbe poslednje volje. (ODZ, 1811, § 599)

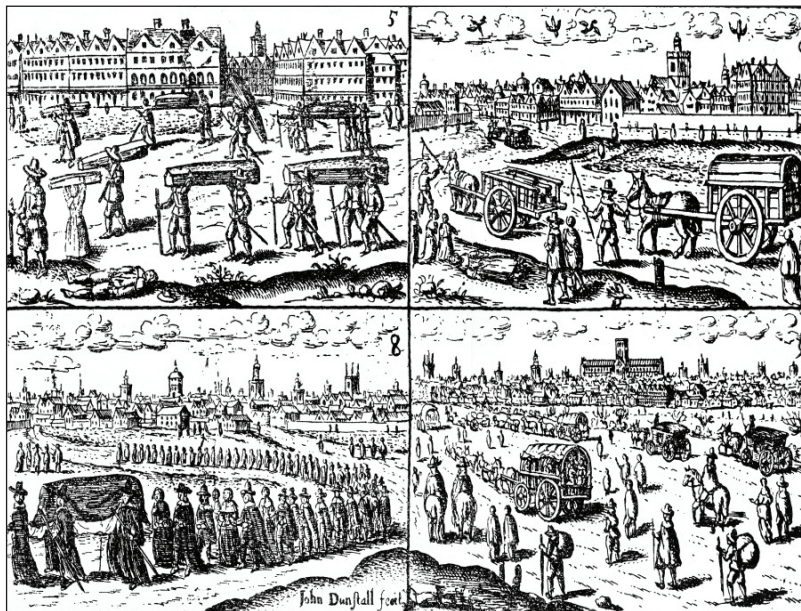
51 Ripa (1598, 81 (7)) kot zgled navaja milanskega jurista Signorola degli Omodeja, ki je za kugo umirajočo ženo pripeljal na ulico, da bi tam zbral priče, ki bi bile pripravljene poslušati izjavo njene poslednje volje.

52 Paul. D. 22, 5, 18; C. 33 q. 5 c. 17: *Mulierem constat subiectam dominio viri esse, et nullam auctoritatem habere; nec docere potest, nec testis esse, neque fidem dare, nec iudicare*. X. 5, 40, 10: *[N]am varium et mutabile testimonium semper femina producit*. Po stališču glose k C. 15 q. 3 c. 2, se je kanon nanašal zgolj na oporočne priče, ne pa na pričanja v drugih civilnih in v kazenskih zadevah (Degenring, 1999, 209).

53 Enako ALR, 1794, 1, 12, 1 § 201. Čl. 987 CC (1804) je obdobje veljavnosti kužne oporoke znižal na 6 mesecev po prenehanju epidemije, § 2114 saškega BGB in čl. 610 CC (1942) na 3, čl. 703 CC (1889) pa na 2 meseca.

54 Oboleli za to kužno boleznijo, ki so se nahajali v bolnišnici oziroma karantenski ustanovi, so smeli veljavno oporoko napraviti brez kakršnihkoli obličnosti (Kirchstetter, 1894, 334, op. 4).

55 Art. 985 CC (1804) je v tem primeru zahteval navzočnost mirovnega sodnika ali občinskega uradnika in v obeh primerih še dveh prič. Enako določa čl. 609 CC (1942), ki dodaja možnost sočasne navzočnosti dveh prič in duhovnika. § 2113 saškega BGB (1865) in čl. 701 CC (1889) sta predpisala navzočnost treh prič.



Slika 3: Mox, Longe, Tarde, cede, recede, redi. (Čim prej odidi, daleč pojdi, pozno se vrni.) (Muratori, 1720, 32). Vir: Wikimedia Commons (po Bell, 1924).

§. 6.

An Orten, welche der Contagion halber bereits gesperrt ^{Tempore} ^{Ecclie.} seynd, braucht man 1^{mo} zu Errichtung eines Testaments mehr nicht als fünf Zeugen, und zwar 2^{do} ohne Unterschied, ob sie männ- oder weiblichen Geschlechts seynd. 3^{do} Ist auch hierbey nicht nöthig, daß der Testaments-Act in uno continuo ununterbrochen für sich gehe, minder, daß die Zeugen alle zugleich beysammen, oder in dem nemlichen Zimmer, wo die franke Person liegt, sich einfinden, sondern es kan dieses alles successivē unterbrochen, und einschichtiger Weis geschehen, ist annehbens genug, wenn die Zeugen den Kranken nur deutlich hören und sehen. Gleiche Beschaffenheit hat es 4^{to} mit Testamenten; welche zwar nicht an inficirt- und gesperrten Orten, gleichwol aber von einer mit Leibs-gefährlicher Erbsucht befallener Person errichtet werden. 5^{to} Besteht ein solch- privilegiertes Testament länger nicht, als Jahr und Tag von der Zeit an, da die gefährliche Krankheit oder Contagion wiederum außgehört hat, und ist auch 6^{to} die zu Aufnahm des letzten Willens berufene Obrigkeit an inficirt- oder gefährlichen Orten zu erscheinen nicht verbunden.

Slika 4: Bavarski civilni zakonik (1756) je v 3, 4 § 6 jedrnato povzel kužne privilegije, ki so veljali pri napravi oporoke (CMBC, 1756, 245).

Pfaff (1877, 203) je poudaril, da za uporabo navedenih določb ODZ-ja ni zadoščal izbruh katerekoli nalezljive bolezni, temveč hude epidemije, ki je po splošnem ljudskem mnenju vzbudila hud strah pred okužbo, s čimer jasno sledi zgoraj predstavljenemu občeppravnemu pravilu. Določbe o privilegirani oporoki so veljale tudi za oporočitelja, ki sam sicer ni bolehal za kužno boleznijo, če je ta bolezen izbruhnila v kraju naprave oporoke (Kirchstetter, 1894, 334, op. 3). H kugi podobnim boleznim, za katere je veljal enak pravni režim, so v avstrijski literaturi prištevali zlasti kolero (Pfaff, 1877, 203). ODZ je vse do noveliranja (Nov. I, 1914, § 56) vztrajal, da ženska tudi v epidemičnem času ni verodostojna oporočna priča. Leta 2016 so vse navedene določbe avstrijskega ODZ (ABGB) prenehale veljati, ker naj bi šlo, tako Wendehorst, za »mrtvo pravo«.⁵⁶

Oporočitelji so dediče in volilnojemnike pogosto obremenjevali z nalogom (*modus*), da naj se udeležijo pokojnikovega pogreba. Ripa se je spraševal, ali je bilo v primeru upravičljivega volilnojemnikovega zadržka, povezanega s strahom pred okužbo, tak nalog mogoče šteti za izpolnjenega. Meni, da če je bila oporoka napravljena že v času izbruha kuge, takega naloga niso smeli šteti za izpolnjenega. Oporočitelj je v tem primeru želel zagotoviti, da bo nekdo poskrbel za njegov pogreb, pri tem pa tiho privolil, da bi se obremenjeni upravičenec lahko tudi okužil. Če pa je oporočitelj napravil oporoko v normalnih razmerah, ko ni bilo mogoče predvideti izbruha kuge, je Ripa (1598, 90 (45)) tak nalog zaradi pripisane oporočiteljeve blagohotnosti štel za nezapisanega.

Privilegiji v postopkovnem pravu (*privilegia iudiciorum*)

Pravdne stranke zaradi oblastnih zapor in najrazličnejših omejitev gibanja, ki jim je botrovala epidemija, pogosto niso mogle dostopati do sodišča. Očitek zaničevanja sodišča zaradi neudeležbe na sojenju in s tem zvezana zamudna sodba sta bila zato izključena. Če bi se postopek v strankini upravičeni odsotnosti odvijal v kraju, kjer je divjala kuga, bi bil celo ničen. Sodnik bi z lahkomišelnim vztrajanjem pri sojenju skušal Božje potrpljenje.⁵⁷ Na »ugovor nevarnega kraja« (*exceptio loci non tuti*) se stranki v primeru notornega izbruha kuge sploh ni bilo treba izrecno sklicevati. Strankino odsotnost je moral sodnik upravičiti po uradni dolžnosti, narok pa nemudoma preložiti (Ripa, 1598, 94 (1 in 3)). Vabljeni je sicer moral kljub privilegiju v domačem kraju napraviti »protest« v pričo častnih mož (*protestatio impedimenti coram viris honestis*) (Ripa, 1598, 98 (23)), s čimer je lahko v poznejšem postopku dokazal, da se je svoje dolžnosti udeležbe na sodni obravnavi sicer zavedal, da pa mu je prihod na sodišče onemogočila višja sila (Ripa, 1598, 23 (98)). Stranki tudi ni bilo treba poslati pravdnega zastopnika (Seidell, 1653, 4).

56 »As the former §§ 597 to 600 ABGB had essentially been dead law and hardly suitable to respond to the needs of modern society, the decision by the Austrian legislator to launch a reform was certainly laudable.« (Wendehorst, 2011, 248)

57 *Homo enim [...] habet laborare quantum in se est, ut mortem effugiat & ideo iudices qui tali tempore audent sedere videntur quodammodo deum tentare [...]* (Previdelli, 1524, 15).

Po Bartolovem mnenju je bil tek priposestvovalnega roka zadržan do konca epidemije (Ripa, 1598, 58 (151)). V tem času, kot slikovito pravi, »priposestvovanje spi« (*usucapio dormit*).⁵⁸ Kdor zaradi prekinitve poslovanja sodišča ni uspel uveljaviti svojih pravic, ni smel trpeti nobene škode.⁵⁹ Po Ripinem mnenju je bil zadržan tudi tek procesnih rokov, denimo roka za vložitev pritožbe. Podobno pravilo je določil ODZ (prim. tudi CMBC, 1756, 2, 4 § 8):

Zaradi odsotnosti v civilnih ali vojaških službah ali zaradi popolnega prestanda pravosodja, n. pr. za časa kuge ali vojne (Pest- oder Kriegszeiten),⁶⁰ je zadržan ne le pričetek, marveč tudi nadaljevanje priposestvovanja ali zastaranja, dokler traja ta zadržek. (ODZ, 1811, § 1496)

Epidemija je vplivala tudi na izvajanje dokaznega postopka. Ogledov v kontaminiranih območjih niso opravljali (Ripa, 1598, 106 (38)), priče pa so smeli zaradi povečane smrtno nevarnosti izjemoma zaslišati že v pripravljalnem postopku pred formalnim začetkom pravde (Ripa, 1598, 108 (44)). Čeprav je smel sodnik sodbo v rednem postopku razglasiti le javno in sede, na najvišjem privzdignjenem mestu v sodni dvorani (Nörr, 2012, 198), so od teh formalnosti v času kuge redno odstopali. Sodnik je sodbo smel razglasiti tudi stoje, kar skozi okno sodne palače ali celo svojega doma, stranke pa so smele razglasitev sodbe spremljati na javni cesti (Ripa, 1598, 109 (52)).

SKLEP

Ko pričnejo na pragu novega veka italijanski juristi prvič sistematično razmišljati o prilagoditvah splošno veljavnih civilnopравnih določb epidemičnim razmerah, jim edino sorazmerno trdno oporo predstavljata rimskopravna standarda naključja (*casus fortuitus*) oziroma višje sile (*vis maior*) (Ul. D. 50, 17, 23; Inst. 3, 14, 2: *fortuito casu [...] veluti [...] hostiumve incursu*). Po mnenju komentatorja Bartola je bila kuga po posledicah pogosto hujša od marsikatero vojne oziroma sovražnikovega vpada. Nekateri juristi so zato predlagali, da privilegije, ki jih je obče pravo priznalo vojakom, razširijo na civilno prebivalstvo v času epidemije.⁶¹ To stališče ni bilo povsem nesporno, saj privilegiji kot norme za točno določen namen niso trpeli analogne rabe. Vrh tega omilitve tudi niso

58 [T]empore mortalitatis instantis de anno Domini 1348 prout scitis erat tanta pestilentia quod iura non reddebant in ciuitatibus et moriebant infiniti homines, quod tempore tempore illo vsucapio dormiebat [...] & fuit illa hostilitas Dei, fortior quod hostilitas hominum (Bartolus, 1505, 100). *Pestis sit bellum Dei, cui humana vires nequeunt resistere* (Zacchia, 1725, 262).

59 [N]on valenti agere non currit praescriptio (Ripa, 1598, 59 (152)). Prim. C. 16, q. 3 c. 13–14: *Non enim erit obicienda prescriptio temporis, ubi necessitas intererit hostilitatis*.

60 Zanimivo je, da §§ 597 in 1496 ODZ govorita o »kugi«, §§ 1104 in 1133 ODZ pa o »kužnih boleznih«.

61 [Q]uod maior sit hostilitas Dei quam hominum [...] propterea doctores concludunt, valere argumentum de bello ad pestem (Ripa, 1598, 3 (9)).

smele biti pretirano širokogrudne, ker bi to onemogočalo neoviran povratek v postepidemično življenje. K zadržanosti je vsekakor pripomogla tudi vse do konca 18. stoletja zakoreninjena predstava, da je kuga Božja kazen, ki jo mora grešno ljudstvo junaško prestati (Spiring, 1726, 10).⁶²

Obči državljanski zakonik se je pri opredelitvi kužnih privilegijev neposredno naslonil na osnutek obsežnejšega in kazuističnega Terezijanskega kodeksa in bil pri svojih določbah izdatnejši od sedem let starejšega francoskega civilnega zakonika. Zakupnika, ki mu je epidemija popolno preprečila uživanje zakupljene stvari, je ODZ razbremenil plačila zakupnine. Izrecno je tudi določil, da je tek zastaralnega in priposestvalnega roka med epidemijo zadržan. Povzel je tudi najpomembnejše omilitve oporočnih obličnosti, ki so predvidevale znižanje števila zahtevanih prič, razbremenitev zahteve po njihovi sočasni prisotnosti in omogočil, da kot priče nastopajo tudi nedoletne osebe.

Zgodovinski pregled zakonodaje in doktrinarnih stališč o prilagoditvah pogodbenega, oporočnega in postopkovnega prava ob izbruhih kuge in drugih kužnih boleznih pokaže, da so pravne razsežnosti epidemije kljub molku rimskih virov najkasneje v 16. stoletju doživele celovito doktrinarno obravnavo. Ta je imela bistven vpliv na številne določbe evropskih civilnopravnih kodifikacij, med drugim tudi na Obči državljanski zakonik.

Sodobna civilnopravna zakonodaja, tudi slovenska, epidemije kot pojavne oblike naključja oziroma višje sile izrecno ne omenjajo. To je mogoče pojasniti s sodobnimi nomotehničnimi smernicami, ki narekujejo abstraktnejšo zakonodajo. Obenem se šteje se, da je naloga sodišč in ne zakonodajalca, da v konkretnem primeru ovrednotijo tiste okoliščine, ki jih stranke pri vstopu v pravno razmerje niso mogle predvideti in jih kasneje tudi niso mogle preprečiti oziroma jih odpraviti (čl. 240 OZ).

62 Predstavo o besnečem Bogu, ki nad pokvarjeno ljudstvo pošlje kugo (*vóσoc*), je ubesedil že Homer, Iliada 1, 10 (Grmek, 1989, 35). Prim. tudi 5 Mojz 28, 58–61. *Propter peccata veniunt adversa & civitates cum habitatoribus propter hominum scelera disperdit Deus* (Ripa, 1598, 5 (22)). *[P]estem, quae coelestis ira esse creditur, [...] Deus autem ita nobiscum est iratus, ut non facile exorandus uideatur* (Previdelli, 1524, 2).

THE »PLAGUE PRIVILEGES« IN THE LEGAL DOCTRINE OF THE *IUS COMMUNE* AND IN THE EUROPEAN CIVIL CODIFICATIONS

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SUMMARY

Despite the fact that many Roman jurists were faced with the outbreak of the devastating Antonine plague (169–194 AD) and that the major parts of the Justinian's codification were redacted during the first outbreak of the plague in Constantinople (531), there is no direct mention of the possible effects of the epidemics on the civil law and procedure. It is therefore dubious why medieval legal scholars, although confronted by the persistent threat of the Black Death, hesitated to write on it. It was not until the 1520s that Italian jurists, Ripa and Previdelli, composed tractatus on the so-called plague privileges (privilegia pestis). The authors creatively discussed to what extent the legal practice could approach the urgent easing of the rather rigorous principles of the ius commune. Both Ripa and Previdelli focused themselves on the privileges affecting the contract law, wills, and the law of civil procedure. There are two conflicting conceptual views the jurists had to balance: firstly, the plague as perceived by Bartolus was a war of God against the wicked people. Therefore, jurists tended to grant many military privileges, to the people vexed by the plague. These relaxations of law however, had to be applied in a restrictive manner. The plague, as a just punishment for the sins could not bolster an imprudent grant of the privileges. The tractatus of Ripa and Previdelli remained an authoritative statement of communis opinio doctorum up to the codification era. Furthermore, they have influenced rather scarce provisions of modern European civil codifications. The paper focuses on the provisions of the Austrian General Civil Code (1811) concerning the legal regime during the epidemic outbreaks. The paper shows that the legal science of the early modern era, vexed by a constant threat of the epidemic outbreak, did not stay silent on the relaxations of legal rules in a highly discordant circumstance of the health emergency periods.

Keywords: epidemic, plague, reception of Roman law, privileges, European civil codifications, civil law, Austrian General Civil Code

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ŽIVOT I SMRT U ZALEĐU KVARNERSKOG ZALJEVA TIJEKOM SREDNJEG VIJEKA: BIOARHEOLOŠKA ANALIZA LJUDSKIH KOŠTANIH OSTATAKA IZ TRIBLJA, ISKOPAVANJA 2015. GODINE. BIOARHEOLOGIJA SREDNJOVJEKOVNE POPULACIJE IZ TRIBLJA

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IZVLEČEK

Leta 2015 so ob cerkvi Videnja blagoslovljene device Marije v Sv. Elizabeti v Tribalju na Hrvaškem potekala preventivna arheološka izkopavanja. Odkritih je bilo 33 grobov s posmrtnimi ostanki 35 ljudi. Odkrito grobišče je sodeč po načinu pokopavanja in tipu grobnih prodтков datirano v čas med 9. in 13. stoletjem. Paleodemografska analiza je pokazala, da predstavljajo nekaj več kot tretjino celotnega vzorca otroci, kar ustreza podatkom, registriranim na drugih hrvaških srednjeveških najdiščih. Patološka analiza zobovja nakazuje, da se je večina pripadnikov skupnosti prehranjevala z ogljikovimi hidrati (z žitaricami in zelenjavo). Trdo fizično delo in vsakdanje aktivnosti so na posameznikih pustile sledi v obliki Schmorlove hernije, vretenčnih zlomov in vretenčnega osteoartritisa. Podrobnejša analiza skeletnih poškodb nakazuje, da je večina poškodb nastala kot posledica nesreč oziroma vsakdanjih aktivnosti, stopnja medosebnega nasilja v srednjeveškem Tribalju pa je bila relativno nizka.

Ključne besede: severni Jadran, srednji vek, skeletni ostanki, fizični napor, infekcijske bolezni, rekonstrukcija prehranjevalnih navad, skeletne poškodbe

LA VITA E LA MORTE NELL'ENTROTERRA DELLA BAIA DEL QUARNERO MEDIOEVALE: ANALISI BIOARCHEOLOGICHE DEI RESTI DI OSSA UMANE A TRIBALJ, SCAVI NEL 2015. BIOARCHEOLOGIA DELLA POPOLAZIONE MEDIEVALE DI TRIBALJ

SINTESI

Nel 2015 intorno alla chiesa della Visitazione della Beata Vergine Maria Elisabetta a Tribalj in Croazia sono stati realizzati scavi archeologici conservativi. A giudicare dal metodo di sepoltura e dal tipo di ornamenti tombali, il cimitero scoperto risale al periodo tra i secoli IX e XIII. L'analisi paleodemografica ha dimostrato che i bam-

bini rappresentano più di un terzo dell'intero campione corrispondente ai dati degli altri siti medievali in Croazia. L'analisi indica per la maggioranza dei membri di questa comunità una dieta basata sui carboidrati (per es. cereali e verdure). Lavoro e attività quotidiani fisicamente pesanti hanno poi lasciato numerose tracce visibili nelle colonne vertebrali degli individui analizzati nella forma di ernia di Schmorl, fratture vertebrali e osteoartrite della colonna vertebrale. L'analisi dettagliata dei traumi scheletrici implica fortemente che la maggior parte delle lesioni avevano origini accidentali e che dunque il livello di violenza interpersonale a Tribalj medievale fosse relativamente basso.

Parole chiave: Adriatico settentrionale, Medioevo, resti umani scheletrici, stress fisiologico, malattie infettive, ricostruzione della dieta, traumi scheletrici

UVOD¹

Do danas je poznato relativno malo detalja o svakodnevnom životu srednjovjekovnih stanovnika sjevernojadranskog područja. Naime, informacije o vrsti prehrane, fizičkom radu, ozljedama i zaraznim bolestima u najširim slojevima stanovništva rijetko se spominju u pisanim izvorima. Ta vrsta podataka u dostupnim arhivskim izvorima nešto je brojnija za viši društveni sloj (npr. plemstvo, visoki crkveni dostojanstvenici i sl.) dok za srednje i niže slojeve ti podaci gotovo potpuno nedostaju. Upravo stoga, bioarheološke analize ljudskih koštanih ostataka iz arheološkog konteksta nezaobilazan su izvor te vrste informacija za sve slojeve stanovništva. Pomoću bioarheoloških istraživanja dobivamo direktan uvid u biološke karakteristike istraživanih pojedinaca i zajednica, a u kombinaciji s arheološkim i arhivskim podacima dobivamo zaokruženu sliku svakodnevnog života određene populacije.

Do danas je za razdoblje srednjeg vijeka s područja sjevernog Jadrana (Istra i Kvarner) objavljeno nekoliko bioarheoloških istraživanja. Riječ je o nalazištima Novigrad (Rajić & Ujčić, 2003; Rajić Šikanjić & Ujčić, 2003), Pula (Rajić Šikanjić & Premužić, 2011), Monkodonja (Hänsel et al., 2000), Mirine (Perinić Muratović et al., 2009), Buzet-Mejica (Dolinar & Vidović, 1974), Guran-Na Križu (Šlaus, Bedić & Vyroubal, 2007), Strančev-Gorica (Šlaus et al., 2011), Ferenci-Sv. Lovro (Rajić Šikanjić & Meštrović, 2006), Tribalj (Premužić & Rajić Šikanjić, 2010) i Umag-Trg Sv. Martina (Trupković, Rajić Šikanjić & Premužić, 2012). Većina ovih istraživanja fokusirana je na Istru, a svega nekolicina

1 Autori bi se željeli zahvaliti kolegici Jasni Ujčić Gruđenić iz Pomorskog i povijesnog muzeja Hrvatskog primorja u Rijeci što nam je omogućila pristup koštanom materijalu iz Tribalja i njegovu analizu. Također, željeli bi se zahvaliti kolegici dr. sc. Željki Bedić iz Antropološkog centra Hrvatske akademije znanosti i umjetnosti u Zagrebu što je sudjelovala u analizi koštanih ostataka iz Tribalja i interpretaciji podataka dobivenih bioarheološkom analizom. I na kraju, zahvalili bi se kolegici dr. sc. Zrinki Premužić na prijevodu sažetka članka na talijanski jezik i komentarima na prvu verziju članka te Brini Zagorec na prijevodu sažetka članka na slovenski jezik.

potječe s područja Kvarnera (Mirine, Stranče i Tribalj). Iz ovdje prikazanog jasno je da za Kvarnerski zaljev i zaleđe nedostaje ovakva vrsta istraživanja i upravo je iskopavanje provedeno 2015. godine oko crkve Pohodenja Blažene Djevice Marije Elizabeti u Tribalju pružilo izuzetnu priliku kako bismo dobili više informacija o raznim aspektima života (i smrti) srednjovjekovnih stanovnika ovog područja. Potrebno je napomenuti kako je dio tribaljskog groblja (ukupno 18 grobova) iskopavan 1999. i 2002. godine već objavljen (Premužić & Rajić Šikanjić, 2010).

Glavni cilj ovoga istraživanja jest prikazati odabrane biološke podatke o srednjovjekovnim stanovnicima Tribalja koristeći biokulturni pristup. S obzirom da je u oba istraživanja korištena vrlo slična metodologija u ovom radu će paleodemografske karakteristike biti prikazane sumarno za sve tri sezone iskopavanja dok će rezultati paleopatološke analize biti prikazani samo za iskopavanja iz 2015. godine. Kako bi se to postiglo podaci dobiveni konvencionalnom bioarheološkom analizom promatrani su u širem geografskom i povijesnom kontekstu, tj. uspoređeni su sa sličnim studijama sa šireg zemljopisnog područja (istočna jadranska obala i zaleđe), ali su korišteni i dostupni povijesni (pisani) izvori koji svjedoče o navedenom teritoriju i njegovim stanovnicima tijekom srednjega vijeka.

MATERIJALI I METODE

Arheološki kontekst

Mjesto Tribalj smješteno je u zaleđu grada Crikvenice u Kvarnerskom zaljevu, a administrativno pripada Primorsko-goranskoj županiji. U samom centru naselja smještena je crkva Pohodenja Blažene Djevice Marije Elizabeti koja je najvjerojatnije nastala na temeljima srednjovjekovne crkve posvećene Blaženoj Djevici Mariji (Ujčić Grudenić, 2015). Na području oko navedene crkve već početkom 20. stoljeća pronađeni su prvi grobovi s nalazima starohrvatskog nakita, no do prvih stručnih istraživanja došlo je tek krajem stoljeća (Ujčić Grudenić, 2015). Naime, 1999. godine započela je prva kampanja iskopavanja oko crkve, a istraživanja su nastavljena i 2002. godine; navedena istraživanja provodio je Pomorski i povijesni muzej Hrvatskog primorja Rijeka pod vodstvom Željke Cetinić (Cetinić, 2011). Tijekom te dvije kampanje istraženo je 18 grobova, postavljenih u redove, orijentacije zapad-istok koji se na temelju grobnih nalaza mogu okvirno datirati između 9. i 11. stoljeća (Cetinić, 2011). Tijekom 2012. godine, jugozapadno od crkve, istražena su još tri groba (Ujčić Grudenić, 2015).

Posljednja kampanja (iz koje potječu ljudski kosturni ostaci prikazani u ovom radu) provedena je 2015. godine pod vodstvom Jasne Ujčić Grudenić iz Pomorskog i povijesnog muzeja Hrvatskog primorja u Rijeci. U istraživanjima koja su provedena unutar dvaju rovova sjeveroistočno i jugozapadno od crkve ukupno su istražena 33 groba, u različitim stanjima očuvanosti (Ujčić Grudenić, 2015). Istraženi grobovi su različitih orijentacija, premda prevladavaju oni položeni u smjeru zapad-istok; gotovo svi ukopi su jednokratni, a iznimke predstavljaju grob 12 (ukop dvaju pokojnika) te grob 21 koji se koristio višekratno (Ujčić Grudenić, 2015). Od 33 istražena groba

njih 13 sadržavalo je arheološke nalaze, tj. nakitne predmete kao što su naušnice i prstenje; u tri groba pronađeni su i životinjski ostaci (zubi) (Ujčić Grudenić, 2015). Pokojnici su najčešće polagani u grobove u običnoj zemljanoj raci, te u zemljanoj raci djelomično ograđenoj kamenjem, a kod tri groba zabilježena je upotreba drvene daske kao poklopnice (Ujčić Grudenić, 2015).

Prema Ujčić Grudenić (2015), način pokopavanja i stilske karakteristike prikupljenih nalaza iz grobova ukazuju da se radi o groblju s kontinuitetom pokapanja od 9. do 13. stoljeća. Naime, prema riječima autorice: „nalazi povezuju ovo stanovništvo s bjelobrdskim kulturnim krugom (nalaz karičice sa S završetkom) te karantansko-ketlaškom kulturom (karičice sa zadebljanim krajevima), tj. s alpsko-panonskim prostorom“ (Ujčić Grudenić, 2015, 20).

Bioarheološka analiza

Standardna bioarheološka analiza je provedena u prostorima Povijesnog i pomorskog muzeja Hrvatskog primorja u Rijeci gdje je koštani materijal bio pohranjen nakon iskopavanja.² Spol analiziranih individua određen je na temelju makroskopskoga pregleda usredotočenog na razlike u morfologiji zdjelice i lubanje između odraslih muškaraca i žena (Krogman & Işcan, 1986; Buikstra & Ubelaker, 1994; Bass, 1995). Odrasle individue čiji spol nije mogao biti ustanovljen sa sigurnošću označene su s ‘odrasle osobe’ i čine zasebnu skupinu. Dob u trenutku smrti određena je na temelju morfologije pubične simfize (Brooks & Suchey, 1990) i aurikularne plohe (Lovejoy et al., 1985; Buckberry & Chamberlain, 2002), promjena na sternalnom kraju rebra (Işcan, Loth & Wright, 1984; 1985), stupnja srastanja ektokranijalnih šavova (Meindl & Lovejoy, 1985) i stupnja istrošenosti grizne površine zuba (Brothwell, 1981; Lovejoy, 1985). Dob djece određena je na temelju promjena koje se događaju tijekom nastanka i razvoja mliječnih i trajnih zuba (Moorrees, Fanning & Hunt, 1963a; 1963b; Gustafson & Koch, 1974; AlQahtani, Hector & Liversidge, 2010), stupnja koštane osifikacije i dužine dijafize dugih kostiju (Maresh, 1970; Scheuer & Black, 2000; Schaefer, Black & Scheuer, 2009). Kod određivanja prosječne starosti umrlih uzimane su sredine dobnih grupa kao točkaste ocjene za svaku osobu; za sve koji pripadaju skupini ‘stariji odrasli’ uzeta je dob od 60 godina kao srednja vrijednost. Sva djeca podijeljena su u četiri dobne skupine prema preporukama Powers (2008) s manjim modifikacijama u najmlađoj dobnoj skupini. Navedene skupine su: ‘novorođenčad’ (<4 tjedna do 11 mjeseci), ‘mlađa djeca’ (1 do 5 godina), ‘starija djeca’ (6 do 11 godina) i ‘adolescenti’ (12 do 17 godina). Odrasli su podijeljeni u jednu od tri skupine: ‘mlađi odrasli’ (18 do 35 godina), ‘srednji odrasli’ (36 do 50 godina) i ‘stariji odrasli’ (iznad 50 godina).

Procjena visine izračunata je za odrasle osobe koristeći se regresijskim formulama koje je postavila Trotter (1970) na temelju najveće duljine bedrene kosti.

Svi kosturi analizirani su za moguću prisutnost patoloških promjena koje se obično pronalaze u arheološkim uzorcima. Sve zabilježene promjene dokumentirane su prema

2 Svi podaci dobiveni ovom bioarheološkom analizom dostupni su na zahtjev.

kriterijima koje su opisali Ortner (2003) te Aufderheide i Rodríguez-Martín (1998). Riječ je o zaživotnom gubitku zuba³, karijesu⁴, zubnim naslagama⁵, istrošenosti griznih ploha zuba⁶, *cribra orbitalia*⁷, linearnoj hipoplaziji zubne cakline⁸, periostitisu⁹, skorbutu¹⁰,

- 3 Zaživotni gubitak zuba dobar je pokazatelj zdravlja u arheološkim populacijama. Različiti faktori utječu na zaživotni gubitak zuba: promjene u konzistenciji prehrane, bolesti koje su rezultat poremećaja u prehrani, fizičke traume te ritualno odstranjivanje zuba (Lukacs, 2007). Zaživotni gubitak zuba može također biti prouzročen različitim alveolarnim bolestima, najčešće upalom desni (gingivitis) (Ortner, 2003). Zaživotni gubitak zuba definiran je kao progresivno resorptivno uništenje alveole (Lukacs, 1989) i prisustvo remodelirane alveolarne kosti.
- 4 Karijes je bolest koja se najlakše prepoznaje kao otvor u zubu koji je rezultat progresivne dekalifikacije cakline i dentina (White & Folkens, 2005) prouzročene bakterijama i otopinama iz oralnih tekućina (Aufderheide & Rodríguez-Martín, 1998). Prisustvo karijesa dijagnosticirano je makroskopski, pod snažnim osvjetljenjem, s pomoću dentalne sonde. Karijes je klasificiran u četiri kategorije prema parametrima koje su predložili Metress i Conway (1975).
- 5 Kalkulus ili plak je nakupina kalcificiranih naslaga na zubima (Mays, 1998; White & Folkens, 2005). Zubne naslage mogu pospješiti nastanak i razvoj gingivitisa te dovesti do različitih periodontalnih bolesti i alveolarne resorpcije (Lukacs, 2007). Detaljan makroskopski pregled zubnih naslaga pomogao je pri razabiranju pravih kalcificiranih zubnih naslaga od postmortalnih nakupina kao što su pijesak ili zemlja. Kalcificirane zubne naslage su dokumentirane prema kriterijima koje je predložio Brothwell (1981).
- 6 Istrošenost griznih ploha zuba jedna je od nekoliko regresivnih promjena koje se pretežno vežu uz starenje (Aufderheide & Rodríguez-Martín, 1998; White & Folkens, 2005). To je fiziološki proces trošenja zubnog tkiva koji nastaje kao rezultat kontakta između zuba koji se događa prilikom mastikacije i gutanja (Aufderheide & Rodríguez-Martín, 1998). Istrošenost griznih ploha zuba je dokumentirana prema sistemu koji je predložio Smith (1984). No, ovaj je sistem ponešto izmijenjen zato što su u ovome radu predstavljeni samo rezultati za jaču istrošenost (Smithovi stupnjevi 5–8).
- 7 *Cribra orbitalia* je pokazatelj subadultnoga stresa. Manifestira se u obliku lezija na nadočnim krovovima (orbitama), obično kao obostrani porozitet na nadočnome dijelu čeonih kosti (Mittler & van Gerven, 1994; White & Folkens, 2005). Lezija u svom najjačem obliku u pravilu nastaje tijekom ranoga djetinjstva (ne prilikom rođenja) (Aufderheide & Rodríguez-Martín, 1998) te se najčešće veže uz različite vrste anemija i pothranjenost u djetinjstvu (Mensforth et al., 1978; Walker et al., 2009).
- 8 Linearna hipoplazija zubne cakline javlja se u obliku vodoravnih linija na površini krune zuba. Takve deformacije predstavljaju defekte u dentalnome razvoju (Goodman & Rose, 1990; White & Folkens, 2005) i kao takve dobri su pokazatelji subadultnoga stresa (metabolički stres tijekom dužeg vremena i/ili stresan događaj koji ih je uzrokovao) (Aufderheide & Rodríguez-Martín, 1998). Vrijeme nastanka hipoplastičnih defekata je određeno uz pomoć metoda koje su predložili Reid i Dean (2000).
- 9 Periostitis je nespecifična promjena u kosti koja je vidljiva na periosteumu – membrani koja prekriva vanjsku površinu kostiju osim na zglobovima (White & Folkens, 2005). Bilo kakva iritacija periosteuma može rezultirati stvaranjem novoga sloja kosti nad postojećim slojem, a to može biti uzrokovano ne samo infekcijom ili upalom već i drugim faktorima poput trauma; stanje može biti akutno ili kronično (White & Folkens, 2005). Prema Wheeler (2012), učestalost ove patološke promjene može biti vezana uz faktore kao što su traume prilikom rođenja, metabolički poremećaji, hipervitaminoza A, leukemija i infantilna kortikalna hiperostoza.
- 10 Skorbut je bolest uzrokovana nedostatnim unosom vitamina C (askorbinska kiselina) kroz duže vremensko razdoblje. Vitamin C je neophodan za stvaranje kolagena, a nedostatne količine u organizmu dovode do stanjivanja i slabljenja kosti (White & Folkens, 2005). Skorbut se na kostima javlja u obliku poroznih, hipertrofičnih lezija na lubanji, posebice na klinastoj, čeonj i tjemenim kostima, iako i gornja i donja čeljust mogu biti zahvaćene (Ortner, 2003).

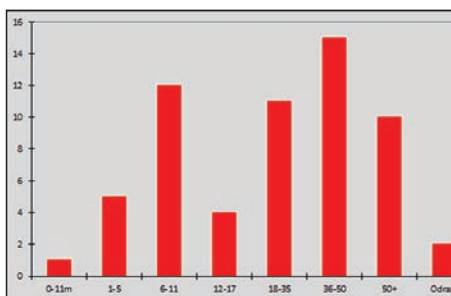
gihtu¹¹, koštanim ozljedama¹², vertebralnom osteoartritisu¹³ i Schmorlovim defektima¹⁴. Većina patoloških promjena izračunata je i prezentirana po elementu (npr. zub, alveola, kralježak), a ne po kosturu zbog različitoga stupnja očuvanosti koštanih ostataka. No, neke patologije poput periostitisa, gihta i/ili skorbuta prezentirane su po osobi/kosturu.

REZULTATI

Na ovom mjestu još jednom je potrebno istaknuti da su u radu prezentirani podaci bioarheološke analize koja je provedena na ljudskim koštanim ostacima koji potječu iz istraživanja 2015. godine - riječ je o ukupno 35 osoba (Tab. 1). No, paleodemografske karakteristike populacije iz Triblja prikazane su kao jedna cjelina (iskopavanja 1999., 2002. i 2015. godine).

Ukupni analizirani uzorak čini ukupno 60 osoba: 22 djece (36,7%), 25 muškaraca (41,7%), 11 žena (18,3%) i dvije odrasle osobe neodredivoga spola (3,3%). Najviše djece umire između 6. i 11. godine života (12/22 ili 54,5%; Slika 1). Relativno iznenađujuć je podatak da više od četvrtine odraslih kojima je dob uspješno određena (27,8% ili 10/36) pripada skupini „stariji odrasli“. Prosječna doživljena starost za odrasle muškarce iznosi 43,7 godina, a za žene 41,7 godina. Prosječna visina za odrasle muškarce iz Triblja iznosi 172,8 cm (N=7), a rekonstruirana visina varira između 164,9 i 180,4 cm; niti za jednu odraslu žensku osobu nije bilo moguće rekonstruirati visinu.

Analiziranu populaciju odlikuje relativno loše oralno zdravlje. Ukupna učestalost zaživotnoga gubitka zuba iznosi 16,3% (72/442). Kod djece ove patologije



Slika 1: Dobna struktura analiziranih osoba iz Triblja (sve tri sezone iskopavanja). Os x predstavlja dobne skupine dok os y predstavlja broj osoba u određenoj dobnoj skupini.

- 11 Giht je upala zglobova uzrokovana odlaganjem kristala mokraćne kiseline u zglobovima. Giht vrlo rijetko zahvaća osobe mlađe od 40 godina, a otprilike 9 od 10 zahvaćenih individua su muškarci (Ortner, 2003). Ovaj poremećaj u arheološkom kontekstu najlakše je prepoznati po erozivnim lezijama na metatarzofalangealnom zglobu nožnog palca (Ortner, 2003).
- 12 Prisustvo koštanih ozljeda (frakture) je ustanovljeno makroskopskom analizom koja je uključivala prisustvo bilateralne asimetrije, kutnih deformiteta, koštanih kalusa i zacijeljenih depresijskih fraktura kao i trauma uzrokovanih tupim predmetima, tragova posjekotina i/ili ozljeda projektilom.
- 13 Osteoartritis je jedan od najčešćih tipova artritisa, poznat i kao degenerativna bolest zglobova (White & Folkens, 2005). Vertebralni osteoartritis je karakteriziran uništenjem hrskavice u zglobu i diskovima u vratu i leđima, uz stvaranje novih koštanih tkiva (osteofita) te izbočinskih formacija kod zglobova (White & Folkens, 2005).
- 14 Schmorlov defekt je hernijacija međukralježnoga diska koji je penetrirao u tijelo kralješka; može se pojaviti na bilo kojem kralješku, no obično se nalazi na prsnim i slabinskim područjima (Ortner, 2003). Najčešće se javlja kao udubina na sredini superiorne i/ili inferiorne plohe tijela kralješka.

Tab. 1: Podaci o spolu, starosti u trenutku smrti i patološkim promjenama po grobovima.

Broj groba	Spol	Dob	Patološke promjene
1	Žena	30-36	Nisu prisutne
2	Neodrediv (dijete)	8-10	Nisu prisutne
3	Žena	36-42	Schmorlovi defekti, hipoplazija zubne cakline, zaživotni gubitak zuba, karijes
4	Neodrediv (dijete)	15-18	Nisu prisutne
5	Neodrediv (dijete)	1,5-2,5	Cribr orbitalia, periostitis, skorbut
6	Neodrediv (dijete)	6-7	Cribr orbitalia
7	Neodrediv (dijete)	10,5-11	Karijesi
8	Neodrediv (dijete)	8-10	Periostitis
9	Neodrediv (dijete)	12-14	Periostitis
10	Neodrediv (dijete)	12-12,5	Cribr orbitalia, zaživotne frakture, periostitis
11	Muškarac	20-30	Hipoplazija zubne cakline, karijesi
12 A	Muškarac	38-46	Schmorlovi defekti, degenerativni osteoartritis, zaživotni gubitak zuba, karijesi
12 B	Muškarac	28-35	Zaživotna fraktura, Schmorlovi defekti, degenerativni osteoartritis, hipoplazija zubne cakline, zaživotni gubitak zuba
13	Žena	50+	Zaživotne frakture, degenerativni osteoartritis, zaživotni gubitak zuba, alveolarni apscesi
14	Muškarac	24-32	Degenerativni osteoartritis, Schmorlovi defekti
15	Neodrediv (dijete)	1,5-2,5	Nisu prisutne
16	Neodrediv (dijete)	7-8	Cribr orbitalia
17	Žena	40-50	Nisu prisutne
18	Neodrediv (odrasli)	20-30	Periostitis
19	Muškarac	50+	Zaživotne frakture, giht, degenerativni osteoartritis
20	Muškarac	50+	Zaživotna fraktura, degenerativni osteoartritis, zaživotni gubitak zuba, karijesi, alveolarni apscesi
21 A	Muškarac	50+	Zaživotne frakture, Schmorlovi defekti, degenerativni osteoartritis, zaživotni gubitak zuba, alveolarni apscesi
21 B	Muškarac	24-32	Zaživotna fraktura
22	Muškarac	36-42	Schmorlovi defekti, degenerativni osteoartritis, zaživotni gubitak zuba, alveolarni apsces
23	Neodrediv (dijete)	7-8	Nisu prisutne
24	Neodrediv (dijete)	1,5-2,5	Cribr orbitalia
25	Muškarac	50+	Degenerativni osteoartritis, cribr orbitalia, hipoplazija zubne cakline, zaživotni gubitak zuba, karijesi, alveolarni apscesi
26	Neodrediv (dijete)	0,5-1	Nisu prisutne
27	Neodrediv (dijete)	5-6	Cribr orbitalia
28	Neodrediv (dijete)	6,5-7,5	Cribr orbitalia, periostitis
29	Muškarac	28-35	Schmorlovi defekti, zaživotni gubitak zuba, alveolarni apsces
30	Muškarac	36-42	Periostitis
31	Žena	50+	Zaživotne frakture, degenerativni osteoartritis, hipoplazija zubne cakline, zaživotni gubitak zuba, karijesi, alveolarni apsces
32	Neodrediv (dijete)	5-7	Nisu prisutne
33	Neodrediv (dijete)	3,5-4,5	Periostitis



Slika 2: Okrugle erozivne lezije s poroznim dnom i zadebljanim rubovima na medijalnim stranama distalnih trećina prvih metatarzalnih kostiju (palci stopala), najvjerojatnije posljedica gihta; grob 19, stariji muškarac.



Slika 3: Zaživotna kompresijska fraktura („klinasti kralježak“) prvog slabinskog kralješka koja je rezultirala ankilozom s 12. prsnim i drugim slabinskim kralješkom; grob 12, osoba B, mlađi muškarac.

nisu prisutne (0/130), a ukupna učestalost zaživotnoga gubitka zuba kod odraslih osoba je 23,1% (72/312). Karijes je prisutan na 7% (23/327) svih analiziranih zuba: zahvaćeno je svega 3% (5/166) dječjih (mliječnih i trajnih) zuba, dok je kod odraslih osoba karijes zabilježen na 11,2% (18/161) zuba. Kalcificirane zubne naslage prisutne su na 72,7% (117/161) zuba odraslih osoba dok je jaka istrošenost griznih ploha zuba prisutna na 35,4% (57/161) svih zuba odraslih osoba.

Cribra orbitalia zabilježena je kod 36,4% (8/22) osoba s očuvanim čeonim kostima: kod djece je prisutna na sedam čeonih kostiju (58,3% ili 7/12; dva slučaja aktivna u trenutku smrti), a kod odraslih na 10% (1/10). Linearna hipoplazija zubne cakline zabilježena je na jednoj četvrtini analiziranih trajnih sjekutića i očnjaka gornjih i donjih čeljusti (25,4% ili 14/55). Ovaj poremećaj najučestaliji je na očnjacima donje čeljusti gdje se pojavljuje na otprilike jednoj trećini svih analiziranih zuba (34,4%). Ovisno o analiziranoj vrsti zuba u tribaljskoj populaciji linearna hipoplazija cakline javlja se u životnoj dobi između 1,8 i 3,7 godina života.

Periostitis je zabilježen kod sedam osoba: jedan muškarac, jedna odrasla osoba neodređenog spola i petero djece. U većini slučajeva riječ je o lokaliziranim promjenama u zaraslom obliku na kostima nogu. No, kostur muškarca iz groba 30 pokazuje aktivne promjene na kostima lijeve podlaktice, desne zdjelice te desne bedrene i goljenične kosti, dok kosturi djece (grobovi 10 i 33) pokazuju aktivne promjene na kostima donjih ekstremiteta.

Promjene koje odgovaraju pojavi skorbuta prisutne su na kosturu malog djeteta iz groba 5 - ovdje se radi o izraženom porozitetu koji je prisutan na granama donje čeljusti, obje sljepoočne kosti, bazi lubanje kao i supraspinoznom dijelu lijeve lopatice. I naposljetku, na medijalnim stranama distalnih trećina obje prve metatarzalne kosti, tj. palca stopala (*hallux*) starijeg muškarca iz groba 19 prisutne su okrugle erozivne lezije s poroznim dnom i zadebljanim rubovima (Slika 2) - riječ je o mogućem slučaju gihta¹⁵.

Koštane ozljede u populaciji iz Triblja zabilježene su na kosturima osam osoba; u svim slučajevima riječ je o zaživotnim ozljedama koje su zarasle, a na pet kostura prisutne su po dvije ozljede: 1) na desnoj strani čeone kosti djeteta iz groba 10 prisutne su dvije depresijske frakture okruglog oblika; 2) na kosturu muškarca iz groba 12 prisutna je kompresijska fraktura („klinasti kralježak“) prvog slabinskog kralješka koja je rezultirala ankilozom (spajanjem) s 12. prsnim i drugim slabinskim kralješkom (Slika 3); 3) kod starije žene iz groba 13 zabilježene su kompresijska fraktura 10. prsnog kralješka i depresijska ozljeda ovalnog oblika zatiljne kosti; 4) kostur starijeg muškarca iz groba 19 pokazuje frakture sedmog lijevog rebra i kompresijsku frakturu prvog članka prsta lijevog stopala; 5) kod starijeg muškarca iz groba 20 prisutna je ozljeda sedmog desnog rebra; 6) na kosturu starijeg muškarca iz groba 21 prisutne su frakture sedmog i osmog desnog rebra; 7) kostur mlađeg muškarca iz groba 21 pokazuje ozljedu desne lopatice; 8) na kosturu starije žene iz groba 31 zabilježene su frakture 11. lijevog rebra i distalne trećine dijafize lijeve palčane kosti.

Degenerativni vertebralni osteoartritis zabilježen je na svim dijelovima kralježnice (25,6% ili 63/246): najčešće na prsnim (29,2% ili 35/120), zatim na slabinskim (27,4% ili 14/51) te na vratnim kralješcima (18,7% ili 14/75). Schmorlovi defekti pojavljuju se na jednoj trećini (32,7% ili 56/171) svih analiziranih kralježaka odraslih osoba iz Triblja: češći su na prsnim (33,3% ili 40/120) u odnosu na slabinske kralješke (31,4% ili 16/51).

RASPRAVA

Djeca u uzorku iz Triblja čine malo više od jedne trećine od ukupnog uzorka. To je u skladu s udjelom djece zabilježenom i u drugim arheološkim populacijama na tlu Hrvatske koji se kreće između 20 i 35%, pa tako i na brojnim srednjovjekovnim nalazištima (Šlaus, 2006).

15 U diferencijalnu dijagnozu uključeni su slijedeći poremećaji: multipli mijelom, metastatski rak, enhondrom i reumatoidni artritis. Multipli mijelom je malo vjerojatan jer najčešće zahvaća kosti lubanje, kralježnice i zdjelice, a na kostima šake i stopala je vrlo rijedak (Aufderheide & Rodríguez-Martín, 1998); metastatski rak je također isključen jer on najčešće napada velike kosti kao što su kosti lubanje, zdjelice i duge kosti koje su bogatije hematopoetičkom koštanom srži (Aufderheide & Rodríguez-Martín, 1998). Enhondromi rezultiraju lezijama koje deformiraju, iskrivljuju i proširuju zahvaćene kosti što ovdje nije slučaj i stoga je taj poremećaj također vrlo malo vjerojatan (Ortner, 2003). I na kraju, reumatoidni artritis je odbačen kao mogući uzročnik zabilježenih promjena jer reumatoidni artritis zahvaća gotovo sve velike zglobove u isto vrijeme i nije lokaliziran samo na stopala kao u slučaju iz Triblja (Aufderheide & Rodríguez-Martín, 1998).

Neproporcionalni omjer odraslih muškaraca u odnosu na žene (2,3:1) također je jedna od karakteristika ove populacije. Nešto veći omjer muškaraca u odnosu na žene uobičajen je za srednjovjekovne populacije iz Hrvatske i on se kreće od 1,04:1 u kompozitnom starohrvatskom uzorku (Šlaus, 2006), 1,2:1 u Stenjevcu (Bedić & Novak, 2010), 1,25:1 u Konjskom polju (Novak et al., 2008), 1,4:1 u Ninu (Novak et al., 2012), te 1,8:1 u Stranču (Šlaus et al., 2011). Nesrazmjer u zastupljenosti muškaraca i žena u promatranim grobljima mogao bi se objasniti faktorima kao što su posebnosti u praksi ukopavanja u odnosu na spol i dob pokojnika i/ili diferencijalni stupanj sačuvanosti kostiju između spolova, ali i upotrebe različitih metoda određivanja spola i starosti u trenutku smrti u različitim koštanim uzorcima (Pinhasi & Bourbou, 2007). U ovom trenutku još nije moguće sa sigurnošću odgovoriti koji uzroci su odgovorni za spolni nesrazmjer u tribaljskom uzorku i jesu li (i u kojoj mjeri) neki od tih faktora ovdje odigrali ključnu ulogu.

Kod analiziranih osoba iz Triblja zabilježena je visoka učestalost pokazatelja fiziološkog stresa kao što su *cribra orbitalia* i linearna hipoplazija zubne cakline, pokazatelja nespecifičnih infekcija poput periostitisa te prisutnost metaboličkih poremećaja (skorbut). Slična situacija zabilježena je na čitavom nizu srednjovjekovnih nalazišta s ovih područja kao što su Stranče, Konjsko polje, Nin, kompozitni starohrvatski uzorak iz Dalmacije, pa i sam Tribalj (iskopavanja 1999. i 2002.) (Šlaus, 2006; Novak et al., 2008; 2012; Premužić & Rajić Šikanjić, 2010; Šlaus et al., 2011). Na primjer, u Triblju (iskopavanja 1999. i 2002.) su zabilježena četiri slučaja skorbuta kod djece (Premužić & Rajić Šikanjić, 2010), u Ninu je na gotovo polovici svih analiziranih zuba zabilježena linearna hipoplazija zubne cakline a kod gotovo polovice djece s očuvanom čeonom kosti zabilježena je prisutnost *cribra orbitalia* (Novak et al., 2012). Nadalje, u Konjskom polju kod gotovo polovice analizirane djece registrirana je pojava *cribra orbitalia* i periostitisa (Novak et al., 2008), a slične vrijednosti (iznad 40%) *cribra orbitalia*, periostitisa i linearne hipoplazije zubne cakline zabilježene su i kod djece u kompozitnom starohrvatskom uzorku (Šlaus, 2006).

Hipoplazija zubne cakline se kod djece iz Triblja javlja u dobi između između 1,8 i 3,7 godina života što ukazuje na to da se velika većina epizoda fiziološkog stresa kod te djece zbila upravo u navedenom razdoblju. Što je uzrokovalo taj fiziološki stres? Hipoplazija zubne cakline obično se veže uz dječje bolesti i neishranjenost (Larsen, 1997; Roberts & Manchester, 2007), loše higijenske uvjete (Łukasik & Krenz-Niedbala, 2014), ali jedno od najčešćih objašnjenja jest prestanak dojenja (Blakey, Leslie & Reidy, 1994; Łukasik & Krenz-Niedbala, 2014), tj. razdoblje kada mala djeca iz režima prehrane majčinim mlijekom prelaze na različite kaše koje su potencijalno bogate parazitima i bakterijama. U slučaju istočnog Jadrana tijekom srednjeg vijeka, raspoloživi izvori sugeriraju da je dojenje obično prestalo između prve i druge godine života (Nikolić Jakus, 2011; Kurtović, 2015) što odgovara razdoblju pojave hipoplazije zubne cakline kod analizirane djece. Uz to, dodatni uzroci čestim epizodama fiziološkog stresa kod djece mogle su biti i zarazne bolesti te glad. Nažalost, za područje Kvarnera nemamo raspoloživih pisanih izvora, no za područje

Dalmacije tijekom kasnog srednjeg vijeka spominju se česte epidemije kolere koje su rezultirale dijarejom, povraćanjem i dehidracijom, a ponajviše su bila zahvaćena upravo djeca (Mlinarić, 2007). Uz to, česte su bile i epizode gladi koje su se javljale svakih 6-7 godina (Mlinarić, 2007).

Ovdje prezentirana slika upućuje na generalizirano stanje i činjenicu kako je većina osoba sa spomenutih nalazišta bila lošeg zdravlja tijekom ranog djetinjstva što je ponajprije rezultat čestih epizoda fiziološkoga stresa koje su kao posljedicu imale vrlo negativan učinak na imunološki sustav tih ljudi. Ove epizode fiziološkoga stresa mogle su biti prouzročene sinergističkim učinkom različitih bioloških i socio-kulturnih faktora kao što su neadekvatna ishrana, razne bolesti, anemija, nedostatak vitamina C te drugih utjecaja (Carić et al., 2019). Ovakvi negativni učinci utjecali su i na relativno visoki mortalitet djece koji je prisutan u tribaljskom uzorku.

Kao što je već napomenuto, visoka učestalost dento-alveolarnih patologija (karijes, zaživotni gubitak zuba, istrošenost griznih ploha zuba, zubne naslage) u Triblju sugerira loše oralno zdravlje. Slična situacija prisutna je na čitavom nizu istovremenih nalazišta (Konjsko, Stranče, Nin, starohrvatski kompozitni uzorak). Osim lošeg oralnog zdravlja, ove vrijednosti također ukazuju i na određenu vrstu prehrane. Naime, brojna paleodontološka istraživanja ukazuju na korelaciju visoke učestalosti karijesa (i drugih dento-alveolarnih patologija) i tipa prehrane koju odlikuje pojačana konzumacija ugljikohidrata, tj. način života temeljen na poljoprivredi i uzgoju žitarica (Šlaus et al., 2011). Sukladno tome, moguće je pretpostaviti da je većina srednjovjekovnih stanovnika Triblja svoju prehranu bazirala na proizvodima bogatim ugljikohidratima uz tek povremenu konzumaciju proteina životinjskog porijekla. Ova pretpostavka dodatno je potvrđena analizom stabilnih izotopa ugljika i dušika provedena na nizu ranosrednjovjekovnih nalazišta s istočne jadranske obale, pa tako i za obližnje Stranče (Novak et al., 2016). Naime, ta analiza potvrdila je da su srednjovjekovni stanovnici Stranča svoju prehranu temeljili na proizvodima bogatim ugljikohidratima uz vrlo mali udio proteina u prehrani (Novak et al., 2016). O važnosti žitarica, ponajprije pšenice, za prehranu najširih slojeva stanovništva na sjevernojadranskom području tijekom (kasnog) srednjeg vijeka govore brojni članci gradskih statuta, posebice onih s teritorija Istre (npr. Pulski, Vodnjanski, Istarski, Novigradski statuti) (za više detalja vidi Braić, 2016). O važnosti pšenice kao i ostalih žitarica u prehrani govori i jedan od najstarijih urbara s ovog područja, tzv. Rašporski urbar datiran u 1395. godinu (Braić, 2016).

Od svih patoloških promjena registriranih u tribaljskoj zajednici, definitivno jedna od najzanimljivijih je giht. Kao što je već napomenuto, giht se obično javlja kod starijih muškaraca, što je i ovdje slučaj, i to posebno kod pretelih muškaraca koji boluju od dijabetesa (Rodgers & Waldron, 1995). No, bitno je za napomenuti da se u arheološkim populacijama pojava gihta najčešće povezuje uz pripadnike viših slojeva društva kao što su plemići i visoki crkveni dostojanstvenici, naročito one čija se svakodnevna prehrana temelji na proteinima životinjskog porijekla, posebice mesu sisavaca i konzumaciji velikih količina alkohola (Fornaciari et al., 2009). Stoga je vjerojatno da je u ovom slučaju

riječ o pripadniku višeg društvenog staleža, moguće osobi koja je patila od dijabetesa uzrokovanog prehranom bogatom proteinima kopnenih životinja. No, kako bi se potvrdila ova zanimljiva hipoteza potrebno je provesti analizu stabilnih izotopa ugljika i dušika na koštanom uzorku navedene osobe.

Koštane ozljede u Triblju zabilježene su kod gotovo jedne četvrtine analiziranih osoba. Ovo je relativno visok postotak i odgovara rezultatima koje su zabilježile Premužić i Rajić Šikanjić (2010) za Tribalj (istraživanja 1999. i 2002.). Sve registrirane ozljede u Triblju su zaživotne, tj. zarasle što ukazuje da su nastale dugo prije smrti i nisu imale neposrednu vezu s načinom smrti analiziranih osoba. Svojim položajem na tijelu i morfologijom velika većina zabilježenih ozljeda sugerira da su nastale kao posljedica nesretnih slučajeva, najvjerojatnije povezanih sa svakodnevnim aktivnostima unutar zajednice (rad u polju ili sa stokom, rad u kući) ili uslijed relativno teško prohodnog terena koji karakterizira kvarnersko zaleđe. Na primjer, kompresijske frakture kralježaka koje su zabilježene kod dvije osobe mogle su nastati kao posljedica hiperfleksijske ozljede prouzročene vertikalnom silom poput skoka s visine (Cooper, O'Neill & Silman, 1993), no isto tako mogle su nastati i kao rezultat osteoporoze (Roberts & Manchester, 2007). Ozljede rebra, koje su česte u Triblju su među najuobičajenim tipovima koštanih ozljeda koje se sreću u arheološkim populacijama - one nastaju kao rezultat habitualnih radnji ili aktivnosti povezanih uz posao (Lovell, 1997), ali mogu nastati i kao posljedica direktne traume kao što su udarci ili pad/udarac na tvrdi objekt (Adams Crawford, 1987). Jedini potencijalni koštani indikator nasilja u ovoj zajednici su depresijske frakture na čeonj kosti djeteta pokopanog u grobu 10. No, potpuno odsustvo perimortalnih trauma kao i ozljeda prouzročenih oružjem (posjekotine, ubodi) u Triblju ukazuje na mogućnost da su žitelji ove zajednice bili izloženi niskoj stopi nasilja, a gotovo identična pretpostavka iznijeta je i za zajednicu iz obližnjeg Stranča (Šlaus et al., 2011).

Pojava velikog broja patologija kralježnice kao što su vertebralni osteoartritis i Schmorlovi defekti u tribaljskoj populaciji mogu se povezati uz nekoliko faktora. Schmorlovi defekti obično se vežu uz kronična mehanička opterećenja kralježnice kao što je dugotrajni teški fizički rad (za više detalja vidi Novak & Šlaus, 2011), a vrijednosti zabilježene u ovom radu slične su vrijednostima prisutnim u nizu hrvatskih nalazišta. Takva slika sugerira da su stanovnici ovog područja, ali i drugih arheoloških populacija iz Hrvatske (i šire), morali ulagati mnogo fizičkog napora u obavljanju svakodnevnih aktivnosti što je rezultiralo fizičkim stresom i brojnim ozljedama kralježnice. S druge strane, pojava vertebralnog osteoartritisa najčešće se veže uz doživljenu starost, opterećenja kralježnice i repetitivne pokrete (za više detalja vidi Novak & Šlaus, 2011). U tom kontekstu, doista je moguće da su nešto povećana prosječna starost odraslih analiziranih osoba (preko 40 godina) kao i već spomenuti teški fizički rad prouzročili brojne slučajeve vertebralnog osteoartritisa na kralježnicama stanovnika srednjovjekovnog Triblja.

Kada se podaci izneseni u ovom radu usporede s podacima iz europskih srednjovjekovnih nalazišta s primarno ruralnim karakterom vidljivo je da tribaljska zajednica po svojim karakteristikama i životnim uvjetima ne odudara od svojih suvremenika. Ovdje ćemo se osvrnuti na tri aspekta općeg zdravlja koji su najučestaliji u Triblju: dento-alveolarne patologije, pokazatelje subadultnog stresa / bolesti te traume. Na primjer, učestalost

karijesa u Triblju slična je drugim uzorcima iz kontinentalne Europe gdje se ti postoci kreću između 8 i 17,5% dok postotak zaživotnog gubitka zuba na ovom nalazištu također upada u europski prosjek gdje se te učestalosti kreću između 6 i 23% (Pap, 1986; Šlaus, Pećina-Hrnčević & Jakovljević, 1997; Djurić Srejić, 2001; Leben-Seljak & Štefančič, 2001; Vodanović et al., 2005; Esclassan et al., 2009; Novak et al., 2010; Giuffra, Milanese & Minozzi, 2020). Nadalje, pokazatelji subadultnog stresa uočeni su kod više od jedne trećine pripadnika tribaljske zajednice, a uz to zabilježeni su i brojni pokazatelji zaraznih bolesti (periostitis) kao i određeni metabolički poremećaji (skorbut) kod djece. Slična situacija prisutna je i u drugim koštanim uzorcima iz razdoblja srednjeg vijeka s europskog kontinenta gdje su učestalosti *cribra orbitalia*, hipoplazije zubne cakline i periostitisa slične prikazanim u ovom radu (Turbón et al., 1991/1992; Kozak & Krenz-Niedbala, 2002; Novak & Šlaus, 2007; Bedić & Novak, 2010; Benuš, Obertová & Masnicová, 2010). Uz to, u srednjovjekovnoj Europi zabilježena je nekolicina osteoloških slučajeva skorbuta kod djece (Brown & Ortner, 2011; Lovász et al., 2013; Bourbou, 2014; Krenz-Niedbala, 2016; Paladin, Wahl & Zink, 2018) što govori u prilog lošem zdravlju djece kao generalnom stanju u kontinentalnoj Europi tijekom ovog perioda. I na kraju, uzorak i distribucija ozljeda u Triblju odgovara ozljedama povezanim s ruralnim načinom života koje su zabilježene u u nekolicini europskih srednjovjekovnih populacija (Judd & Roberts, 1999; Djurić et al., 2006; Novak & Šlaus, 2012; Agnew, Betsinger & Justus, 2015).

ZAKLJUČAK

Iako je analizirani koštani uzorak iz srednjovjekovnog groblja oko crkve Pohodeinja Blažene Djevice Marije Elizabeti relativno malen (ukupno 60 kostura iz tri sezone istraživanja), rezultati bioarheološke analize pružili su vrlo vrijedne rezultate i otkrili dosad nepoznate detalje o životu i smrti srednjovjekovnih stanovnika Triblja i šireg sjevernojadranskog područja. Paleodemografska analiza pokazala je da djeca čine nešto više od jedne trećine ukupnog uzorka što odgovara podacima s drugih srednjovjekovnih nalazišta u Hrvatskoj. Pojava brojnih pokazatelja gladi, zaraznih bolesti i različitih metaboličkih poremećaja svjedoče o teškom životu za najveći dio pripadnika ove zajednice. Svakodnevna prehrana temeljila se pretežno na ugljikohidratima (žitarice i povrće) dok su se proteinima životinjskog porijekla vjerojatno prehranjivali samo najviši slojevi društva. Svakodnevni težak fizički rad i aktivnosti ostavili su brojne tragove na kralježnici analiziranih osoba što je dodatna potvrda hipotezi o teškim životnim uvjetima. I na kraju, detaljna analiza koštanih trauma snažno sugerira da je velika većina nastala kao posljedica nesretnih slučajeva, tj. tijekom obavljanja svakodnevnih aktivnosti u kući i polju te da je stupanj opasnosti od međuljudskog nasilja u srednjovjekovnom Triblju i regiji bio relativno nizak.

LIFE AND DEATH IN THE HINTERLAND OF KVARNER BAY DURING
THE MIDDLE AGES: BIOARCHEOLOGICAL ANALYSIS OF HUMAN BONE
REMAINS FROM TRIBALJ, EXCAVATIONS IN 2015.
BIOARCHEOLOGY OF THE MEDIEVAL POPULATION FROM TRIBALJ

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SUMMARY

Rescue archaeological excavation was conducted in 2015 around the church of the Visitation of the Blessed Virgin Mary to Elizabeth in Tribalj. Based on the burial rites and the stylistic characteristics of the collected finds the use of the cemetery can be dated between the 9th and the 13th century. The paleodemographic analysis showed that subadults comprise somewhat over one third of the total sample which corresponds to the data registered at other Croatian medieval sites. The paleodontology suggests that the diet of the majority of members of this community was based predominantly on carbohydrates (cereals and vegetables). Hard labor and every-day activities left numerous traces on the spine of the analyzed individuals in the form of Schmorl nodes, vertebral fractures and vertebral osteoarthritis. A detailed analysis of bone trauma strongly suggests that the vast majority of the injuries occurred as a result of accidents, and that the degree of interpersonal violence in the medieval Tribalj was relatively low.

Keywords: Northern Adriatic, medieval period, skeletal remains, physiological stress, infectious diseases, diet reconstruction, bone injuries

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UNA MODALITÀ DI CONTRIBUZIONE INDIANA PER I DOMINI ITALIANI MERIDIONALI DEGLI ASBURGO DI SPAGNA? I DONATIVI EXTRA-ASSEMBLEARI DEL 1629, 1630 E 1637

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SINTESI

Il presente articolo vuole iniziare a esaminare il tentativo della corona, risalente agli anni Venti e Trenta del XVII secolo, di raccogliere donativi extra-assembleari nei domini italiani meridionali, al fine di ridimensionare lo strapotere che il governo finanziario-emergenziale aveva attribuito ai parlamenti di Sicilia e Napoli. Inoltre, vuole evidenziare come la raccolta di tali servizi nei territori italiani si configurò nella pratica secondo le logiche proprie dei donativi extra-assembleari sollecitati dalla corona nei domini indiani.

Parole chiave: Monarchia cattolica, domini indiani, domini italiani, donativi, XVII secolo

AN INDIAN CONTRIBUTION MODALITY FOR THE SOUTHERN ITALIAN DOMAINS OF THE HABSBURGS OF SPAIN? THE EXTRA-ASSEMBLY GIFTS OF 1629, 1630 AND 1637

ABSTRACT

The article wants to start examining the attempt of the Crown, dating to the years 1620 and 1630, to gather extra-assembly gifts in the southern Italian domains, in order to reduce the excessive power that the financial-emergency government had attributed to the Parliaments of Sicily and Naples. Furthermore, the article wants to highlight how the gathering of these gifts in the Italian territories was configured in practice according to the logic of the extra-assembly gifts solicited by the Crown in the Indian domains.

Keywords: Catholic Monarchy, Indian Domains, Italian Domains, Gifts, Seventeenth Century

INTRODUZIONE

Durante il XVI e XVII secolo la corona spagnola fu obbligata a reperire ingenti somme di denaro per finanziare le operazioni militari sul teatro bellico europeo. Nei domini italiani questo portò a una estenuante contrattazione con le classi dirigenti locali, riunite nelle rispettive assemblee cetuali (*cortes* e parlamenti), mentre nei territori d'oltreoceano determinò l'adozione di una serie di misure economiche di carattere straordinario, tra le quali meritano di essere menzionati i donativi extra-assembleari. Infatti, sebbene tali servizi furono riscossi dalla monarchia asburgica anche in Europa, nei domini americani la loro raccolta assunse caratteri propri¹. Come hanno dimostrato recenti ricerche², nelle Indie i ministri potevano decidere se procedere o meno con la raccolta dei donativi e i vassalli erano liberi di non contribuire (De Nardi, 2018b, 1590–1591)³, mentre in Castiglia la loro riscossione

- 1 Nelle prossime pagine i termini “donativo” e “servizio” si utilizzeranno come sinonimi, dato che come tali sono considerati dalla documentazione indiana e italiana relativa ai donativi extra-assembleari, oggetto di questo studio. A riprova di quanto si sta dicendo si considerino i seguenti esempi: nel 1600, la *Audiencia de Charcas* comunicò a Filippo III aver ricevuto l'ordine di raccogliere il donativo con queste parole: «Vuestra Majestad se sirvió de mandar que en el principio de su reinar que sea felicísimo y por los años que la cristiandad a menester se le haga en esta provincia servicio gracioso por vía de donativo y empréstito como se contiene en las cédulas de Vuestra Majestad dirigidas al presidente desta Audiencia» (Levillier, 1922, 415). Nel 1625, negli *Anales del Cuzco* si può leggere: «obedeció el Cabildo, justicia y regimiento de esta ciudad, una cédula real dada en Madrid a 19 de enero de 1625, por la cual manda Su Magestad se le remita un donativo y servicio gracioso para las guerras que habían promovido los potentados ingleses y sus confederados» (Anales del Cuzco, 1901, 57). Nel 1667, il viceré della Nuova Spagna, marchese di Mancera, scrisse a Madrid: «en esta ciudad he pedido a todos sus vecinos personalmente el donativo, llamándolos por su graduación, calidad y premios, sin excusar a esta los más inferiores, procurando darles a entender las grandes necesidades, y empeños en que halló V. M. la monarquía y cuanto debían adelantar este servicio cumpliendo con las obligaciones de buenos y leales vasallos» (De Nardi, 2018b, 1574). Infine, lo stesso si registra nella documentazione consultata per questo articolo e relativa ai donativi richiesti nel regno di Napoli e in quello di Sicilia tra 1629 e 1627. Per esempio, nelle istruzioni inviate da Madrid al duca d'Alcalà, viceré di Napoli, nel titolo si utilizza il termine “donativo”, mentre che nel testo si ricorre a “servizio”; e lo stesso si registra anche nella relazione redatta da un funzionario dell'entourage viceregio per dare conto a Madrid delle diligenze messe in atto dal duca nel tentativo di soddisfare la richiesta sovrana (AGS-SP, lg. 16, Madrid, 16 de julio de 1630, Instrucción para encaminar el donativo particular y gracioso).
- 2 Nonostante che già Antonio Domínguez Ortiz avesse iniziato ad approfondire i donativi extra-assembleari richiesti dalla corona nelle Indie durante il regno di Filippo IV (Domínguez Ortiz, 1956), solo recentemente la storiografia ha ripreso a occuparsi della questione (Ciaramitaro & De Nardi, 2019; De Nardi, 2018a; 2018b; 2016).
- 3 Gli incaricati della raccolta dei donativi indiani extra-assembleari per poter suscitare emulazione tra la popolazione e costruire un ampio consenso intorno alla petizione dovevano pertanto mettere in atto una e vera propria campagna di sensibilizzazione e contribuire personalmente al donativo. Per tale motivo, i principali donanti indiani erano sempre ministri, ufficiali reali ed ecclesiastici. Vale a dire, individui strettamente relazionati al servizio regio e come tali chiamati a dare il buon esempio, al fine di suscitare emulazione nel resto della popolazione, la quale era libera o meno di concorrere al servizio richiesto (De Nardi, 2018a, 31–32).

era obbligatoria e la popolazione era di fatto forzata a donare⁴; i vassalli indiani non potevano negoziare la loro partecipazione ai donativi extra-assembleari⁵, come invece erano solite fare le élite catalane o basche (Truchuelo García, 2008b, 293); le autorità indiane non ricorrevano all'imposizione di nuovi tributi per riunire le somme richieste da Madrid, come invece era pratica comune per le castigliane e le andaluse (Forteza Pérez, 2016, 127; Suárez Fernández, 2013, 13; Escalona Jiménez, 1998); nei domini d'oltreoceano la raccolta dei servizi extra-assembleari interessava l'intera popolazione, e non solo gli strati più abbienti come avveniva in Galizia o in Vizcaya (Eiras Roel, 2009, 27; Truchuelo García, 2008b, 292)⁶.

Considerata questa premessa il presente articolo vuole esaminare la documentazione relativa ai donativi extra-assembleari che durante gli anni Venti e Trenta del XVII secolo la corona spagnola tentò raccogliere, senza esito, nei suoi domini italiani meridionali (Napoli e Sicilia). Sarà così possibile sottolineare che tale operazione ebbe come obiettivo il ridimensionamento dello strapotere attribuito ai parlamenti locali dal governo finanziario-emergenziale, e mettere in evidenza che nei territori italiani la raccolta di questi servizi si configurò nella pratica secondo le logiche proprie dei donativi extra-assembleari sollecitati dalla corona nei domini indiani.

UNA PREMESSA NECESSARIA: MODALITÀ DI FINANZIAMENTO DELL'IMPERO

Il finanziamento del sistema difensivo imperiale spagnolo durante l'epoca asburgica si configurò a partire della cosiddetta «teoria dei bastioni»: ai domini situati

- 4 Per esempio, il donativo del 1629, che «en principio debía proporcionar ingresos inmediatos a la Hacienda Real para ser administrados al margen de las Cortes, acaba convirtiéndose en la práctica en un servicio» (Lanza García, 2008, 24). Quello del 1635, invece, «fue aprobado por las Cortes de Castilla como parte de un servicio de 9 millones de ducados en plata, de los cuales 5,5 debían ser obtenidos mediante un donativo. [...] En consecuencia, el donativo de 1635, lejos de seguir la línea marcada en anteriores peticiones, iba a convertirse en un servicio al mismo nivel que otros arbitrios extraordinarios aprobados por los procuradores castellanos. Es decir, el donativo de 1635 no fue por tanto una contribución voluntaria, sino que, bajo el nombre de donativo, se trató de un nuevo servicio de los contribuyentes castellanos» (Gil Martínez, 2015, 217).
- 5 Chiaramente con questo non si vuole sostenere che la partecipazione dei vassalli americani ai donativi richiesti dagli Asburgo di Spagna fosse avulsa da qualsiasi interesse personale, familiare o di corpo, ma solo sottolineare che la documentazione consultata fino a questo momento sembrerebbe indicare che nei territori americani, a differenza di quanto registrato per la penisola iberica, le donazioni non fossero precedute da una negoziazione preliminare. Infatti, è indubbio che per tutti gli attori indiani coinvolti nella raccolta del servizio, poco importa se come agenti della corona o donanti, secondo le classiche logiche di antico regime l'adesione al donativo costituisse un capitale politico che in futuro avrebbe potuto favorirli al momento di richiedere *mercedes*, cariche o titoli onorifici. Sebbene per i donativi indiani d'epoca asburgica manchino studi specifici, quanto si sta dicendo è provato per l'epoca borbonica da Guillén Villafuerte, 2019; 2018; Nieves Pimentel, 2018; Valle Pavón, 2017; 2016; Grieco, 2014; Silva Prada, 1999.
- 6 Maggiori informazioni sui donativi extra-assembleari richiesti nei domini peninsulari dagli Asburgo di Spagna in Lanza García, 2010a; 2010b; Forteza Pérez, 2011; 2008; 2003; 2000; Truchuelo García, 2008a; Sánchez Belén, 1996, 257-275).

lontano dai teatri di guerra principali venne richiesto di finanziare le operazioni di difesa dei territori della monarchia minacciati dagli eserciti nemici, identificabili principalmente con le Fiandre e lo Stato di Milano (Ribot García, 1994; Rizzo, 1992). I flussi di finanziamento risultanti si strutturano così in base a due direttrici principali. La prima vedeva protagoniste le risorse drenate dalla corona dai regni di Castiglia e dai viceregni americani, destinate a mantenere gli eserciti impegnati nei Paesi Bassi (Marcos Martín, 2010, 28). La seconda era alimentata dai proventi raccolti nei domini italiani mediterranei, Napoli e Sicilia, inviati nel nord Italia per difendere il ducato di Milano e foraggiare stati satelliti essenziali per il mantenimento dell'egemonia asburgica nella penisola, come, per esempio, il ducato di Savoia, la repubblica di Genova e i ducati padani (Maffi, 2019; D'Amico, 2019, 253; De Nardi, 2014; De Luca, 2013; Rizzo, 2003; Chabod, 1971)⁷.

Durante il regno di Carlo V, la corona per recuperare tali risorse nei domini europei, iberici come italiani, si vide costretta a scendere a patti con le varie classi dirigenti locali, riunite nelle rispettive *cortes* o nei parlamenti⁸. Il processo si rivelava quindi ogni volta lento e insidioso, in quanto la nobiltà feudale approfittava delle difficoltà del sovrano per riaffermare il suo ruolo politico e chiedere, in cambio del tanto desiderato soccorso economico, nuovi privilegi o il ripristino di prerogative cadute in disuso. D'altronde, come sottolinea Bartolomé Yun Casalilla,

la guerra y sus derivaciones fiscales, motivo siempre de problemas en las relaciones entre rey y reino, se habían afrontado de modo que el resultado sería una cooperación conflictiva que no llevaría a grandes convulsiones, y que queda muy lejos de los dos polos, el de la obediencia ciega y el de la resistencia y conflicto sistemáticos, que diferentes corrientes historiográficas han descrito hasta hoy (Yun Casalilla, 2004, 561–562)⁹.

Diversamente, nei territori d'oltreoceano le somme necessarie a finanziare la macchina bellica poterono essere recuperate grazie alle rimesse auree e argentee

7 Per dare un'idea del fenomeno, durante il periodo di maggiore emergenza bellica (1623–1643), per il finanziamento delle operazioni militari nel teatro centro-europeo, dai domini mediterranei furono drenati almeno 19.000.000 di ducati (De Nardi, 2016, 257), mentre da quelli indiani all'incirca 20.000.000 (De Nardi, 2021 e 2018a, 21; Maffi, 2019; Alvaréz Nogal, 1998, 485–488). A tali somme bisognerebbe poi aggiungere le somme sborsate dal regno di Castiglia, ma il loro calcolo risulta assai ostico (Gelabert, 1998). Chiaramente, a queste due direttrici principali andrebbero poi aggiunte quelle secondarie. Per esempio, nelle Indie, la redistribuzione dei *situados*, che, come hanno dimostrato varie ricerche, risultava essenziale per il mantenimento del sistema difensivo americano (Marichal Salinas & Grafestein, 2012).

8 A riprova di quanto si sta dicendo, e solo a fine d'esempio, si rimanda per l'ambito iberico ai seguenti studi: Cañón Dunner, 2013; Fuentes Ganzo & Martín, 2003; Carrettero Zamora, 1998; per il contesto italiano altre ricerche indispensabili sono: Maffi, 2019; Bulgarelli Lukacs, 2016; 1993; De Nardi, 2014; D'Agostino, 1979.

9 Sulla interessante questione della dinamica «cooperación/equilibrio conflictivo de poder» si veda anche Yun Casalilla, 2002, 105, 160.

(Álvarez Nogal, 1998); dalla riscossione di imposte come il *quinto real* o la *alcabala*¹⁰; all'adozione di provvedimenti di natura straordinaria, come il sequestro delle rimesse private, registrato massicciamente durante il governo di Carlo V (Sardone, 2012), e la richiesta di donativi extra-assembleari (Ciaramitaro & De Nardi, 2019; De Nardi, 2018a; 2018b). Infatti, fin dai primi momenti della conquista la corona si dimostrò restia a riconoscere ai viceregni d'oltreoceano la possibilità di convocare assemblee cetuali o, in alternativa, di concedere a loro rappresentanti di partecipare ai lavori di quelle castigliane; e questo nonostante che, fin dalla prima metà del XVI secolo, i vassalli indiani non persero occasione per chiedere tale grazia (Mázin Gómez, 2013)¹¹. Nelle Indie si instaurò così un sistema di finanziamento del sistema imperiale distinto a quello in vigore nei domini europei. In questi ultimi la monarchia contrattava con le assemblee cetuali la delibera di donativi straordinari, da raccogliersi forzatamente tra la popolazione. In America, invece, la mancanza di analoghi consessi istituzionali, sommata alla sostanziale assenza di una vera

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- 10 Già nel 1974, Benedict Bradley osservava che: «Los tributos contribuían al sostenimiento del Estado, pero la creciente burocracia requería otros ingresos. Aun después de la drástica mortandad indígena, la caja de México recaudaba alrededor de 225 000 pesos anuales en impuestos personales, en el siglo XVI. Los españoles estaban exentos del tributo personal, pero en cambio tenían que pagar la alcabala que equivalía más o menos a un impuesto de 3 % sobre las ventas, y que daba un promedio anual de 250 000 en el mismo siglo. El Estado recaudaba, además, varios cientos de miles de pesos procedentes del Quinto Real y de otros impuestos sobre minas y acuñación y no debemos olvidar otras contribuciones, gajes y donativos forzosos, aparte del producto de la venta de mercurio y de puestos gubernamentales [...]. El sostenimiento del Estado imperial y colonial era muy costoso y la sociedad mexicana pagaba todo lo suyo y gran parte de lo ajeno» (Bradley, 1974, 587-588). A questo riguardo si vedano i recenti studi di Arrigo Amadori (Amadori, 2012).
- 11 Ai conquistadores veniva negato così un luogo istituzionale funzionale alla difesa delle prerogative "feudali" che nelle concitate fasi della conquista erano riusciti a strappare e che la corona era intenzionata a ritirare. Al contrario, l'istaurazione dei viceregni americani permise a Madrid di mettere in atto una politica tesa a fare dei conquistadores-encomenderos dei semplici possessori di rendita, vale a dire proprietari terrieri senza nessuna prerogativa giudiziaria, amministrativa e fiscale sulle popolazioni insediate nelle loro possessioni (Borah, 2002, 31). Per esempio, in Nuova Spagna il trasferimento di tali prerogative ai ministri regi avvenne nel 1535, con l'arrivo del primo viceré, Antonio de Mendoza y Pacheco, e l'entrata in carica della cosiddetta *segunda Audiencia*. Come sottolinea Woodrow Borah: «La Corona aprovechó la llamada "conjura del segundo marqués" y su brutal represión para dar el golpe decisivo a los encomenderos y reducirlos a simples rentistas. Asimismo, les reconoció el derecho a percibir tributo en pago a sus servicios como conquistadores, con la obligación de prestar servicio militar cuando fuese necesario. Además, se limitó a tres vidas la tenencia de las encomiendas, para de esta manera asegurar que volvieran al dominio de la Corona. Así se conjuró el peligro de que en Nueva España arraigare un nuevo feudalismo y régimen señorial hereditario» (Borah, 2002, 32).

e propria nobiltà feudale¹² e alla frammentazione della rappresentanza politica¹³, rendeva ben più vantaggiosa la richiesta di donativi extra-assembleari (Ciaramitaro & De Nardi, 2019), in quanto tali misure risultavano particolarmente funzionali a «evitar un sistema de contrapesos de las elites americanas a la corona como el que ejercían las ciudades castellanas¹⁴». Infatti, come già si è avuto modo di dire, a differenza dei donativi assembleari sollecitati nei domini europei ai rappresentanti regnicoli radunati nelle rispettive *cortes* e nei parlamenti, che comportavano alti costi politici e istituzionali, i donativi extra-assembleari indiani venivano direttamente raccolti tra la popolazione e non prevedevano nessuna contropartita immediata da parte della corona¹⁵.

I DONATIVI EXTRA-ASSEMBLEARI RICHIESTI NEI DOMINI ITALIANI MERIDIONALI: OBIETTIVI POLITICI E RIPERCUSSIONI ISTITUZIONALI

Nei regni di Napoli e Sicilia le risorse necessarie al finanziamento dell'onerosa macchina bellica erano ottenute attraverso accordi siglati dal potere viceregio con le rappresentanze cetuali riunite in Parlamento, le quali in cambio di concessioni e

- 12 Circa il ridotto numero di concessioni di titoli nobiliari nei domini americani si veda il saggio introduttivo presente in Conde y Díaz-Rubín & Sanchiz Ruiz, 2008, 7–25.
- 13 Frammentazione politica ratificata dalla corona con la promulgazione delle *Leyes de Indias* (1542). Come sottolinea Jorge Eugenio Traslosheros Hernández, fin dal primo articolo del nuovo congiunto normativo, «por donación de las Santa Sede Apostólica, y otros y justos títulos, somos Señor de las Indias Occidentales, Islas y Tierra Firme del Mar Océano, descubiertas y por descubrir, y están incorporadas en nuestra Real Corona de Castilla», Carlo V si premurò di precisare che «donde hay un solo Señor, los demás son vasallos», stabilendo in questo modo che nessuno potesse arrogarsi la prerogativa di decidere per altri, a eccezione del sovrano, unico signore feudale riconosciuto e legittimato (Traslosheros Hernández, 1994, 47). La corona fu sempre attenta a salvaguardare tale frammentazione politica, impedendo la creazione in territorio indiano di assemblee cetuali sul modello europeo e negando agli *encomenderos* le prerogative feudali tanto agognate. Deve essere altrettanto chiaro che la società indiana non fu mai una società atomizzata: il sovrano e i suoi agenti fin dalla conquista dovettero confrontarsi sul piano politico istituzionale con le élite locali, arroccate nei *cabildos* e nelle corporazioni (*consulado en primis*), e molto probabilmente la raccolta dei donativi extra-assembleari richiesti durante l'epoca asburgica non scappò a questa logica. Infatti, sebbene non esistano ancora studi che permettano affermarlo con certezza, le ricerche condotte sui donativi sollecitati durante la tarda epoca borbonica sembrerebbero suggerirlo (Guillén Villafuerte 2019; 2018; Nieves Pimentel, 2018; Valle Pavón, 2017; 2016; Grieco, 2014; Silva Prada, 1999).
- 14 D'altro canto, come sottolineato da Bartolomé Yun Casalilla, nei territori americani «la potestas del rey era y debía ser libre y absoluta»; e «el problema de la transferencia de fondos entre reinos, permite entender el modo en que encajó América en el conjunto de esta monarquía compuesta y la manera en que el sistema fiscal en su conjunto operaba en el seno de una cultura política. [...] al basarse en derechos de conquista que ampliaron el patrimonio real, los recursos americanos no podían ser controlados por las Cortes» (Yun Casalilla, 2014, 37).
- 15 Infatti, in occasione della celebrazione di *Cortes* o *Parlamenti* il sovrano a cambio del donativo era solito riconoscere alcune delle richieste delle rappresentanze cetuali. Nel caso della riscossione dei donativi extra-assembleari, per lo meno durante la epoca asburgica questa automaticità non venne mai formalizzata, anche se, come già detto, è ovvio che la partecipazione del donativo permetteva ai vassalli indiani di acquisire un capitale politico che avrebbero potuto spendere, secondo le logiche proprie della società d'antico regime, per richiedere cariche, *mercedes* o titoli onorifici.

privilegi accettavano di votare un donativo straordinario, in aggiunta al tradizionale donativo ordinario, necessario al mantenimento dell'apparato statale, e la cui approvazione era ormai diventata fisiologica¹⁶. Si spiega quindi perché durante gli anni Venti del XVII secolo la corona cercò di estendere la riscossione dei donativi extra-assembleari indiani ai domini italiani. Infatti, ai viceré incaricati della loro riscossione venne intimato di non imporre nuovi tributi; estendere la richiesta all'intera popolazione; lasciare liberi i vassalli di contribuire o meno al servizio, negando però loro la possibilità di subordinare le donazioni all'ottenimento di cariche o *mercedes*. Lo studio della documentazione dimostrerà il punto.

Nel 1625, Filippo IV istituì la *Junta del donativo*, una commissione incaricata di predisporre in tutti i regni della monarchia la richiesta di donativi extra-assembleari (Baltar Rodríguez, 1998). A farne parte furono chiamati il *valido*, Gaspar de Guzmán, conte-duca d'Olivares; il tesoriere del Consiglio d'Aragona, Luis Jerónimo Fernández de Cabrera, conte di Chinchón; un componente del Consiglio delle Indie, don Diego de Contreras; il *corregidor* di Madrid, don Juan de Castro; un canonico di Toledo, Horacio Doria; un segretario reale, Francisco López Lasprilla (AGS-SP, lg. 1802). Almeno tre di loro al momento della nomina avevano avuto modo di conoscere le modalità di raccolta dei donativi extra-assembleari in auge nelle Indie: Olivares sicuramente era informato dei servizi raccolti nei territori americani, tanto più che dal 1623 disimpegnava l'ufficio di *canciller y registrador mayor del Consejo de Indias* (Pérez Ramos, 2014); don Diego de Contreras aveva preso visione in qualità di membro del Consiglio delle Indie dell'abbondante documentazione che i viceré di quelle provincie erano soliti inviare a Madrid in occasione di ogni servizio volontario; don Juan de Castro aveva già riscosso nel 1624 un donativo extra-assembleare nella giurisdizione di Madrid, che a differenza dei precedenti si era configurato sul modello dei servizi indiani, come dimostra una dettagliata relazione da lui redatta¹⁷.

Il 15 gennaio 1625, la *Junta* chiese ai membri del Consiglio d'Italia di contribuire personalmente al servizio e di spiegare «con mucha particularidad el modo y forma que se podrá dar para que con la misma suavidad y buen efecto que hasta ahora se disponga la continuación de este servicio en todos los reinos y estados de Italia»¹⁸. Il 6 febbraio il Consiglio comunicò che tutti i suoi componenti avevano provveduto al soccorso della monarchia e confermò la fattibilità della riscossione del donativo extra-assembleare nei domini italiani; specificando, però, che sebbene a Milano e

16 La concessione da parte delle assemblee cetuali di un donativo straordinario consentiva di drenare risorse da un domino all'altro, senza derogare nessuna norma di diritto. I donativi assembleari straordinari, quindi, non erano altro che somme di denaro che il regno offriva alla corona per fare fronte a spese estranee alla normale amministrazione, quasi sempre di carattere militare (Calisse, 1887, 174-175). Appare chiaro, pertanto, che il ricorso a tale strumento di finanziamento era di per sé una scelta obbligata, in quanto gli ordinari, alla pari dei proventi dell'esazione fiscale, non potevano essere impiegati per la difesa di un altro regno o dominio (Calisse, 1887, 174-175).

17 La relazione è conservata sempre in AGS-SP, lg. 1802.

18 AGS-SP, lg. 1802, Madrid, 6 de febrero de 1625, Consulta del Consejo de Italia a S.M.

Napoli si sarebbe potuto richiedere immediatamente, in Sicilia sarebbe stato meglio attendere l'arrivo de nuovo viceré

*porque no pudiéndose esperar que el cardinal Doria lo comience y acabe por el breve tiempo que ha de estar en el gobierno, el virrey que irá, o no proseguirá con el calor que convendrá lo que otro habrá comenzado, o las personas no darán con aquella largueza, como lo harán con el virrey nuevo por granjear su gracia*¹⁹.

Inoltre, per aumentare le possibilità di esito dell'operazione, l'organo consultivo raccomandò che il servizio extra-assembleare fosse richiesto direttamente ai singoli individui, e non alle università, in quanto non disponendo queste di «*proprios [recursos], seria fuerza que lo que ofreciesen en común y lo sacasen por vía de repartimiento de sus vecinos, y así vendría a ser este donativo forzoso, y no gracioso, cosa ajena de la Real mente de V.M.*»²⁰. Una raccomandazione di fondamentale importanza per il discorso che si sta facendo, in quanto qualora il donativo avesse perso il suo carattere volontario si sarebbe tramutato in una nuova imposta che come tale avrebbe dovuto essere approvata dal Parlamento²¹.

Presa visione della consulta del Consiglio d'Italia, Filippo IV ordinò di procedere con la riscossione del donativo extra-assembleare nello Stato di Milano e nel Regno di Napoli, mentre vincolò la raccolta nel Regno di Sicilia all'arrivo di Antonio Pimentel, IV marchese di Távara, già nominato alla guida di quel governo. Inoltre, a dimostrazione della novità che si stava introducendo, stabilì che insieme ai relativi ordini fosse inviata anche copia della relazione elaborata dal già citato Juan de Castro, in occasione del donativo da lui raccolto l'anno precedente, affinché potesse servire da canovaccio ai ministri incaricati della riscossione²².

Fino alla fine degli anni Venti tali disposizioni rimasero però senza effetto per la scelta del Consiglio d'Italia di posticipare la raccolta dei donativi extra-assembleari per permettere ai viceré di negoziare con le rappresentanze regnicole l'entrata in

19 AGS-SP, lg. 1802, Madrid, 6 de febrero de 1625, Consulta del Consejo de Italia a S.M.

20 AGS-SP, lg. 1802, Madrid, 6 de febrero de 1625, Consulta del Consejo de Italia a S.M.

21 Si comprende così che i ministri madrileni dovevano essere a conoscenza delle ripercussioni politiche dell'operazione, ma, concordando con la necessità di ridimensionare il ruolo dei due parlamenti meridionali, decisero di sostenere la sua raccolta, nonostante le problematiche istituzionali che la stessa avrebbe potuto sollevare. Quanto si sta dicendo non fa altro che confermare quello che altre ricerche hanno già messo in evidenza: il Consiglio d'Italia, composto da togati, cercò per tutto il secolo di mettere in discussione il ruolo delle assemblee cetuali, nel tentativo di ridimensionare lo spessore politico della nobiltà feudale (De Nardi, 2014, 25–84).

22 AGS-SP, lg. 1802, Madrid, 6 de febrero de 1625, Consulta del Consejo de Italia a S.M.

vigore dell'*Unión de las Armas* (Elliott, 2004, 151–152)²³. Del resto, la riforma tanto cara a Olivares, lungi dal proporre sostanziali innovazioni dell'arruolamento e finanziamento dei *tercios*, mirava a ridimensionare il ruolo istituzionale delle assemblee cetuali e il potere di contrattazione delle élites locali. Con la sua entrata in vigore i donativi assembleari straordinari, con cui le singole assemblee cetuali avevano contribuito fino a quel momento allo sforzo bellico della monarchia, si sarebbero convertiti nei fatti in ordinari, in quanto dovuti, regolari e quantitativamente definiti. Come i donativi extra-assembleari, quindi, anche la *Unión de las Armas* aveva l'obiettivo di limitare il ruolo istituzionale dei parlamenti, che dall'inizio della Guerra dei Trent'anni aveva rafforzato sensibilmente il potere di contrattazione delle varie componenti regnicole, in generale, e della antica nobiltà di spada, in particolare. Non deve stupire pertanto che gli ordini per raccogliere i donativi extra-assembleari vennero effettivamente spacciati in Italia a partire dal 1629, ovvero quando era ormai chiaro che i due parlamenti meridionali non avrebbero approvato la riforma del sistema di reclutamento imperiale. Infatti, solo in quell'anno venne dato incarico ai viceré di Napoli e a quello di Sicilia di raccogliere nei due domini un donativo extra-assembleare²⁴.

RACCOLTA DEI DONATIVI EXTRA-ASSEMBLEARI NEL REGNO DI NAPOLI (1629 E 1630)

Nel 1629 e nel 1630 venne ordinato al Viceré di Napoli, Antonio Álvarez de Toledo y Beaumont, V duca di Alba de Tormes, di raccogliere due donativi extra-

23 La riforma iniziò a essere discussa nei vari domini nel 1626 e costituì una priorità nelle agende viceregie italiane per lo meno fino alla fine degli anni Venti del Seicento. Al rispetto si veda AGS-SP, lg. 14, Madrid, 25 de julio de 1626, Carta de S.M. al Presidente del Consejo de Italia; Memorial sobre la ejecución de la unión en la forma propuesta en los papeles que se han visto; Madrid, 9 de agosto de 1626, Consulta del Consejo de Italia a S.M.; Madrid, 12 de agosto de 1626, Ordine de S.M. al Consejo de Italia. Per maggiori informazioni sulla riforma nel suo complesso si rimanda agli studi di Manconi, 2004; Esteban Estríngana, 2002; Valladares Ramírez, 2001; Belenguier, 1996; Solano Camón, 1987; Casado Arboniés, 1986.

24 Alla fine degli anni Venti uno dei segretari del Consiglio d'Italia venne inviato a Milano per iniziare a trattare con le élites locali la raccolta del donativo. Tuttavia, per la sua prematura morte, avvenuta nel 1630, la missione venne affidata all'ex *veedor general* di Napoli, Pedro Echevarria, che si era già occupato della raccolta del donativo, senza troppi risultati, nel regno napoletano (AGS-SP, lb. 436). Il silenzio delle fonti, però, sembrerebbe indicare che nel dominio meneghino la raccolta del donativo volontario non sia mai stata messa in atto. Sicuramente, una ricerca mirata nelle fonti conservate presso l'Archivio di Stato di Milano potrà fornire elementi aggiuntivi.

assembleari²⁵ in tutto e per tutto simili ai servizi che fin dai tempi di Carlo V gli Asburgo erano soliti richiedere ai vassalli indiani²⁶. Infatti, il duca venne invitato a scavalcare il Parlamento e rivolgersi personalmente, o per interposta persona, ai singoli vassalli per riunire una ingente somma da destinarsi al soccorso dello Stato di Milano²⁷.

La richiesta rappresentava una assoluta novità per il contesto italiano, cosicché al duca vennero recapitate dettagliate istruzioni. Come erano soliti fare con i viceré indiani (De Nardi, 2018b, 1565–1566), attraverso tale documento, i ministri regi suggerirono al duca di giustificare il donativo extra-assembleare con la difficile situazione militare in cui versava la monarchia, e spiegare l'impossibilità oggettiva della corona di fare affidamento sulle casse castigliane per difendere lo Stato di Milano²⁸. Inoltre, lo animarono a effettuare una donazione per suscitare emulazione

25 Il 18 di febbraio del 1631 il Viceré di Napoli comunicò a Madrid che analogamente a quanto successo nel 1629, non era stato possibile riscuotere il donativo extra-assembleare sollecitato dal consiglio nel 1630. AGS-SP, lg. 16, Nápoles, 18 de febrero de 1631, Carta del Virrey de Nápoles a S.M. Tale circostanza sembrerebbe comprovata anche dalle istruzioni inviate al duca di Alcalà nel 1630, nelle quali si dice: «el estado de las cosas de Lombardía ha obligado a que se vuelva a tratar en ese reino desde servicio, con viniendo tanto acudir a ellas con oportunos y grandes socorros, y no haber de presente aquí forma de poderlo hacer». AGS-SP, lg. 16, Madrid, 16 de julio de 1630, Instrucción para encaminar el donativo particular y gracioso.

26 Il modello di riferimento è evidentemente quello indiano in quanto le istruzioni inviate al duca d'Alba de Tordesillas non menzionano la possibilità di convocare il Parlamento con il fine di ricevere l'autorizzazione a riscuotere il donativo, come era pratica comune in Castiglia; non permettono agli incaricati della raccolta di dialogare con i consigli cittadini per imporre nuovi tributi, come era costume in Andalusia; non consentono al viceré di raccogliere il servizio unicamente tra gli strati della popolazione solitamente esentati dal pagamento dei donativi parlamentari, come invece era comune fare nei domini iberici ma non in quelli indiani.

27 Madrid chiedeva al duca di estendere il servizio all'intero territorio del dominio e di rivolgersi ai vassalli di ogni ordine e grado, occupandosi egli stesso della raccolta nella città di Napoli; inviando nelle principali città il *veedor general*, Pedro de Echevarría; affidando le provincie ai rispettivi governatori. AGS-SP, lg. 16, Madrid, 16 de julio de 1630, Instrucción para encaminar el donativo particular y gracioso.

28 Inoltre, proprio come avveniva nelle Indie, il viceré era autorizzato a mettere in atto una vera e propria campagna di sensibilizzazione. Per esempio, da Madrid si raccomandava al duca di ricordare agli esponenti della nobiltà di prima sfera che la conservazione della monarchia era il loro più importante interesse, in quanto la venuta meno del governo spagnolo avrebbe significato la loro rovina: «a las personas de mayor consideración y en particular las que vos hablareis daréis a entender cuanto deseo que gocen de alivio y comodidad todos mis súbditos de Italia, y que con fin de asegurar esto se intentó la guerra presente, y lo que se ha remitido, y va remitiéndose de aquí, para la paga del ejército, los accidentes que han sobrevenido, y como por ellos, y las necesidades de estos reinos, no se puede continuar como es necesario, que todo ha obligado a pedirles que hagan este servicio voluntario, habiendo de servir para defensa del estado de Milán, en cuya conservación son tan interesados, pues en ella reside la suya propia. AGS-SP, lg. 16, Madrid, 16 de julio de 1630, Instrucción para encaminar el donativo particular y gracioso.

nei ministri e nel resto della popolazione²⁹; lo spronarono a parlare personalmente con gli esponenti più in vista delle diverse componenti regnicole residenti nella capitale (nobiltà di prima sfera, togati, ecclesiastici³⁰, capi delle corporazioni cittadine)³¹, iniziando dai più ricchi e liberali³², affinché fossero un esempio per gli altri³³. Infine, analogamente a quanto la corona già era abituata a fare da quasi un secolo in occasione dei donativi americani, lo invitarono a vigilare che il servizio mantenesse su carattere volontario e gli incaricati della raccolta utilizzassero «medios de persuasión muy blandos, procediendo en todo con prudencia y suavidad, de suerte, que ninguno pueda llegar a entender, ni aun sospechar, que se quiere sacar nada por violencia, sino que le deja a su libre voluntad»³⁴.

Nel 1631 il duca rispose al sovrano sostenendo l'impossibilità di procedere alla riscossione del donativo, spiegando che già nel 1629 aveva tentato di raccogliere un servizio extra-assembleare, ma che l'operazione non aveva avuto successo³⁵. Due le

29 È importante sottolineare che il documento a questo riguardo risulta essere dettagliato. Infatti, il passaggio relativo recita: «para dar autoridad a este negocio será muy a propósito que vos y las cabezas de los tribunales y mi consejo colateral deis principio a este servicio, como aquí se hize habiéndolo dado el Consejo de Estado, siendo cierto que el ejemplo que diéreis vos y los dichos mis ministros moverá mucho los ánimos de los demás, para que le sigan». AGS-SP, lg. 16, Madrid, 16 de julio de 1630, Instrucción para encaminar el donativo particular y gracioso.

30 Secondo Madrid gli ecclesiastici avrebbero potuto prendere parte al donativo extra-assembleare senza dover richiedere il consueto permesso papale, in quanto si trattava di un servizio volontario.

31 Le istruzioni spiegano che «habiendo hecho los dichos prelados su donativo se pedirá a las personas sus súbditas. [...] Para encaminar dicho servicio con los ministros de los tribunales de esa ciudad y reino, y otros oficiales dependientes de ellos, os valiereis de las cabezas de los dichos tribunales, para que traten ay de disponer la materia, advirtiéndoles y ordenándoles lo que os pareciere. [...] Después de haber servido los grandes, titulados y barones, os valdréis delos para con sus vasallos, pues será el medio más eficaz, o, eligiendo si os pareciere en caso, que halléis inconveniente, o impedimento, otras personas, o ministros» AGS-SP, lg. 16, Madrid, 16 de julio de 1630, Instrucción para encaminar el donativo particular y gracioso.

32 AGS-SP, lg. 16, Madrid, 16 de julio de 1630, Instrucción para encaminar el donativo particular y gracioso

33 Inoltre, qualora il viceré lo avesse ritenuto necessario poteva avvalersi anche di un numero non precisato di lettere reali con il destinatario in bianco, per far credere all'interlocutore del momento che il sovrano in persona avesse richiesto il suo contributo. AGS-SP, lg. 16, Madrid, 16 de julio de 1630, Instrucción para encaminar el donativo particular y gracioso. Di nuovo, si registra una pratica che nelle Indie era già in uso da tempo. Per esempio, a Hernando Pizarro, nel 1533, per raccogliere un donativo extra-assembleare nei territori peruviani in via di conquista, Carlo V consegnò 37 «cédulas en blanco para las personas quel es pareciese» (Colección de Documentos, 1924, 114).

34 AGS-SP, lg. 16, Madrid, 16 de julio de 1630, Instrucción para encaminar el donativo particular y gracioso. Infatti, già nel 1532 Isabella di Portogallo, al momento di chiedere un donativo nel viceregno della Nuova Spagna, raccomandò ai membri della *Audiencia* di «[...] tenerles [los vecinos] en buena gobernación y disponerse lo mejor que pudiese para visitarlos y otras cosas que os parezca convenientes y para ellos agradables y podáis ser ciertos que nuestra voluntad no es de ponerles imposición sino socorro por esta vez para esta gran necesidad a que de su propia voluntad en estos nuestros reinos todos nos ayudan con personas y haciendas como son obligados. Así habéis de estar advertidos que se ha de tener tal forma que muy de su voluntad nos ayuden [...] Y habéis de mirar mucho que puesto en un balance todas nuestras necesidades, aunque sean grandes y el sosiego y la pacificación de esa tierra en otra, es nuestra voluntad y intención de preferir el sosiego y la pacificación de esa tierra a todo lo demás» (De Nardi, 2018b, 1559).

35 AGS-SP, lg. 16, Nápoles, 18 de febrero de 1631, Carta del Virrey de Nápoles a S.M.

principali cause che a suo dire avevano condotto al fallimento dell'operazione del 1629: la «suspensión de las tercias» e la fiera opposizione del papa, il quale aveva ordinato al nunzio «que no permitiese que los eclesiásticos diesen cosa alguna»³⁶. L'intervento di Roma, sebbene informale, in quanto «no pudo hallar el papa título con que embarazar que cada uno voluntariamente diese lo que quisiese», dovette comunque avere l'effetto desiderato. Infatti, il donativo senza l'appoggio dello stato ecclesiastico naufragò, in quanto il rifiuto espresso dai prelati permise agli altri corpi privilegiati di fare altrettanto. Del resto, clero e nobiltà vantavano di fatto un'esenzione totale dalla tassazione diretta, che «rappresentava la principale, se non unica, imposta ordinaria che le comunità dovevano al governo» (Bulgarelli Lukacs, 1993, 12). Addirittura, dal 1504, gli ecclesiastici non partecipavano ai lavori parlamentari, se non nei casi in cui potevano vantare anche dignità feudali (D'Agostino, 1979, 124). Di conseguenza, risulta difficile pensare che la presa di posizione del papato fu del tutto autonoma. Al contrario, è probabile che a sollecitarla sia stato proprio il clero napoletano, sebbene non sia ancora possibile dire se in autonomia dalla nobiltà, che aveva tutto da perdere dall'introduzione nel regno partenopeo dei donativi extra-assembleari³⁷. Nel 1629, quindi, le componenti regnicole approfittarono della volontarietà del donativo per impedire il verificarsi di un pericoloso precedente³⁸.

RACCOLTA DEI DONATIVI EXTRA-ASSEMBLEARI NEL REGNO DI SICILIA (1629 E 1637)

Anche in Sicilia la corona richiese il primo donativo extra-assembleare nel 1629. Ne danno conferma le giuliane della Segreteria Reale, conservate presso

36 AGS-SP, lg. 16, Nápoles, 18 de febrero de 1631, Carta del Virrey de Nápoles a S.M.

37 Infatti, bisogna considerare che nelle Indie insieme gli ufficiali regi i principali contribuenti ai donativi erano i membri del clero (De Nardi, 2018a, 31). Ed è molto probabile che il clero napoletano, e soprattutto il papato, fossero a conoscenza di ciò. Tra i missionari impegnati nell'evangelizzazione del Nuovo Mondo gli italiani erano numerosi, per cui è possibile supporre che i circoli ecclesiastici napoletani, ma anche siciliani, vollero evitare l'istituzionalizzazione di una modalità di contribuzione che ben conoscevano. Come indica il *Diccionario Histórico de la Compañía de Jesús*: «no parece que hasta 1616 se obstaculizara mucho el paso de misioneros italianos a las Indias, pero, desde entonces, las autoridades establecieron dos categorías de extranjeros: los “sospechosos” y los “fiabiles”: estaba vedado el paso a las Américas a los franceses, holandeses y portugueses (éstos desde 1640), mientras que se aceptaban los de Nápoles, Sicilia, Milán, y el Franco Condado» (O'Neill & Domínguez, 2001, 3061). Sulla presenza italiana nelle Indie spagnole si veda anche (Ciaramitaro, 2011).

38 Lo dimostra la relazione riguardante le modalità con cui si provò a raccogliere il servizio, inviata a Madrid nel 1632 per giustificare la decisione viceregia di non farsi carico del donativo richiesto nel 1630. Nel documento si riferisce che il viceré aveva operato affinché il servizio del 1629 fosse «totalmente voluntario y libre, quedando en el arbitrio de cada uno así el hacerle o no como la cantidad», e nel rispetto della volontarietà aveva predisposto che si sarebbero dovuti registrare in appositi libri solamente i nomi dei contribuenti, mentre «no ha de quedar memoria de los que no concurrieron al donativo, ni les puede ser notado pues de otra suerte no fuera libre» (AGS-SP, lg. 16, Nápoles, 16 de febrero de 1631, Forma que se propuso en Nápoles el donativo particular y gracioso).

l'Archivio di Stato di Palermo. Grazie alle informazioni contenute in questi registri sappiamo che durante il governo di Francisco Fernández de la Cueva, III duca di Alburquerque, diverse città e familiari dell'Inquisizione, tra cui figuravano molti titolati, furono invitati a contribuire a un donativo da raccogliersi al di fuori delle tradizionali dinamiche parlamentari; e che, forse per non suscitare troppa irritazione nel baronato isolano, fiero sostenitore delle prerogative del parlamento, il servizio venne giustificato con la necessità di riunire risorse per far fronte al matrimonio di Maria Anna d'Asburgo (settima figlia di Filippo III) con suo cugino Ferdinando (re d'Ungheria e prossimo al trono imperiale)³⁹; vale a dire, venne addotta una causale che nell'agenda politica del regno potesse ritenersi secondaria e occasionale, giacché i donativi straordinari richiesti ai bracci riuniti in assemblea erano motivati solitamente con le spese belliche occasionate dalla congiuntura militare.

Al pari delle Indie, dove la riscossione era affidata ai *corregidores*, *justicias mayores* e *cabildos*, nell'isola mediterranea la raccolta del donativo extra-assembleare venne delegata a capitani e consigli cittadini. Tuttavia, a differenza della grande partecipazione che le autorità indiane erano solite registrare in occasione dei donativi extra-assembleari, l'adesione della popolazione siciliana nel suo complesso fu assai timida, sebbene chiaro non mancarono città che decisero di soccorrere con prontezza la corona. La seguente breve disamina estratta dalla documentazione d'archivio consultata permetterà dimostrare il punto.

Il 15 giugno 1629, i giurati della città di Termini comunicarono al tribunale del Real Patrimonio che

*con ogni prontezza e di continuo siamo stati personalmente a raccogliere da molti cittadini quel tanto che la loro possibilità ha sopportato; e se bene a un tanto padrone si deve maggior dono, non di meno umilmente suppliamo V.E. a scusare le loro poche forze, et accettare quel tanto che s'ha raccolto giacche viene d'un animo cossi volenteroso e grande che ognuno tiene di servire S.M. e V.E. non solo in questa ma in ogn'altra ancora maggior occasione che se gli rappresenterà o da V.M. per servizio di S.M. gli sarà comandata*⁴⁰.

Il 18 giugno, il capitano d'armi di Licata informò che in quella città «los particulares han dado 1208 ducados», mentre in Sciacca il ricavato fu solo di 100 ducati⁴¹.

39 La corona aveva ordinato al duca d'Alburquerque di «encaminar un donativo gracioso con todas las ciudades y vasallos», cioè senza ricorrere alla convocazione del parlamento (De Nardi, 2014, 41).

40 ASPA-SR, Giuliane, n. 2 (1628-1640), 15 giugno 1629, del donativo di Termini; Incartamenti, n. 2 (1626 a 1630), 25 giugno 1629.

41 ASPA-SR, Giuliane, n. 2 (1628-1640), 18 giugno 1629, del donativo di Licata e Sciacca; Incartamenti, n. 2 (1626 a 1630), 18 giugno 1629.

Il 19 giugno, i giurati di Siracusa avvisarono Palermo di aver provveduto all'elargizione di un donativo di 3000 ducati, nonostante che «essa città sia immune, et essente, di ogni donativo»⁴².

Il 20 giugno, il capitano d'armi Gonzalo Romeo, riferì che dopo essere stato in Traina e Capizzi era giunto a Nicosia, per trasmettere ai giurati «il comandamento e gusto di V.E. con quella maggior vivacità di effetto che ho saputo e potuto»⁴³. La città aveva risposto con «gran dimostrazione di dispiacere» per l'impossibilità di contribuire a causa dei molti debiti che gravavano sul suo bilancio, pari a 8.000 onze, contratti per far fronte a una recente epidemia, e per avere già fatto una donazione di 200 onze, mesi addietro, che però il tribunale non aveva accettato per «mancaamento di forma»⁴⁴. Gonzalo Romeo aveva quindi richiesto «la lista delle persone più facoltose», per andare a visitarle personalmente⁴⁵, e «per dar maggior facile expeditione» al donativo aveva invitato gli «stessi giurati e alcuni gentiluomini» a raccogliarlo casa per casa⁴⁶. Tali «straordinarie diligenze», però, nonostante il particolare aiuto prestato da uno dei giurati, certo don Giovanni Panuto, permisero riunire solamente 226 onze, a cui si aggiunsero poi altre 1.300 donate dal consiglio cittadino⁴⁷. Infatti, come ebbe a scrivere lo stesso Gonzalo Romeo:

*benché mi scoprisse buonissima volontà scusandosi però molti con la debolezza delle forze, trovai in somma assai picciola corrispondenza nelli affetti, particolarmente nelle persone di alcuni che son stimati li più nobili e ricchi, benché poi per contrario restassi molto edificato della gente ordinaria e più bassa, nella quale ritrovai quasi in generale che tutti alla molta volontà corrispondevano con effetti passibili dando volentieri quanto poteano; anzi non lascerò di dire a V.E. che anco alcune persone che non mi erano state date per lista, e senza essere state da me richieste, veniano volonterosi ad offerire, e tutto ch'io dicessi loro non cercarli cosa alcuna, essi pero con risoluta e liberal volontà mi stringevano ch'io dovessi accettare quel tanto afferivano benché minima somma*⁴⁸.

Il 22 giugno 1629, la città di Caltagirone comunicò di aver raccolto un donativo di 57.000 ducati⁴⁹.

Il giorno successivo la terra di Bronte offrì 6.000 ducati, in cambio della concessione del mero e misto imperio, ma, come accadeva nelle Indie, per non essere una donazione gratuita venne bloccata sul nascere dal tribunale del Real Patrimonio; e questo nonostante che nella negoziazione cercò di inserirsi con la proposta di un

42 ASPA-SR, Giuliane, n. 2 (1628-1640), 19 giugno 1629, del donativo di Siracusa.

43 ASPA-SR, Giuliane, n. 2 (1628-1640), 20 giugno 1629, del donativo di Nicosia.

44 ASPA-SR, Giuliane, n. 2 (1628-1640), 20 giugno 1629, del donativo di Nicosia.

45 ASPA-SR, Giuliane, n. 2 (1628-1640), 20 giugno 1629, del donativo di Nicosia.

46 ASPA-SR, Giuliane, n. 2 (1628-1640), 20 giugno 1629, del donativo di Nicosia.

47 ASPA-SR, Giuliane, n. 2 (1628-1640), 20 giugno 1629, del donativo di Nicosia.

48 ASPA-SR, Giuliane, n. 2 (1628-1640), 20 giugno 1629, del donativo di Nicosia.

49 ASPA-SR, Giuliane, n. 2 (1628-1640), 22 giugno 1629, del donativo di Caltagirone.

proprio donativo anche l'ospedale di Palermo, signore di quella terra, che formalmente era ancora sotto la giurisdizione di Randazzo⁵⁰. Simile sorte toccò anche al servizio di 9.500 ducati offerto dalla città di Lentini in cambio di talune grazie non meglio definite. A questo riguardo, in data 26 giugno 1629, il tribunale riporta nei suoi registri:

*en la confirmación de este consejo no se pude pasar adelante porque edemas que no exprimen las gracias que piden, ni el jurado ha parecido a presentarlas, el consejo no tiene los votos de la mayor parte y aplican a este donativo una gabela destinada a las tandas ordinarias y en esta conformidad se le puede responder*⁵¹.

Il 27 giugno, la città di Calascibetta comunicò a Palermo di poter contribuire al donativo solamente con 100 onze, dato che gran parte della popolazione si era trasferita a causa delle drammatiche condizioni in cui versavano le casse cittadine; della recente vendita del demanio regio a banchieri genovesi; del gran numero di dazi che gravavano sull'economia locale⁵².

Sempre lo stesso giorno, la città di Augusta inviò in soccorso della corona 2.532 ducati⁵³ e lo stesso fecero Sciacca, Trapani, Monte San Giuliano (oggi Erice) e Mazara, sebbene di queste ultime non è stato possibile definire l'ammontare delle contribuzioni⁵⁴.

Il 6 agosto nelle casse del tribunale del Real Patrimonio entrarono invece i donativi raccolti tra i notai e le maestranze di Lentini⁵⁵.

Il giorno seguente, 7 di agosto, fu il turno di Catania, la cui partecipazione al donativo extra-assembleare però non fu propriamente volontaria: inizialmente la città non aveva neppure risposto alle lettere viceregie con le quali si chiedeva il servizio, ma sollecitata dal tribunale del Real Patrimonio si vide costretta a iniziare le opportune diligenze⁵⁶. Infatti, solo in seguito all'intervento del magistrato, il senato cittadino scrisse a Palermo che:

dal dottor don Vincenzo Romano con un corriero ne viene scritto il sentimento che V.E. ha dimostrato per non haver ricevuto da noi risposta sopra il donativo che per soccorso delle guerre d'Italia contra francesi si doveva fare alla maestà del re nostro padrone, così dalla città in generale, come da particolari. Onde noi per non

50 ASPA-SR, Giuliane, n. 2 (1628–1640), 19 giugno 1629, del donativo della terra di Bronte.

51 ASPA-SR, Giuliane, n. 2 (1628–1640), 26 giugno 1629, del donativo di Lentini.

52 ASPA-SR, Giuliane, n. 2 (1628–1640), 27 giugno 1629, del donativo di Calascibetta.

53 ASPA-SR, Giuliane, n. 2 (1628–1640), 27 giugno 1629, del donativo di Augusta.

54 ASPA-SR, Giuliane, n. 2 (1628–1640), 27 giugno 1629, del donativo di Sciacca, Trapani, Monte di San Julian e Mazara.

55 ASPA-SR, Giuliane, n. 2 (1628–1640), 06 agosto 1629, donativo che afferiscono li notari e maestranza di Lentini.

56 ASPA-SR, Giuliane, n. 2 (1628–1640), 07 agosto 1629, del donativo di Catania.

lasciare la santa mente di V.E. forse inclinata a credere, che o per disguido, o per altra occasione fosse ciò occorso, diciamo che in ricever le lettere di V.E. vedendo noi che il donativo de particolari non corrispondeva a quello che ragionevolmente havevamo giudicato, per occasione che quelli familiari che si avevano tassato prima di venir l'ordine di V.E. non volsero confirmarlo, nemmeno ritassarsi, dicendo haversi contribuito nella tassa delli Inquisitori, ancor che tre di noi et il sindaco che siamo del foro l'havessimo detto d'haversi tassato all'una e l'altra parte, scrissimo con lettere nostre de li 16 de giugno al segretario don Augustino Pala di riferir tutto questo a V.E.⁵⁷.

Dal passo citato appare chiaro che essendo la popolazione contraria a contribuire per via extra-assembleare alle spese della corona, il senato catanese non aveva nemmeno tentato sensibilizzare gli animi e procedere alla raccolta. In questo modo, però, era venuto meno il motore principale del donativo: l'azione persuasiva propugnata dai ministri regi. Tuttavia, la situazione mutò a seguito del richiamo viceregio e la conseguente azione dispiegata dalle magistrature catanesi, e sebbene i risultati furono comunque deludenti qualcosa almeno si riuscì a racimolare. Il senato, grazie al coinvolgimento di «quasi tutta la nobiltà, e bona parte della gente onorata e comoda»⁵⁸, riuscì a inviare 1.000 ducati⁵⁹, a cui se ne sommarono altri 10.000 ottenuti dalla soggiogazione di beni pubblici⁶⁰, questa sì unica accezione rispetto alle modalità in auge nelle Indie.

Infine, il 5 aprile 1630, i giurati messinesi comunicarono a Palermo di aver deciso di non proporre nella loro giurisdizione il donativo richiesto dal viceré per conto della corona⁶¹.

Dal quadro delineato appare evidente che la partecipazione delle università siciliane, della nobiltà, e del resto della popolazione fu timida e permise al governo viceregio raccogliere cifre di per sé non rilevanti. È significativo sottolineare che di ben diversa indole, invece, fu l'attitudine di alcuni personaggi vicini al ceto togato, il quale aveva invece tutto l'interesse di mettere in discussione il ruolo egemonico del parlamento, per la grande importanza politica e istituzionale che attribuiva all'antica nobiltà feudale. Infatti, per esempio, tra coloro che decisero di concorrere spontaneamente al donativo vi fu il vescovo di Patti, Vincenzo Napoli, figlio del reggente siciliano in Consiglio d'Italia, Giuseppe Napoli (De Nardi, 2014, 41), mentre la nobiltà e le città risposero freddamente alla petizione viceregia, argomentando che «no era menester [que] persona particular trate desto, pues lo tocante al auditorio se ha de tratar en Parlamento» (De Nardi, 2014, 41).

57 ASPA-SR, Giuliane, n. 2 (1628–1640), 07 agosto 1629, del donativo di Catania.

58 ASPA-SR, Giuliane, n. 2 (1628–1640), 07 agosto 1629, del donativo di Catania.

59 Assai pochi se si considera che nella città di Licata, molto meno popolosa, furono raccolti 1.208 ducati. ASPA-SR, Giuliane, n. 2 (1628–1640), 18 giugno 1629, del donativo di Licata e Sciacca; Incartamenti, n. 2 (1626 a 1630), 18 giugno 1629.

60 ASPA-SR, Giuliane, n. 2 (1628–1640), 07 agosto 1629, del donativo di Catania.

61 ASPA-SR, Giuliane, n. 2 (1628–1640), 05 aprile 1630, del donativo di Messina.

Anche in Sicilia, quindi, il donativo extra-assembleare, raccolto cioè attraverso vie informali e avulse da qualsiasi dinamica parlamentare, incontrò forti resistenze che di fatto riuscirono a impedire una sua istituzionalizzazione. Infatti, quanto nel 1637 Madrid ordinò di raccogliere 1.500.000 scudi da inviare a Milano, chiedendo somme in prestito alle principali città, agli esponenti della nobiltà, e ai prelati più benestanti, il presidente del regno, Guglielmo Moncada, comprese ben presto che senza la convocazione del parlamento non sarebbe stato possibile fare fronte alla richiesta madrilena (De Nardi, 2014, 40-41). Del resto, le componenti regnicole erano coscienti che la richiesta di prestiti altro non era che un donativo extra-assembleare mascherato, dato che la corona non sarebbe stata in grado di procedere alla restituzione. Per questo il boicottaggio dell'operazione fu pressoché generale: le città di Lentini e Taormina concorsero al nuovo donativo con un totale di 13.500 scudi, ma «con algunas cláusulas y condiciones que al Tribunal no pareció convenir aceptarlas» (De Nardi, 2014, 41); Catania e Ragusa offrirono alcuni crediti detenuti nei confronti di terze parti per un totale di 3.800 scudi; il duca di Terranova mise a disposizione della Regia Camera un credito di 12.000 scudi che vantava nei confronti degli eredi del duca di Osuna in Spagna e altri 2.000 scudi che avrebbe dovuto avere dall'erario siciliano per l'«espolio de don Pedro de Aragón su hermano» (De Nardi, 2014, 41-42); i Ventimiglia accettarono soccorrere Madrid con 2.000 scudi; i Branciforte con 8.000; i Belmonte con solo 300 (De Nardi, 2014, 41-42). In realtà, la cifra effettivamente riunita, se si escludono i crediti ceduti, arrivò a poco più di 28.000 scudi: una somma molto inferiore a quella che il sovrano aveva sollecitato al regno. Al prestito, è vero, concorsero le principali casate feudali (Branciforti, Ventimiglia, Terranova), che avevano la loro principale roccaforte istituzionale proprio nel parlamento, ma fu solo perché si sentirono obbligate a dimostrare fedeltà e sostegno alla corona. Lo riprova il fatto che non fecero altrettanto le loro numerose clientele, grazie alle quali in quegli stessi anni controllavano saldamente il braccio militare del parlamento (De Nardi, 2014, 78-82).

CONCLUSIONI

Il 15 gennaio 1625 ai membri del Consiglio d'Italia venne richiesto di predisporre nei domini italici la raccolta di un donativo extra-assembleare per finanziare la macchina bellica imperiale. Ricevuto parere positivo, Filippo IV ordinò di procedere. Tuttavia, la raccolta del donativo venne posticipata fino alla fine degli anni Venti. Molto probabilmente perché i circoli madrileni preferirono dare precedenza all'esecuzione dell'*Unión de las Armas*: la riforma del sistema di reclutamento imperiale proposta dal *valido* di Filippo IV che mirava, al pari dei donativi extra-assembleari, a ridimensionare il ruolo delle assemblee cetuali rappresentative, che tanto protagonismo avevano attribuito alla nobiltà feudale. Infatti, la raccolta del donativo extra-assembleare nei regni di Napoli e di Sicilia ebbe inizio solamente nel 1629. Vale a dire quando a Madrid si comprese che la *Unión de las Armas* non avrebbe mai conseguito il parere favorevole delle élite napoletane e siciliane,

gelose delle rispettive prerogative giurisdizionali, salvaguardate proprio dalle assemblee cetuali. La ricerca presentata ha permesso di appurare che i donativi extra-assembleari sollecitati nel 1629 si caratterizzarono fin da subito secondo le direttive proprie dei servizi che la corona era solita raccogliere nelle Indie, e che la loro raccolta risultò fallimentare a causa delle stesse dinamiche che solo alcuni anni prima avevano fatto naufragare la *Unión de las Armas*: i corpi privilegiati, intuendo i pericoli istituzionali e giurisdizionali connessi alla concessione di donativi extra-assembleari, boicottarono di fatto la raccolta del donativo, spingendo l'autorità viceregia a ripiegare sulla convocazione del parlamento per ottenere le risorse necessarie a finanziare le operazioni belliche in nord Italia.

INDIJSKI MODEL DAJATEV ZA JUŽNO-ITALIJSKE DOMINIONE
HABSBURGOV V ŠPANJI?
IZREDNE DAJATVE V LETIH 1629, 1630 IN 1637

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POVZETEK

Vse od časa vladavine Karla V. se je morala Krona, da bi pridobila izredna sredstva, v svojih evropskih dominionih o tem dogovoriti z lokalnimi vladajočimi razredi, ki so bili združeni v svojih skupščinah (Cortes in parlamenti), medtem, ko je na čezmorskih ozemljih lahko sprejela vrsto alternativnih ukrepov, med katerimi velja izpostaviti izredne dajatve. Čeprav je monarhija to orodje uporabljala tudi v Evropi, so v indijskih dominionih izredne dajatve imele posebno obliko, ki je omogočala zbiranje virov, ne da bi lokalnim elitam dajala fevdalne pravice in privilegije. Na podlagi tega članek predstavlja začetek preučevanja poskusov Krone v drugem in tretjem desetletju sedemnajstega stoletja, da to metodo uporabi tudi v južnoitalijanskih dominionih (Neapelj in Sicilija), da bi s tem zmanjšala preveliko moč, ki jo je izredna finančna vlada pripisala lokalnim parlamentom. Poleg tega članek preučuje, kako je bilo zbiranje teh dajatev v italijanskih dominionih konfigurirano v skladu z logiko, ki je veljala za izredne dajatve, ki jih je Krona zahtevala v indijskih dominionih.

Ključne besede: Katoliška monarhija, indijski dominioni, italijanski dominioni, dajatve, sedemnajsto stoletje

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GENERALNI MANDAT CESARJA FERDINANDA II. O VERSKIH
RAZMERAH NA KRANJSKEM IZ LETA 1631:
(NE)PRILAGODITEV KRANJSKIH ELIT NA PROTIREFORMACIJO
IN KATOLIŠKO PRENOVO

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IZVLEČEK

Razprava obravnava deželnoknežji ukaz, ki ga za potrebe zgodovinopisne naracije arbitrarno imenujemo Generalni mandat cesarja Ferdinanda II. o verskih razmerah na Kranjskem in ga je cesar izdal na Dunaju 20. junija 1631. Predstavljen je zgodovinski kontekst nastanka dokumenta, njegov diplomatični prepis s tabelami osebnih in zemljepisnih imen ter okrajšav, povzetek vsebine in njen komentar s kratko študijo posledic. Generalni mandat omogoča dober vpogled v izvajanje procesov protireformacije in katoliške prenove zlasti med predstavniki plemstva, čeprav se njegovi odloki nanašajo tudi na druge družbene sloje. Za slovensko zgodovinopisje je dokument zanimiv še zlasti, ker se nanaša izključno na vojvodino Kranjsko.

Ključne besede: protireformacija, katoliška prenova, konfesionalizacija, Kranjska, Ferdinand II., plemstvo

IL MANDATO GENERALE DELL'IMPERATORE FERDINANDO II DEL 1631
RELATIVO ALLA SITUAZIONE RELIGIOSA IN CARNIOLA:
IL (DIS)ADATTAMENTO DELLE ÉLITE CARNIOLANE ALLA
CONTRORIFORMA E ALLA RIFORMA CATTOLICA

SINTESI

Il saggio esamina un decreto del principe territoriale che ai fini della narrazione storiografica viene arbitrariamente chiamato Mandato generale dell'imperatore Ferdinando II di Asburgo relativo alla situazione religiosa in Carniola e che fu emesso dall'imperatore a Vienna il 20 giugno 1631. L'autore presenta il contesto storico della stesura del documento, la sua trascrizione diplomatica incluso le tavole con nomi personali e geografici e abbreviazioni, la sintesi del contenuto e il rispettivo commentario con un breve studio delle conseguenze. Il mandato generale fornisce un'idea precisa dell'attuazione dei processi di controriforma e della riforma cattolica, soprattutto tra i rappresentanti della nobiltà, sebbene le sue disposizioni concernessero anche altre classi sociali. Il documento è di interesse particolare per la storiografia slovena perché si riferisce esclusivamente al Ducato di Carniola.

Parole chiave: controriforma, riforma cattolica, confessionalizzazione, Carniola, Ferdinando II, nobiltà

UVOD¹

Generalni mandat cesarja Ferdinanda II. o verskih razmerah na Kranjskem, izstavljen 20. junija 1631 na Dunaju, je za slovensko zgodovinopisje zanimiv še zlasti, ker se vladar z njim obrača izključno na vojvodino Kranjsko. S tem se pomembno razlikuje od številnih drugih podobnih deželno knežjih patentov oziroma generalnih mandator s področja (proti)reformacije, ki so bili namenjeni vsem notranjeavstrijskim deželam ali vsaj Štajerski, Koroški in Kranjski skupaj. Obravnavani dokument je potemtakem odraz specifičnih razmer na Kranjskem ter priča o tem, kako se je t. i. *Patent o spreobrnjenju ali izselitvi protestantskega plemstva notranjeavstrijskih dežel* iz leta 1628² v tej deželi (ne)izvajal na terenu.

Uvodoma je treba omeniti tudi vprašanje terminologije. Različne historiografije za označevanje procesov, ki so skozi konflikt med različnimi smermi protestantizma na eni strani in Katoliško cerkvijo na drugi v 16. in 17. stoletju zaznamovali življenje pretežnega dela zahodnega krščanskega sveta, uporablja termine: reformacija,³ protireformacija, katoliška prenova,⁴ konfesionalizacija (*Konfessionalisierung*)⁵ in konfesionalno oblikovanje (*Konfessionsbildung*).⁶ Čeprav noben od naštetih označevalcev slovenskemu zgodovinopisju ni neznan, se bosta v tej razpravi uporabljala zlasti dva, in sicer »(proti)reformacija« in »katoliška prenova«.

Prvo besedno zvezo – (proti)reformacija – uporabljamo za označevanje političnega procesa, s katerim je deželni knez v skladu z določili Augsburgskega verskega miru iz leta 1555 določil veroizpoved svojih podložnikov,⁷ in je poskus približka izrazoslovju, ki ga je za označevanje lastne versko-politične agende uporabljal

- 1 Razprava je nastala v okviru raziskovalnega programa *PODOBA – BESEDA – ZNANJE. Življenje idej v prostoru med vzhodnimi Alpami in severnim Jadranom 1400–1800* (P6-0437) in temeljnega raziskovalnega projekta *Ambicije, karizem, pohlep, prevare: socialno-materialne strategije, prakse in komunikacija družbenih elit na Slovenskem v zgodnjem novem veku* (J6-2575), ki ju sofinancira Javna agencija za raziskovalno dejavnost Republike Slovenije (ARRS) iz državnega proračuna.
- 2 Izvirnik patenta: ARS, AS 1097, 110 (1628, avgust 1., Dunaj). Transkripcija, prevod in študija: Kočevar, 2020.
- 3 Opredelitev pojma reformacija prim. Burkhardt, 2009, 21–32. Koncizen historiat rabe termina reformacija skozi srednje- in zgodnjenovoveško zgodovino prim. Campi, 2015, 42–52. Zgoščen pregled zgodovine slovenske (protestantske) reformacije prim. Rajšp, 2010, 120–136.
- 4 Definiciji strokovnih izrazov protireformacija in katoliška prenova s kratkima historiata prim. Benedik, 1991, 113–114; Kluebing, 2007, 137–138.
- 5 S pojmom *konfesionalizacija* (*Konfessionalisierung*) zlasti nemško zgodovinopisje označuje paralelno izgradnjo in institucionalizacijo vseh (krščanskih) konfesij, protestantskih na eni strani ter katoliške na drugi, ki so korenito spremenile evropsko družbo v 16. stoletju. Konfesionalne cerkvene institucije naj bi v sklopu procesa evropske modernizacije v družbenem pogledu sodelovale zlasti pri izvajanju dveh nalog: družbenega discipliniranja in gradnji (pred)moderne države. Katoliška področja so procesi konfesionalizacije zajeli zlasti od tridentinskega koncila. Prim. Kluebing, 2007, 137; Burkhardt, 2009, 32–43; Campi, 2015, 55. Prim. tudi kritični pretres historio-grafske paradigme konfesionalizacije v zborniku Weiss & Brockmann, 2013 (non vidi).
- 6 Sintagma *konfesionalno oblikovanje* (*Konfessionsbildung*) označuje dejansko oblikovanje konfesionalnih Cerkva v teološkem in organizacijskem smislu. V primeru Katoliške veroizpovedi je tozadevno najpomembnejši dokument *Professio fidei Tridentinae* iz leta 1564. Prim. Kluebing, 2007, 137; Burkhardt, 2009, 32–43.
- 7 Burkhardt, 2009, 43–53; Stollberg-Rilinger, 2006, 60–63; Kluebing, 2007, 196–209.

Ferdinand II. V obravnavanem generalnem mandatu se namreč deželni knez, ko govori o procesu odpravljanja evangeličanske in uveljavljanja katoliške veroizpovedi, posluži variacij na besedno zvezo »zdravilna reformacija«, in sicer: *hailfambe Reformation*, *hailfambes Reformationswefen*, *Reformationwerck* in *Reformationswesen*.⁸ Da bi zadostili zvestobi viru in se sočasno izognili terminološki zmedbi zaradi ustaljene rabe termina »protireformacija«,⁹ je bila sprejeta odločitev za rabo njegove različice »(proti)reformacija«.

Vzporedno z zunanjo odpravo evangeličanske veroizpovedi je v notranjeavstrijskih deželah potekal tudi reformni proces znotraj same Katoliške cerkve, ki ga slovensko zgodovinopisje običajno označuje z zgoraj omenjeno sintagmo »katoliška prenova« (Benedik, 1991, 113–114). Ta je koreninila v reformnih prizadevanjih poznega srednjega veka in je na Apeninskem in Iberskem polotoku ob pojavu protestantizma že kazala prve uspehe, zalet pa dobila zlasti po prenovitvenem tridentinskem koncilu (1545–1563). S katoliškim odgovorom na izziv reformacije se je začel spopad med različnimi razlagami iste vere – krščanstva (Burkhardt, 2009, 42). Čeprav je bilo med najširšimi družbenimi krogi v versko pluralni Evropi medkonfesionalno sobivanje vsaj tako pogosto kot konflikt (Oman, 2020, 320–321; Rajšp, 2010, 130, 134), je bila politika v tem času tako tesno prepletena z veroizpovedjo, kot je zdaj z ekonomijo.

Ferdinand II. je (proti)reformacijo v notranjeavstrijskih dednih deželah izvedel v dveh glavnih »valovih«. Uvod v prvega so pomenile dedne poklonitve pozimi 1596/97, pri katerih je komaj osemnajstletni nadvojvoda spretno preprečil, da bi bile koncesije, ki so si jih protestanti iz vrst notranjeavstrijskih stanov leta 1578 pridobili z bruško pacifikacijo, sprejete v deželne ročine (Kočevár, 2015, 201–232; Kočevár, 2016, 314–374). Padcu pravnega temelja deželnostanovskih Evangeličanskih cerkva na Štajerskem, Koroškem

8 Ferdinand II. je v svojem izvajanju uporabljal izrazoslovje, značilno za prenovitveno, potridentinsko katolištvo. Tridentinski koncil (1545–1563) je namreč po eni strani ponovno določil katoliške dogme napram protestantskim, po drugi pa izdal vrsto reformnih dekretov (*decreta de reformatione*) (Benedik, 1991, 114–115; Dolinar, 2008, 139–140). Emidio Campi tozadevno ugotavlja: »Ni naključje, da na tem »protireformacijskem« koncilu tolikokrat srečamo besedo »reformacija«, ki je po drugi strani skoraj popolnoma odsotna v konfesionalnih dokumentih protestantskih cerkva 16. stoletja. Z malo ironije bi lahko rekli, da so v 16. stoletju vsi govorili o reformaciji – razen magistralnih protestantskih reformatorjev. Ali ni osupljivo, da je bila nazadnje ta beseda kot oznaka pripisana prav njim in njihovi usmeritvi? Ali ni vredno pozornosti, da je prav to, kar so oni začeli, postalo znano kot Reformacija? Zgodovina pozna včasih čudne obrate in zgodovinarji ji sledijo.« Termin reformacija se je nato šele v poznem 17. stoletju začel uporabljati za označevanje dobe v evropski zgodovini, ki jo je začel Martin Luther (Campi, 2015, 49–50, 51–52). Torej je izraz reformacija pomen, ki ga ima zdaj, dobil slabo stoletje po tem, ko je nadvojvoda Ferdinand leta 1598 v notranjeavstrijskih deželah začel izvajati svojo »zdravilno reformacijo«.

9 V Slovarju slovenskega knjižnega jezika je termin »protireformacija« opredeljen kot »delovanje Katoliške cerkve v 16. in 17. stoletju proti reformaciji, protestantizmu« (SSKJ, 2014). Na Slovenskem uveljavljeno opredelitev pojma protireformacije bi bilo treba dopolniti z ugotovitvami zgodovinopisja, da je (proti)reformacijo dejansko vodila deželnoknežja politika rekatolizacije. Svetna oblast se je pri tem sicer opirala tudi na Katoliško cerkev, ki je v procesu protireformacije sodelovala, ga pa ni vodila. Prim. Klueting, 2007, 138.

in Kranjskem¹⁰ naj bi po poznejših navedbah Ferdinandovega spovednika Wilhelma Lamormainija¹¹ sledila vladarjeva zaobljuba, da bo pod patronatom Device Marije pregnal protestante iz Notranje Avstrije in prenovil katolištvo (Bireley, 2014, 28–29, 31). Deželni knez naj bi zaobljubo podal v Loretu, v sklopu svojega potovanja po Italiji spomladi 1598.

Četudi je Ferdinandova zaobljuba nemara poznejši dodatek njegovega prvega biografa (Bireley, 2014, 28–29, 31), vendarle ponazarja ključni aksiom njegove notranje politike v naslednjih letih. Na njegovo pobudo je lavantinski škof Jurij Stobej Palmburg (Georg Stobäus, škofoval 1584–1618) namreč že 20. avgusta 1598 pripravil svoj znameniti *Argumentum* za ohranitev katoliške veroizpovedi.¹² Stobejeva spomenica je sicer zadnji v vrsti programov izvedbe (proti)reformacije v notranjeavstrijskih deželah, ki so v Münchnu, Gradcu in Rimu nastajali vse od leta 1579, vendar je pomembno vplivala na njegovo (proti)reformacijsko politiko (Benedik, 1991, 121, 127–128; Dolinar, 2008, 142–143; Kočevar, 2016, 92–97).

Lavantinski škof je v svojem legalistično-pragmatičnem programu izvedbe (proti)reformacije Ferdinandu svetoval, naj proti protestantizmu v svojih deželah nastopi s takojšnjo politično akcijo, ki naj temelji na deželnoknežji pravici določanja veroizpovedi podložnikov. Nadvojvoda naj se (proti)reformacije loti postopno po stanovih ne glede na težavno »dolgo vojno« z Osmani (1593–1606), poskrbi pa naj za red in mir, nepristransko sodstvo ter cenovno ugodnost živil.¹³ Stobejev program se je jeseni 1598 začel udejanjati s prvim valom Ferdinandove (proti)reformacije, ki ga je napovedal izgon predikantov in odprava protestantskega šolstva, nato pa so notranjeavstrijske dedne dežele prečesale (proti)reformacijske komisije (Gruden, 1992, 833–837; Benedik, 1991, 131–132; Grdina, 1998, 234–239; Dolinar, 2011a, 332, 337; Dolinar, 2011b, 348–350).

Prvo komisijo na Kranjskem in v Ljubljanski škofiji je vodil knezoškof Tomaž Hren. Ta je med letoma 1600 in 1602 z oboroženim spremstvom prečesal območje pod svojo jurisdikcijo, izganjal predikante in na njihova mesta nastavljal katoliške duhovnike,

10 Deželnoknežjo (proti)reformacijo na Goriškem je izvedel že Ferdinandov oče nadvojvoda Karel II. leta 1579 (Benedik, 1991, 122; Cavazza, 1994, 143–153). Istega leta se je Karel II. v Münchnu sešel z bavarskim vojvodo Viljemom V. in tirolskim deželnim knezom nadvojvodo Ferdinandom. Trojica katoliških vladarjev je izdelala program politične rekatolizacije notranjeavstrijskih dežel. (Proti)reformacija je zaradi politične in vojaške moči protestantov sicer napredovala le postopoma, in sicer je deželni knez leta 1581 stanovom predstavil svojo razlago bruške pacifikacije, čemur je sledila odprava protestantizma z deželnoknežjih in cerkvenih gospostev. Med letoma 1585 in 1588 je bila (proti)reformacija izvedena na freisinškem Loškem gospostvu, med letoma 1586 in 1589 pa na briksenskem Blejskem gospostvu. (Proti)refromacija je bila izpeljana tudi v župniji Škocjan pri Turjaku, kjer se je proces začel leta 1589, zaključil pa ga je poseg (proti)refromacijske komisije leta 1598 (Rajšp, 1994). Katoliško prenovo pa je spodbujal novi ljubljanski škof Janez Tavčar (škofoval 1580–1597). Prim. Blaznik 1962, 71–104; Benedik, 1991, 121–130; Benedik, 1995, 392–393; Dolinar, 2011a, 330–331.

11 Poznejši cesarjev spovednik Wilhelm Lamormaini je leta 1638 prispeval prvo biografijo leto poprej premrlega cesarja z naslovom *Ferdinandi II, Romanorum Imperatoris Virtutes*.

12 Objava Stobejeve spomenice prim. Stobaeus, 1749, 16–20; regest spomenice prim. Loserth, 1906, 1. Teil, 297.

13 O Stobejevi spomenici prim. Dimitz, 1875, III. Theil, 279; Gruden, 1992, 818; Kovačič, 1928, 267–269; Franzl, 1978, 61–62; Pörtner, 2003, 119; Dolinar, 2008, 143; Dolinar, 2011a, 332; Bireley, 2014, 32–33; Kočevar, 2016, 92–97.

podiral protestantske cerkve in molilnice ter Katoliški cerkvi vračal sakralne objekte, ki so si jih bili prisvojili protestanti, sežigal protestantske knjige in rušil protestantska pokopališča (Benedik, 1991, 131–140).¹⁴ Protestantsko plemstvo je do takšne politike sprva sicer ubralo izrazito opozicijsko držo in se zapletlo v več konfliktov s škofom, vendar je po letu 1609 ob napredovanju katoliške prenovne opazna tudi postopna pasivizacija protestantskih deželanov, med katerimi se sredi dvajsetih let 17. stoletja pojavi postopno spreobračanje v katolištvo (Kočevar, 2016, 46–85).

Notranjeavstrijski deželni knez je medtem v svojih rokah združil vse posesti avstrijske veje Habsburžanov z izjemo Tirolske in Prednjih avstrijskih dežel ter postal češki (1617) in ogrski kralj (1618) kot tudi cesar Svetega rimskega cesarstva (1619) (Hartmann & Schnith et al., 2006, 542–545). Širitvi gospostva nad (dednimi) deželami je sledila tudi Ferdinandova (proti)reformacijska politika, ki je dodaten polet dobila po katoliških zmagah v prvih dveh etapah tridesetletne vojne.¹⁵ V primeru notranjeavstrijskih dežel bi tozadevno lahko govorili o drugem valu Ferdinandove (proti)reformacije, ki jo je 27. marca 1627 napovedala ustanovitev nove (proti)reformacijske komisije za celotno Notranjo Avstrijo v Gradcu (Pörtner, 2003, 138–139; prim. Prelesnik, 1901, 114–115, 332).

Na Štajerskem, Koroškem in Kranjskem je drugi (proti)reformacijski val vrh dosegel 1. avgusta 1628, skoraj natančno trideset let po nastanku Stobejeve spomenice, ko je Ferdinand II. na Dunaju izstavil patent o spreobrnjenju ali izselitvi protestantskega plemstva treh dežel (Kočevar, 2020). V skladu z načrtom postopne izvedbe (proti)reformacije nekdanjega lavantinskega škofa (Kovačič, 1928, 267–269) je Ferdinand II. s tem ukazom pred izbiro spreobrnjenja ali izselitve naposled postavil tudi predstavnike politične elite notranjeavstrijskih dežel – plemiške deželane. Ključna točka patenta je bila zahteva, naj se preostali protestantski deželani v enem letu spreobrnejo v katolištvo ali pa prodajo svoje posesti in se izselijo.¹⁶

Po dostopnih podatkih naj bi vsled izstavitve patenta tri notranjeavstrijske dežele zapustilo 754 plemiških oseb,¹⁷ od teh sta bili najmanj 102 oziroma 7,4 odstotka

14 O delu (proti)reformacijske komisije v praksi prim. Radič, 1859.

15 Kratek pregled Ferdinandove (proti)reformacijske politike v habsburških dednih deželah znotraj Cesarstva s pregledom strokovne literature prim. Kočevar, 2020, 383–385.

16 Ferdinand II. je preostalim protestantom med štajerskimi, koroškimi in kranjskimi stanovci za spreobrnitev v katolištvo ali izselitev postavil rok do 2. avgusta 1629. Tisti, ki so se odločili za izselitev, so morali svoje posesti, razen fidejkomisnih, v omenjenem roku prodati, pri čemer je Ferdinand II. notranjeavstrijske deželane kot priznanje njihove zveste drže za časa uporov drugih dežel oprostil plačila desetega pfeniga, ki ga je v takem primeru sicer predvideval Augsburški verski mir. Izseljencem, ki jim v danem roku ne bi uspelo prodati svojih posesti, je cesar postavil še dodatni polletni rok, torej do začetka februarja 1630, v katerem so posesti lahko prodali njihovi katoliški sorodniki ali zaupniki. Od tedaj pa so prodajo posesti izseljencev prevzela deželnoknežja oblastva. Izseljencem ni bilo dovoljeno, da bi s seboj iz dežele odpeljali svoje varovance, odpovedati so se morali skrbništvu in drugim položajem ter oddati ustanovna pisma in cerkvene listine skupaj s cerkvenimi dohodki. Prim. Kočevar, 2020, 385–387, 412–420.

17 Število plemiških izseljencev ali »eksulantov«, kot jih pogosto imenuje zgodovinopisje, v strokovni literaturi nekoliko variira, in sicer: 754 (Schnabel, 1992, 59), 760 (Pörtner, 2003, 141), Winkelbauer navaja, da je Štajersko zapustilo približno 750 plemičev, Koroško pa več kot 160 (Winkelbauer, 2003, Teil 2, 51).

iz Kranjske. Sodeč po tako imenovanem Hainhoffer-Dimitzevem seznamu se je iz Kranjske izselilo 32 polnoletnih moških, 30 polnoletnih ženskih in več kot 38 mladoletnih oseb iz 18 plemiških družin.¹⁸ Patentu navkljub so le redki protestantski plemiški rodovi iz notranjeavstrijskih dežel povsem izginili, saj so se številne plemiške družine tedaj razcepile na katoliške veje, ki so ostale, in protestantske, ki so se izselile (Schnabl, 1992, 59–60; Winkelbauer, 2003, Teil 2, 51). Po doslej opravljenih preliminarnih ocenah bi delež protestantskih izseljencev na Kranjskem lahko pomenil slabo četrtino ali dobro petino plemiških deželanov torej vseh članov deželnega zbora (Kočevar, 2016, 280–281, 281–284).

Poleg tega se je veliko protestantskih plemičev, kot rečeno, odločilo tudi za spreobrnjenje. V *Letopisu ljubljanskega kolegija Družbe Jezusove* je val konverzij s svojim prestopom v katolištvo sicer že leta 1625 napovedal deželni maršal in dedni komornik Ditrih Auersperg (Societas Jesu. Collegium Labacense, 2003, 102), največ spreobrnjen pa so ljubljanski jezuiti zabeležili prav leta 1628, ko je katoliško veroizpoved pri njih sprejelo 63 oseb, med katerimi je po vsej verjetnosti prevladovalo plemstvo (Kočevar, 2016, 202–208). Poldrugo leto po izstavitvi patenta o spreobrnjenju ali izselitvi, 30. januarja 1630, je zgoraj omenjeni deželni maršal Auersperg zasedanje kranjskega deželnega zbora odprl s pomenljivimi besedami, da je namreč »vera prišla v stari stan«.¹⁹

Vendar so bile dejanske razmere na področju bogočastja v deželi precej drugačne, kot dajejo sluti Auerspergove besede in Ferdinandov patent. Sodeč po cesarjevih ostrih očitkih zaradi dejanskega stanja v generalnem mandatu, ki ga je ta objavil slaba tri leta za svojim patentom o spreobrnitvi ali izselitvi, in sicer 20. junija 1631, se je na Kranjskem pojavil kriptoprotestantizem (Brunner, 1994, 249–266), med spreobrnjenci je bilo veliko »mlačnih katoličanov«, nekateri izseljenci so se skrivaj vrnili v deželo, niti razmere med katoliško duhovščino po Ferdinandovem mnenju pogosto niso zaslužile pozitivne ocene. Generalni mandat, ki je predstavljen v nadaljevanju razprave, torej kaže, da je bil za uspeh katoliške konfesionalizacije na Kranjskem vsaj toliko kot deželnoknežja (proti)reformacija potreben tudi proces katoliške prenovе.

GENERALNI MANDAT CESARJA FERDINANDA II. O VERSKIH RAZMERAH NA KRANJSKEM (1631, JUNIJ 20., DUNAJ)

Original: ARS, AS 2, Deželni stanovi za Kranjsko, 1. reg, šk. 97 (fasc. 54/13), snopič 1, Ecclesiastica: Lutertum Gegenreformation 1595–1631, Generale und Patente.

18 Najobsežnejši seznam plemiških izseljencev iz habsburških dežel je leta 1629 sestavil Philipp Hainhofer. Njegov popis je leta 1862 objavil Adalbert Heinrich Horand (Horand, 1862, 316–319, 353–357, 393–396, 433–436). Izvleček seznama s kranjskimi izseljenci pa je nato leta 1875 objavil August Dimitz (Dimitz, 1875, III. Theil, 374–381). Popis sta nato objavila tudi Matevž Košir (Košir, 1999, 30) in avtor te razprave (Kočevar, 2015, 210–219; Kočevar, 2016, 208–223).

19 Prosti prevod izvirnika: »... die religion in den alten standt gekommen ...« (ARS, AS 2, 1. reg., 889, 506r). O tem prim. Prelesnik, 1901, 332–333.

Dimenzije originala: 59,8 x 56,4 cm.

Pečat: pritrtjen cesarski pečat okrogle oblike, odtisnjen v papir, premer 6 cm. Sredi pečatnega polja prevladuje dvoglavi cesarski orel z nimboma, nad katerima je cesarska krona. Dvoglavi orel na prsih nosi ovalen ščit v kartuši, nad katerim je krona. Okrog pečatnega polja teče raven trak s pečatnim napisom, ki ni čitljiv.²⁰

Zapisi na originalu: napis na hrbtni strani dokumenta »Khayserlich general die reformation betreffend datiert zu Wien den 20. junii 1631 ten«, regesta ali povzetka vsebine ni.

Drugi primerki patenta: še niso znani.

Ohranjenost: dokument je slabo ohranjen. Ker je bil dalj časa prepognjen na devet delov, je na njem nastalo več poškodb. Generalni mandat je na več mestih zmečkan, dve manjši razjedi sta na levi strani, dve manjši razjedi sredi dokumenta, ena velika razjeda pa je v levem spodnjem delu dokumenta (10,4 x 4,1 cm). Zaradi zadnje je izgubljen precejšen del besedila.

Podpisi: *Ferdinandt, G: v. Verdenberg, Caspar Fray(?)*.²¹

Oblika dokumenta: tisk.

Vrsta dokumenta: generalni mandat (cesarski patent).

Objave dokumenta: Kočevar, 2016, 152–168.

Literatura: Dimitz, 1875, III. Theil, 374–381; Prelesnik, 1901; Dedic, 1979; Kočevar, 2015, 203–205; Kočevar, 2016, 152–168.

Načela diplomatičnega prepisa

Transkripcija poskuša vsaki črki in znaku izvirnika v vseh položajih najti ustrezno v prepisu. Besedilo izvirnika je v nemškem jeziku in natisnjeno na papir z nemško pisavo, imenovano fraktura (die Fraktur). Na določenih mestih besedilo vsebuje besede, besedne zveze in dele besed, ki so zapisani s pisavo, imenovano antikva (die Antiqua), s katero so v dokumentu v glavnem zapisane germanizirane latinske besede. Distinkcijo med dvema črkopisoma diplomatični prepis ponazarja na način, da je pretežni del besedila, ki je v izvirniku natisnjen v frakturi, transkribiran v pokončnem (navadnem) načinu, vse črke, ki so v izvirniku odtisnjene v antikvi, pa so prepisane v ležeči (poševni) obliki (npr. »... vnd mit genußamben Gewalt / Befelch / vnd *Instruction* abgefertigten *Commiffarien* in dem *Religionwefen* ein durchgehende haillambe *Reformation* dergefalt...«).

Besedilo, zapisano v frakturi, vsebuje ligature: ch, ck, er, ff, ll, lt, ll, ft, tl in tz, besedilo v antikvi pa: ae, ct, fi, ff in ft. Našteti ligatur diplomatični prepis ne upošteva. Dosledno pa je upoštevano razlikovanje med dolgim s: f in ostrim s: s (npr. »laffen«, »difes alles«). Prav tako upošteva razlikovanje med navadnim malim r: r in okroglim malim r oziroma r-rotundo: ʀ (rundes r, r rotunda), npr. »Gerichtsherʀn«, »unwiderʀuefften«. Okrogli mali r (ʀ) na dveh mestih v izvirniku nadomešča tirosko

20 Analiza pečatnega polja upošteva vzorec Jerneja Kotarja (Kotar, 2019, 15–34).

21 Podpisi v prepisu niso transkribirani, temveč so s kratkimi biogrami predstavljeni v Tabeli 1 (Seznam osebnih imen).

noto kot okrajšavo za latinsko besedo *et* (in), in sicer v okrajšavi za etc. (et cetera – itd., in tako dalje), kar diplomatični prepis upošteva (npr. »ꝛc.«).

Diplomatični prepis dosledno upošteva nadpisane črke e: ^e (npr: »ā«, »ō«, »ū«) in preglas (»ü«), ki se sicer pojavi le enkrat (»mitwürckung«). Nobena od okrajšav v prepisu ni razrešena, pač pa so le te razrešene in prevedene v Tabeli 3. Zapisovanje črk: i, j, u, v in w dosledno sledi predlogi (npr. »jrꝛigen«, »jhꝛer«, »jmmmer«, »Vn-kraut«, »Vicarij«, »Getrewen«). Zapisovanje velikih in malih začetnic zvesto sledi predlogi ne glede na položaj velike začetnice (npr. »vnCatholischen«, »ErtzPriester«, »ErbFürstenthumben«, »GOTT«). V transkripciji ni redukcije podvojenih konzontanov, prepis zvesto sledi predlogi (npr. »nottürfftiglich erjnnern«, »menniglichs wiffenschaft«, »wiffenschaft«).

Interpunkcija diplomatičnega prepisa zvesto sledi predlogi. Prepis upošteva tudi poševnice: /, ki so arbitrarno pisane nestično z besedami, ki jih ločujejo. V predlogi so na trinajstih mestih povedi med seboj ločene z vidno daljšimi presledki, kar je v prepisu naznačeno z odstavki. Mesta, kjer je besedilo v predlogi poškodovano, so v prepisu označena z oglatimi oklepaji: [...] (npr. »ih[...] [...]richnung«, »[...] [...]r«), manjkajoče besedilo je na mestih, kjer o vsebini ni dvoma, dodal avtor razprave (npr. »selbst[en] [b]equemben«, »[Gũ]tter«, »[Stathal]tern«).

Besedilo v predlogi je natisnjeno v 70 vrsticah, 17-krat so besede na koncu vrstice deljene,²² česar transkripcija ne upošteva, temveč so razdeljene besede zapisane združeno. Mesto pečata je označeno z arbitrarno okrajšavo L.S. (*locus sigilli*).

Transkripcija

WIr Ferdinad der Ander / von Gottes Gnaden / Erwōhlter Rōmischer Khayfer / zu allen Zeiten Mehrer deß Reichs / in Germanien / zu Hungarn vnd Bōhaimb / ꝛc. Kōnig / Ertzhertzog zu Oesterreich / Hertzog zu Burgundi / Steyer / Kārndten / Crain / vnd Württemberg / in Ober vnd Nider Schlefien / Marggraf zu Māhern / in Ober vnd Nider Laußnitz / Graf zu Habspurg / Tyrol und Görtz / ꝛc.

Embieten allen Vnfern nachgesetzten Obrighaiten / auch Geiftlichen vnd Weltlichen Landtleuthen / Gerichtsherꝛn / Hohen vnd Nidern / so in Vnfern Furstenthumb Crain gefeßen / vnd mit Vnderthanen / Landt / oder andern Gerichten / Herꝛschafften / Stōtt / Mārckten / oder Dōꝛffer begabt feindt / dieselbe in Vnfern / oder anderer Namen zu verwalten haben / Vnfer Khayfer: vnd Landsfürstliche Genad / vnd alles Guets.

Vnd geben Euch hiemit in Gnaden zuerkennen / Wie wolen Wir von denen nechft abgeloffenen Vier oder Fünff Jahren hero / durch vermittlung Vnfer insonderheit hierzu erkhisten / vnd mit genuegflamben Gewalt / Befelch / vnd *Instruction* abgefertigten *Commissarien* in dem *Religion*wesen ein durchgehende hailßambe *Reformation* dergestalt fūrnembten lassen / daß alle vnd jede / Vns ohne Mittl vnderworffne /

22 Besede so deljene med vrsticami: 4 in 5, 5 in 6, 11 in 12, 14 in 15, 17 in 18, 21 in 22, 34 in 35, 37 in 38, 40 in 41, 42 in 43, 44 in 45, 49 in 50, 56 in 57, 60 in 61, 61 in 62, 63 in 64 ter 68 in 69.

oder Vnfern Landtleuthen vndergebne / oder angehörige Vnderthanen / was Stands oder Berueffs dieselbigen feyen / welche Vnferer wahren allain seligmachenden Catholischen Römischen *Religion* nicht zugethan / sondern mit widrigen Irthumben behafftet feyen / mit Er[n]st allerhandt hierzu dienstlichen bewöglischen Zusprechen / Vnderweisen vnd Vermahnen / zu Ablegung Ihrer jrzigen / vnd der ewigen Seligkeit verhinderlich Trennungen angehalten / vnd auff den rechten Weeg / deß wahren Glaubens / ohne welchen der Mensch GOTT nicht geföllig / noch seiner Gnaden / vnd der ewigen Seligkhait fähig vnd thailhafftig feyn / noch werden kan / gelaitet / Im widerigen aber vnd auff beharrende Halßstarrigkhait / nach erstattung deß zehenden Pfennigs / dessen Wir allain Vnser Landtleuth auß Gnaden befreyet / Ihres im Landt habenden zeitlichen Vermögens / difes Vnser Fürstenthumb / vnd andere Vnser eigenthumbliche Erblande raumben / vnd in denselben ainichen beharlichen Vnderfchlaiff / noch Wohnung nicht mehr haben / noch jhnen gestattet werden solle / so lang sie sich zu der mehrbefagten Catholischen Römischen *Religion* nicht begeben / noch derselben Gottseligen Gebotten / Satzung / vnd Ordnung / mit der That selbst[en] [b]equemben: Massen obernennte / Vnser *Religions Commissarien*, dife Vnser wolgemainte *Intention*, vnd für die von der Göttlichen Mayestät Vns vndergebene / vnd anvertraute Vnderthanen vnd Landtsassen tragende Väterliche / vnd Landtsfürstliche Sorgfältigkhait hochgewünschte vnd gefuechte einlaitung / auff den Weeg der ewigen Seligkhait.

Erftlichen zu Laybach / nicht allain inn gemainen Versamlungen / der vnCatholischen / sondern auch schier jeden in sonderheit so münd: so schriftlich entdeckt / vnd in Vnfern Namen / auch jhrer von Vns gehabt / vnd [...] och unwiderzuefften vnd vnauffgehebt *Instruction* gemäß / alles das jene vorzuekehrt / was zuerlangung difes Vnfers Christlichen / vnd Vnserm Landtsfürstlichen Ambt / obgelegnen Fürnem[b]ens / Mainung vnd Befelch / jimmer dienstfamb vnd vortrüglich sein mögen.

Vnd wiewolen die Göttliche Allmacht / dero Väterlichen Seegen / vnd mitwürckung hierzu so weit verliehen / daß vil irzige Schäß auß jhrer Blindheit / in die Schoß der Christlichen Catholischen Kirchen / vnd den rechten Schaffstall gebracht worden / So hat doch der Feind aller rechten *Religion* vnd St[i]ffter der Secten / sein Vnkraut so weit darunder eingeworffen / das vil an jhren einmal gefasten jrzigen Mainungen / halßstarrig verbleiben / vnd thails auß dem Landt gezogen / thails aber / wie Wir anjetzo mit befrembden / vnd nicht geringer bewegnuß Vnser Christlichen Catholischen Gemüths vernemen müssen / wider alle guethertzige Vermahnung / getragne Gedult / vnd erthailte Termin / auch Gebott / vnd Verbott / sich im Landt noch auffhalten / auch etliche nach einmahl genombenen Abzug / haimblich widerumben herein geschlichen / vnd ohne scheuch / darinnen noch verhar[r]en / frey sicher (oder vilmehr vermessentlich vnd trutzig) handeln vnd wandlen dörfen.

Wann nun aber difes alles / Vnser mit wolbedachtem Mueth / auch auß hochbewegenden rechtmessigen Vrsachen / vnd durch antrib Vnferer gegen Gott tragenden schuldighait fürgenombenen *Reformation*werck / geftracks entgegen laufft / noch Vns / hierzu still zuschweigen / gegen der Göttlichen Mayestät verantwortlich seyn wil.

Alfo haben Wir längern vmbgang nicht nemen können / noch sollen / durch diß Vnser offne *General*, euch Alle vnd Jede / im Eingang angedeute *Jurisdictionen*²³ vnd Obrigkhaiten / auch Geist: vnd Weltliche Landtleuth / Gerichtsherren / oder derofelben Verwaltern der angeregten Vnserer in dem hailfamben *Reformationswesen* vnaußfetzlichen beharrenden *Intention* in Kayf: vnd Landsfürftl: Genaden zuerindern / mit dem angehenkten vnd ernstlichen Befehl / daß Ewr jeder / in dem district seiner habenden oder verwaltungs / wie auch Gerhabtschafft vnd Vormundtschafft weiß anvertrauten *Jurisdiction*, oder Gerichtszwang sein fleißige erkundigung bestellen solle / Ob / vnd was für Perfohen / sie seyen Jung oder Alt / Mann oder Weib / Edl vnd Vnedl / Reich oder Armb / sich in solcher Herzschaft / Gericht / oder Obrigkhait auffhalten / welche sich zu der Catholischen Römischen *Religion* nicht bekennen / noch wenigist ainmahl im Jahr vnd zu der Oesterlichen Zeit / nach Vnserer Mutter der Catholischen Römischen Kirchen / Satzung vnd Gebott / mit Christlichen Catholischen Beicht vnd *Communion* nicht einstellen / sondern sich dißfahls / vnder was fürgewenten schein / oder Außred / das jimmer geschehe / vngehorsamb oder widerfetzlich erzeigen / darauff dann sonderlich die Priester / Pfarer vnd Seelforger jhr emßiges vnpartheyisches auffmercken haben / vnd jedes Orths Obrigkhait anzaigen / vnd namhaft machen / auch darauff dieselbige Obrigkhaiten / den Vngehorsamben für sich erfordern / den selbigen zu verlaßung seiner jrigen Mainung / dagegen aber annembung Vnserer wahren *Religion*, vnd derselben würcklichen Bekehrung vermahnen / jhme hierzu ainen gewissen vnverlangten Termin bestimben / darunder aber zu seiner nothwendigen vnderweisung in Glaubenssachen / alle ersprißliche Mittl vnd Handraichung erthailen / welche jhnen dann die Geistliche / vorab die ErtzPriester vnd *Vicarij* der *Ordinarien*, Insonderheit sollen lassen angelegen seyn / vnd dißfahls an vollziehung jhres Geistlichen Berueffs / vnd Ambts / ainichen faumbfal nicht brauchen sollen.

Die weil wir auch hieneben in erfahrung kommen / daß etliche sich gleichwol Catholisch erklären / jhnen aber solche Priester zu Beichtvattern erwählen / vnd sich von denselben von jhren Irthumben *absolvirn* lassen / von welchen sie nicht allain schlechten vndericht / vnd *Information* in jhrem jrigen Gewissen empfangen köndten / sondern auch mit dem Geistlichen Gewalt in solchen fahl zu *absolvirn* nicht versehen seyn / Derhalben vermahnen Wir hiemit alle Seelforger vnd jhre Geistliche Vorsteher / als die *Ordinarios* vnd der selben ErtzPriester / daß sie hierauff gute obacht haben / die vberzaichte Beichtzettl / mit fleiß ersehen / vnd kainen für genuegsamb vnd kräftig annemen / noch gültig sein lassen / er seye dann von einem Priester / welcher dißfahls mit genuegsamben Gewalt vnd Geistlichen *Jurisdiction* wissentlich versehen / vnder schreiben vnd gefertigt.

Zum fahl aber jemandt vber alle dise gegen ihme gebrauchte güetliche Mittlen in seiner gefaltten widerfetzlichen Mainung / nachmahlen verharren

23 *Jurisdictionen* je verjetno tiskarska napaka, bržkone bi moralo pisati *Jurisdicenten*. Po Hudeljevem glosarju *Jurisdictionen* (*Jurisdicentes*) v slovenščini prevajamo kot *jurisdicenti* ali *sodna gosposka* (Hudelja, 2010, 170).

wurde / derfelbige folle ohne ainich weiters nachsehen / ernftlich zu Aydbündiger anzaig: vnd bekandtnuß seines im Landt habenden vermögens / es feye anligunden oder vahrenden Güettern angehalten / der zehende Pfennig desselben von jhnen abgefordert / vnd obberürten Vnfern verordenten *Religions Commissarien* angehendiget werden / vnd darauff der vngehorsambe / nicht allain auß dem Gericht / Herzschafft oder Gebiett / darinnen er gefessen / sondern zumahlen auß allen Vnfern ErbFürstenthumben vnd Landen abgeschafft / vnd jhme darinnen zu wohnen / zu handeln vnd wandlen / ohne special erlaubnuß Vnfer / oder Vnfers vollmächtigen Statthalters / diser Vnfer I: O: ErbFürstenthumben vnd Landen / deß Hochgebornen Fürsten / Vnfers Ohaimbs vnd lieben Getrewen / Johann Vlrichen / Hertzogen zu Cromau / vnd Fürsten zu Eggenberg / Grafen zu Adlßperg / Herzñ zu Pettaw / Ehrnhausen vnd Straß / obristen ErbMarßchalckhen in Oesterreich / Vnder vnd Ob der Enß / obristen ErbCamerern in Steyr / vnd obristen Erbschencken in Crain / vnd der Windischen Marck / Rittersn deß Gulden Fluß / Vnfers Gehaimben Raths / vnd Camerers / nicht gestattet werden.

Wolte aber jemandt ein: vnd fürwenden / er köndte seine [Gü]tter in dem angesetzten Termin nicht verfilbern noch anwenden / so folle jedes Orths Obrighait dieselbige Güetter durch vnpartheyische billichmessige Werdung schätzen l[...] lich[...] [...] ²⁴ auffß fürderlichst verkhauffen / davon den Zehenden Pfennig / wie oben gemeldet / abrichten vnd einnemen / den übrigen Werth aber den a[...] [...]en länger vnder seiner *Jurisdiction* vnd Gebiet nicht gedulden / vnd dißfalls ainiches ansehen der Persohnen nicht haben / noch sich an steiffer / v[...]l]andtsfürstlichen Befelchs nicht abhalten lassen.

Alles bey vermeidung Vnferer hohen Vngnadt / vnd würcklicher Leibs oder Guets bestraffung / wie[...] [...] / vnd derselben vorgesetzten Geistlichen Vorstehern / als ErtzPriestern / hiemit ab[son]derlich [...] vnd mit Ernst befelchen / auff die *execution* dises *Generals*, vnd ih[...] [...]ichnung guette obacht zuhalten / vnd da sie einen faumbßfall bey einem / oder mehrer / welche Glaubens halben verdächtig seyn möchten / erjnnern wurden / Sie dessen [...] [...]r beschaidenhait zuvermahnen / auch alles verlauffs jedesmahl / mehrbefagte Vnfere *Religions Commissarien*, vorab den *Directorn*, als den Bischoffen zu Laybach / Vnfern Rath vnd [Stathal]tern deß I: O: Regiments / in Schrifftn verständigigen / welcher denn neben seinen mit *Commissarien*, Vnfern LandtsHauptmann vnd LandtsVitzdomb befelch hat / hierunder jhrer *Instruction* gemäß alles das jenig fürzukehrn / was zu gebührender vollstreckung dises *Generals*, vnd deß gantzen jhnen anvertrawten *Reformationswesen* / nothwendig vnd befürdersambist. Dabey Wir auch schließlichen dises anzuhenckhen nicht vmbgehen khunden / daß ob Wir zwar / Vnfere Landtleuth betreffend / hiebevör in gleichem gantz gemessene ernstliche *Generalien* in Truck außgehen lassen / Vns auch khaines andern verfehen hetten

24 Na tem mestu se začne velika razjeda v spodnjem desnem kotu dokumenta, ki meri 10,4 x 4,1 cm in sega od 48. vrstice na vrhu do 56. vrstice na dnu.

/ als es wurde denfelben von den jenigen / so von jhrem Irthumb abzustehen nicht vermüegt werden khönden / in allem der schuldige Vollzug gelaiftet worden seyn / daß Wir doch ebenfahls anjetzo vernemen müssen / daß nicht allain sich etliche befagter Vnser vnbekehrten Landtleuth hin vnd wider noch im Landt vngehörig auffhalten / sondern auch thails so allberaith jhren abzug genomen / ohne habende *Licenz* widerumb haimblich herein schleichen / thails aber ob sie sich schon ainmahl eingestellt / doch (wenigst zu der heiligen Oesterlichen Zeit) mit der Beicht vnd Communion nicht *continuiren* sollen / Vnd aber nochmahlen Vnser gantz ernstlicher Will vnd Mainung / das befagten Vnsern *Generalien* (als bey welchen Wir es ainmahl für allezeit bewenden lassen) der gebührende / Vollzug gelaiftet werden solle.

Alfo ist in gleichem an alle vnd jede Pfarzer / vnd Seelforger / vnd deroselben Vorsteher Vnser gantz ernstlicher Befehl vnd Mainung / daß sie auff derley ebenfahls jhr fleißige obacht haben / vnd da sie deren befunden / dieselbe alsbald Vnsern nachgesetzten LandtsObrigkhaiten *Denunciern*, dieselbe aber so dann ein solches / vnd auff den fahl / daß sie khain *special Licenz* fürzuweisen / vngefaumbt befagten Vnsern vollmächtigen Statthaltern diser Vnser I: O: ErbFürstenthumben vnd Landen deß Hertzogen von Cromau / vnd Fürsten zu Eggenberg L: oder in deffen abwesenheit Vnser zu Grätz anwesende Gehaimbe Råthe nottürlichlich erjnnern sollen / damit wider dergleichen Vngehörigkeite ferer der gebühr nach verfahren werden möge / Vnd solle diß Vnser *General* zu menniglichs wissenschafft vnd nachrichtung in allen denen Orthen / allda sich noch vnCatholische Persohnen auffhalten / auff der Cantzl verlesen werden.

Das alles mainen Wir ernstlich / vnd halten Vns bevoor / gegen den jenigen / so hierüber vorläßig / oder vngehörig erfunden werden mit wolverdienten vnnachläßiger Straff verfahren zulassen.

Geben in Vnserer Statt Wienn / den Zwaintzigsten Tag *Junij*, deß Aintaufent Sechshundert Ain und Dreyßigsten / Vnserer Reiche aber / deß Römischen im Zwölfften / deß Hungarischen im Dreyzehenden / vnd deß Bohaimischen im Viertzehenden Jahr.

Ad Mandatum Sac: Caesar:

L.S.

Majestatis proprium.

POVZETEK VSEBINE GENERALNEGA MANDATA

Ker je zaradi velike razjede v desnem spodnjem delu dokumenta in številnih drugih manjših poškodb dobršen del besedila izgubljen, se zdi prevod celotnega generalnega mandata nemogoč, vsaj dokler ne bo odkrita kakšna bolj ohranjena različica predloge. Vsebina dokumenta je zato povečini zgolj povzeta, prevedenih je nekaj posameznih pasusov ter cesarjeva titulacija v prvem odstavku in njegov nagovor kranjskim deželanom iz sklepnega dela generalnega mandata.

Tabela 1: Seznam osebnih imen (ARS, AS 2, šk. 97 (fasc. 54/13), snopič 1, Ecclesiastica: Lutertum Gegenreformation 1595–1631, Generale und Patente).

Zapis v viru	Sodobni nemški zapis	Sodobni slovenski zapis	Osební, družinski in službeni podatki
Ferdinad der Ander, Ferdinandt	Ferdinand II.	Ferdinand II.	Živel: 9. julij 1578, Gradec–15. februar 1637, Dunaj. Nadvojvoda in notranjeavstrijski deželni knez (1595, 1596/97), češki kralj (1617), ogrski kralj (1618), cesar (1619). ²⁵
Johann Vlrichen / Hertzen zu Cromau / vnd Fürsten zu Eggenberg / Grafen zu Adlſperg / Herzn zu Pettaw / Ehrnhauſen vnd Straß	Johann Ulrich von Eggenberg	Janez Ulrik Eggenberg	Živel: junij 1568, verjetno Gradec–18. oktober 1634, Ljubljana). Baron (1598), državni knez (1623) in vojvoda Krumlovski (1628); kranjski (1602) in štajerski (1621) deželni glavar, pooblaščen namestnik notranjeavstrijskih dežel (1625). ²⁶
G[raf] v[on] Verdenberg	Johann Baptista Verda Graf von Werdenberg zu Namiest / Johann Baptist Verda von Verdenberg	Janez Krstnik Verda grof Verdenberg	Živel: 1582, Campione pri Gorici–16. september 1648, Dunaj. Baron (1633), grof (1630). Prvi avstrijski dvorni kancler in član tajnega sveta (1620). Dedni hlevski mojster na Goriškem (1626). ²⁷
Caspar Frey m. p.	Kaspar Frei(?)	Gašper Frei(?)	neidentificiran

Dokument se začenja z izstaviteljevimi nazivi, ki bi se v prostem prevodu glasili: »Mi Ferdinand Drugi, po milosti Božji izvoljeni Rimski cesar, vselej poviševalec²⁸ cesarstva, kralj na Nemškem, Ogrskem in Češkem itd.; nadvojvoda avstrijski;

²⁵ Hartmann et al., 2006, 540–550.

²⁶ Komić Marn, 2015, 13–17.

²⁷ Koniarek, 2021.

²⁸ Besedna zveza za *allen Zeiten Mehrer deß Reichs* je nemški prevod latinske sintagme *semper augustus* in se je za časa cesarja Henrika VI. dokončno razvila v običajen vladarski naslov, analogen cesarskemu (Wirth & Wolfram, 1980, 1231–1233). Obstaja najmanj šest možnih prevodov te besedne zveze v slovenščino, in sicer: 1. »[k] vsakimu času gmerar tiga rajha« – Andrej Recelj (1582) (Recelj, 2021, 17), 2. »vfelei Povihlhuvavz tega Kraljevftva« – slovenski prevod ukaza cesarja Ferdinanda III. (1638) (Koblar, 1908, 116), 3. »vedno množivec kraljestva«, 4. »vselej vekšavec kraljestva« – Matej Cigale (1860) (Cigale, 1860, Zweiter Theil, 1010), 4) »poviševavec« Maks Pleteršnik (1894) (Pleteršnik, 2014), 5. »povečevalec cesarstva« – Niko Hudelja (Hudelja, 2016, 602) in 6. »vladar« – Alenka Jelovšek (2021) (Recelj, 2021, 17). Prim. tudi Kočvar, 2020, 413, op. 1.

Tabela 2: Seznam zemljepisnih imen (ARS, AS 2, Deželni stanovi za Kranjsko, 1. reg, šk. 97 (fasc. 54/13), snopič 1, Ecclesiastica: Lutertum Gegenreformation 1595–1631, Generale und Patente).

Zapis v viru	Sodobni nemški zapis	Slovensko ime in razlaga
Germanien	Germanien (Germania, Deutschland)	Germanija, Nemčija (zgod. »v Nemcih« ²⁹)
Hungarn	Ungarn	Ogrska ³⁰ (zgod. »na Vogrih« ³¹)
Böheimb	Böhmen (Tschechien)	Češka (zgod. »v Pegamih«, »Begeamiko kraljestvo« ³²)
Oeſterreich, Oeſterreich / Vnder vnd Ob der Enß	Österreich, Österreich ob und unter der Enns	Avstrija, Avstrija pod in nad Anižo, danes: Zgornja in Spodnja Avstrija (zgod. »Esterajh« ³³)
Burgundi	Burgund	Burgundija
Steyer	Steiermark	Štajerska
Kärndten	Kärnten	Koroška
Crain	Krain	Kranjska
Württemberg	Württemberg	Württemberg (zgod. »Birtenberg« ³⁴)
Ober vnd Nider Schlefien	Ober- und Niederschlesien	Zgornja in Spodnja Šlezija
Mähren	Mähren	Moravska
Ober vnd Nider Laußnitz	Oberlausitz, Niederlausitz	Gornja in Dolnja Lužica ³⁵ (zgod. »Lauznice«, ³⁶ »Lužiško« ³⁷)
Habſpurg	Habsburg	Habsburg
Tyrol	Tirol	Tirolska
Görtz	Görz	Goriška
Laybach	Laibach	Ljubljana
Cromau	Krumau	Český Krumlov (mesto na jugu Češke)
Eggenberg	Eggenberg (Graz)	Eggenberg (14. okrožje mesta Gradec)
Adlſperg	Adelsberg	Postojna
Pettaw	Pettau	Ptuj
Ehrnhauſen	Ehrenhausen an der Weinſtraße	Ehrenhausen an der Weinstraße (na avstrijskem Štajerskem)
Straß	Straß in Steiermark	Straß in Steiermark (na avstrijskem Štajerskem) ³⁸
Windiſche Marck	Windische Mark	Slovenska marka
Grätz	Graz	Gradec
Wienn	Wien	Dunaj

29 Besedna zveza »v Nemcih« je povzeta po Recljevem prevodu Gorskih bukev iz leta 1582 (Recelj, 2021, 17).

30 Z označevalcem Ogrska v danem primeru označujemo »dežele ogrske krone«, za označevanje države naslednice zgodovinske Ogrske po letu 1920 pa v slovenskem zgodovinopisju uporabljamo označevalec Madžarska.

31 Besedna zveza »na Vogrih« je povzeta po Recljevem prevodu Gorskih bukev iz leta 1582 (Recelj, 2021, 17).

32 Besedna zveza »Begeamiko kraljestvo« je povzeta po slovenskem prevodu cesarskega ukaza iz leta 1638 (Koblar, 1908, 117).

33 Beseda Esterajh je povzeta po Recljevem prevodu Gorskih bukev iz leta 1582 (Recelj, 2021, 17).

34 Beseda Birtenberg je povzeta po Recljevem prevodu Gorskih bukev iz leta 1582 (Recelj, 2021, 17).

35 Slovenski pravopis, 2014.

36 Beseda Lauznice je povzeta po Recljevem prevodu Gorskih bukev iz leta 1582 (Recelj, 2021, 17).

37 Jesenko, 1881, Tretji del, 61.

38 Komić Marn, 2015, 19.

Tabela 3: Seznam kratic (ARS, AS 2, Deželni stanovi za Kranjsko, I. reg, šk. 97 (fasc. 54/13), snopič I, Ecclesiastica: Lutertum Gegenreformation 1595–1631, Generale und Patente).

Kratika	Razrešitev	Slovenski prevod
ꝛc. ³⁹	<i>etc. (et cetera)</i>	itd. (in tako dalje)
Khayfer:	Khayferlich (kaiserlich)	cesarski
münd:	mündlich (mündlich)	ustno
Kayf: vnd Landsfürtl:	Kayferlich vnd Landsfürtllich (kaiserlich und landsfürstlich)	cesarski in deželnoknežji
anzaig:	anzaignuß (Anzeignis, ⁴⁰ Anzeige ⁴¹)	nakazovanje, indikacija; prijava, poročilo
I: O: ErbFürstenthumben vnd Landen	InnerOesterreichische ErbFürstenthumben vnd Landen (innerösterreichische Erbfürstentümer und Länder)	notranjeavstrijske dedne kneževine in dežele
L. ⁴²	Liebden ⁴³	preljubeznivi ⁴⁴
<i>Ad Mandatum Sac: Caesar: Majestatis proprium.</i>	<i>Ad Mandatum Sarrae Caesaris Majestatis proprium.</i>	Po ukazu svetega cesarskega veličanstva

vojvoda burgundski, štajerski, koroški, kranjski in württemberški ter zgornje- in spodnješlezijski; mejni grof moravski ter gornje- in dolnjelužiški; grof habsburški, tirolski in goriški itd.«⁴⁵

Deželni knez se nato obrača na vse gosposke, cerkvene in svetne deželane ter visoke in nižje sodne gospode⁴⁶ na Kranjskem, ki so mu podrejeni in imajo upravo nad podložniki, deželo, sodišči, gospostvi, mesti, trgi in vasm, ter jim pošilja svojo cesarsko in deželnoknežjo milost in vse dobro.

39 Okrogli mali r (ꝛ) ali r-rotunda (rundes r, r rotunda) v dotičnem primeru nadomešča tironsko noto kot okrajšavo za latinsko besedo et (in). O tem gl. poglavje Načela diplomatičnega prepisa (Kotar, 2019, 19, 20–22, 28).

40 Deutsches Wörterbuch von Jacob Grimm und Wilhelm Grimm.

41 Hudelja, 2010, 26.

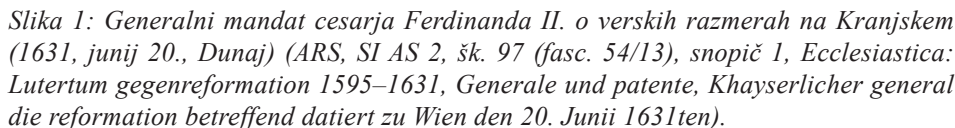
42 Kontekst: »Vnfern vollmächtigen Statthaltern diser Vnser I: O: ErbFürstenthumben vnd Landen deß Hertzogen von Cromau / vnd Fürsten zu Eggenberg L:« (ARS-2, 1. reg., 97 (54/13), sn. 1, Khayserlich general die reformation betreffend datiert zu Wien den 20. Junii 1631ten, vrstica 66).

43 Okrajšavo »L.« je W. A. Schmidt v svoji objavi patenta cesarja Ferdinanda II. o spreobrnjenju ali izselitvi protestantskega plemstva notranjeavstrijskih dežel s 1. avgusta 1628 razrešil kot »Liebden« (Schmidt, 1902, 179, op. 1). Schmidt navaja tudi, da je Ferdinand II. po letu 1625 Eggenberga v korespondenci običajno naslavljal kot: »Unser Oheim und sunders lieber Fürst« (Schmidt, 1902, 176, op. 1). Možni bi bili še dve drugi razrešitvi okrajšave, vendar se zdita manj verjetni. O tem prim. Kočevar, 2020, 401, op. e.

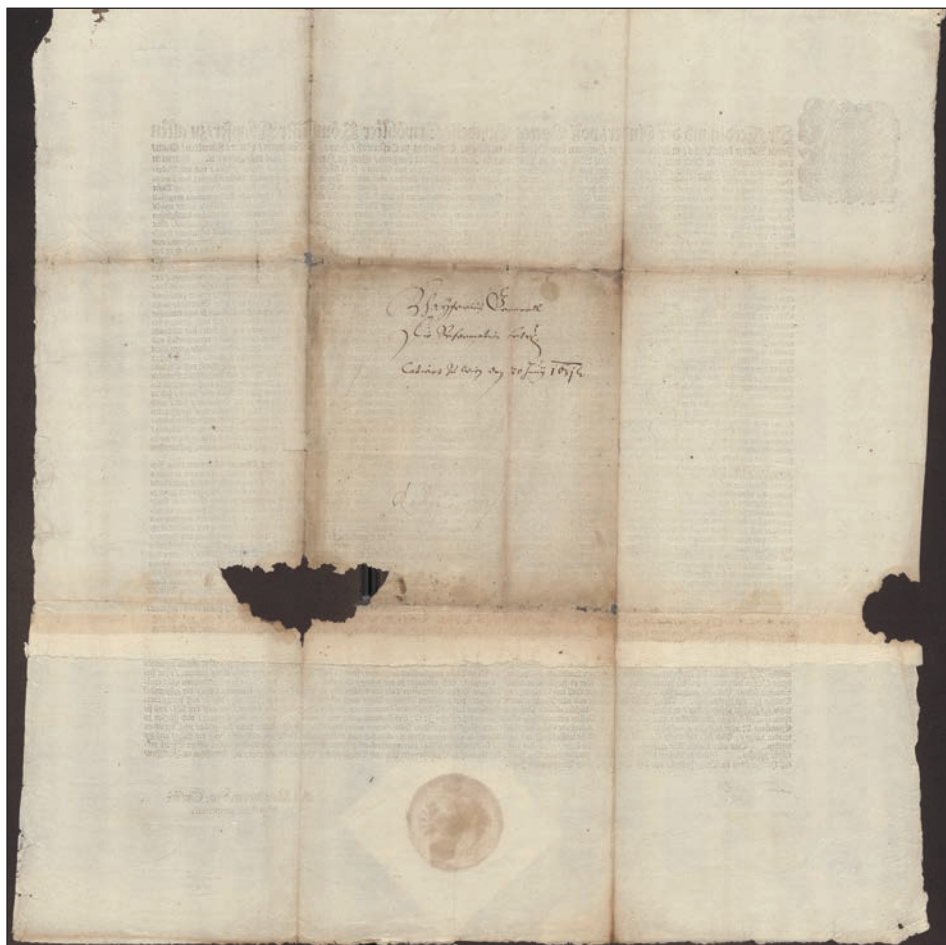
44 Hudelja, 2016, 574.

45 ARS, AS 2, 1. reg., 97 (54/13), sn. 1, Khayserlich general die reformation betreffend datiert zu Wien den 20. Junii 1631ten (Generalni mandat cesarja Ferdinanda II. o verskih razmerah na Kranjskem), vrstice 1–3.

46 *Gerichtsherr* – sodni gospod (Hudelja, 2010, 132; Hudelja, 2016, 378).



47 Ferdinand II. se verjetno sklicuje na ponovni začetek dela (proti)reformacijske komisije na Kranjskem leta 1627, vendar več o temu v komentariu. Prim. Prelesnik, 1901, 332.

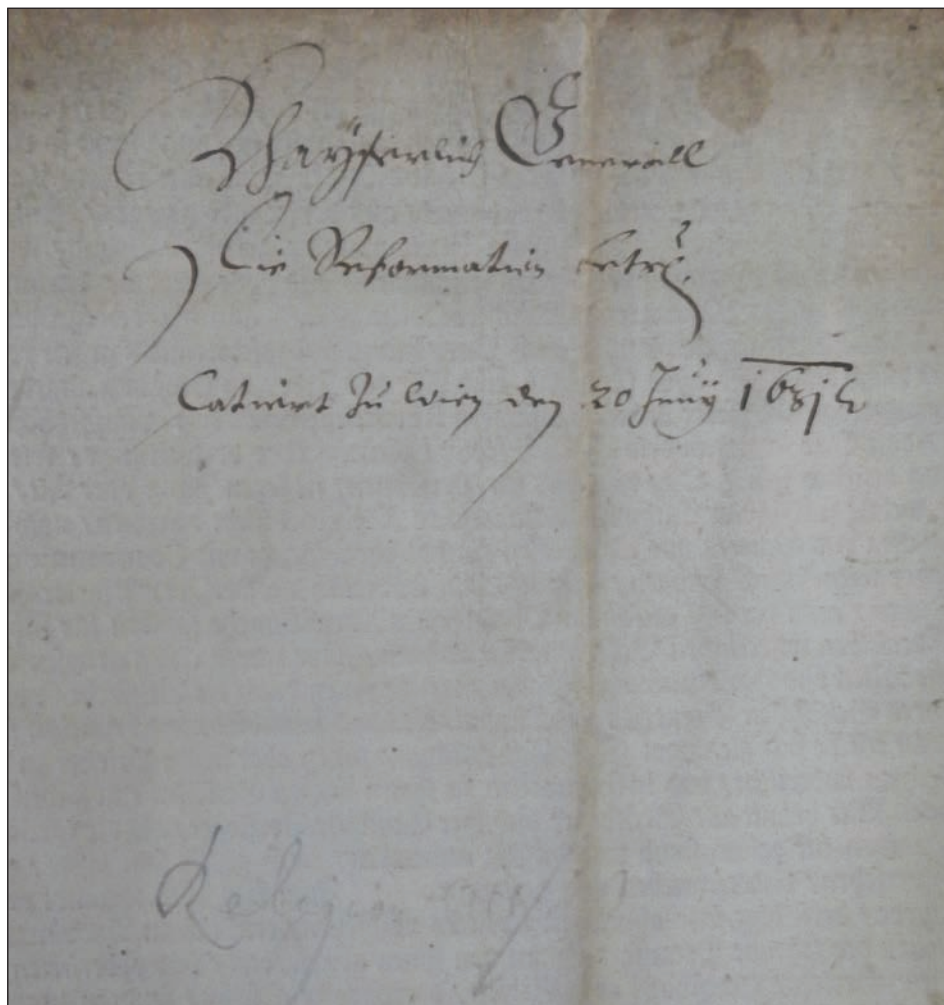


Slika 2: Hrbtna stran generalnega mandata (ARS, AS 2, šk. 97 (fasc. 54/13), snopič 1, Ecclesiastica: Lutertum Gegenreformation 1595–1631, Generale und Patente).

njegovim deželanom podrejeni podložniki, ki niso vdani njegovi pravi in edino zveličavni rimski katoliški veri, temveč so v zmoti, ne glede na svoj stan ali poklic, vodeni na pot prave vere, brez katere človek ne ugaja Bogu in ne more doseči večnega zveličanja.⁴⁸

V nasprotnem primeru, [če bodo torej vztrajali v svoji trdovratnosti], naj po plačilu desetega pfeniga od vrednosti svojega premoženja v deželi, zapustijo to

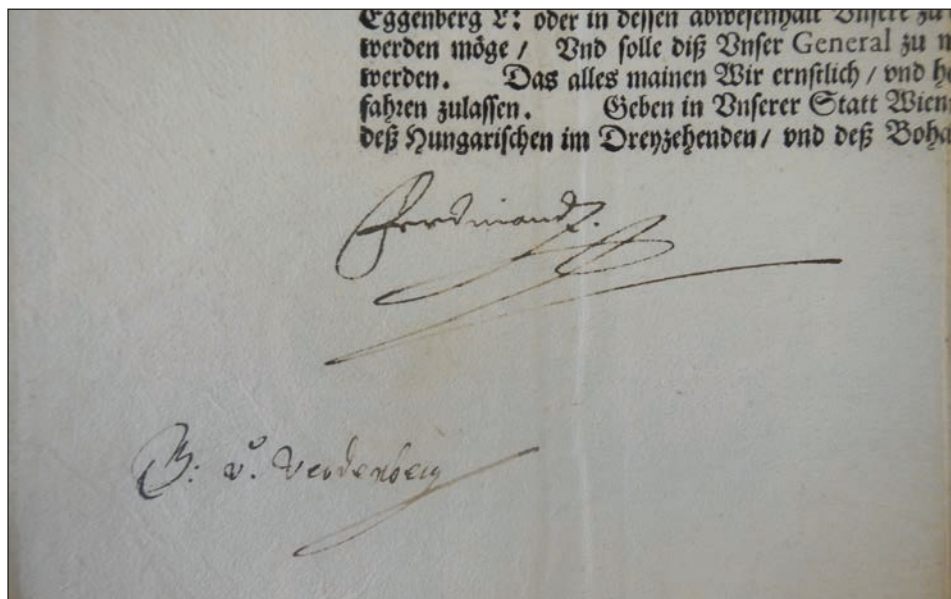
48 Seligkhait – blaženost, zveličanje (Hudelja, 2016, 818).



Slika 3: Napis na hrbtni strani generalnega mandata (ARS, AS 2, šk. 97 (fasc. 54/13), snopič 1, Ecclesiastica: Lutertum Gegenreformation 1595–1631, Generale und Patente).

kneževino [Kranjsko] in druge cesarjeve dedne dežele, v katerih niti ne smejo imeti več svojih skrivališč⁴⁹ in bivališč ter jim niti ni dovoljeno, da bi se tod zadrževali, dokler se ne pridružijo rimski katoliški veri in se res ne podredijo njenim pobožnim pravilom. Cesar ob tem poudari še, da je plačila desetega pfeniga od premoženja iz

49 *Vnderfchlaiff* – skrivališče (Hudelja, 2016, 931).



Slika 4: Ferdinandov podpis (ARS, AS 2, šk. 97 (fasc. 54/13), snopič 1, *Ecclesiastica: Lutertum Gegenreformation 1595–1631, Generale und Patente*).

usmiljenja oprostil le deželane. Poudarja tudi, da namerava po svojih verskih komisarijih uresničiti svoj dobri namen ter podložnike in svobodne prebivalce dežele,⁵⁰ ki mu jih je zaupal Bog in do katerih čuti očetovsko in deželnoknežjo skrbnost, spraviti na pravo pot zveličanja.

Ferdinand II. nato nalaga, naj se v Ljubljani proti skupinam ali posameznim nekatoličanom (*vnCatholischen*) (*Deutsches Wörterbuch* von Jacob Grimm und Wilhelm Grimm), ki so pisno ali ustno odkriti,⁵¹ ravna v skladu z nepreklicnimi deželnoknežjimi uredbami, ki naj se jih upošteva in v skladu z njimi ravna.

Dasiravno je vsemogočni Bog, nadaljuje cesar, v takšni meri dajal svoj očetovski blagoslov in pomoč, »da je bilo veliko blodečih ovčic iz svoje slepote pripeljanih v naročje krščanske Katoliške cerkve in v pravo stajo«,⁵² je vendarle tudi sovražnik prave vere in povzročitelj sektaštva svoj plevel vsadil tako globoko, da so mnogi trdovratno vztrajali v njegovem nekda

50 *Landtsaffen* – 1. svobodni prebivalci dežele, 2. kosezi, 3. podložniki deželnega kneza v nemškem cesarstvu (Hudelja, 2016, 553).

51 *entdeckt* – odkriti (Hudelja, 2016, 262).

52 Prosti prevod izvirnika: »daß vil irrige Schäß auß jhrer Blindheit / in die Schoß der Christlichen Catholischen Kirchen / vnd den rechten Schafftall gebracht worden« (ARS, AS 2, 1. reg., 97 (54/13), sn. 1, Khayserlich general die reformation betreffend datiert zu Wien den 20. Junii 1631ten, vrstica 19–20). S to izjavo se je Ferdinand II. nemara skliceval na deseto poglavje Janezovega evangelija *Jezus dobri pastir* (Jn 10,7-21).

podanem zmotnem mnenju ter se delno izselili iz dežele, delno pa se, kot mora deželni knez zdaj z osuplostjo in ne majhno ganjenostjo svoje krščanske katoliške duše slišati, proti vsemu potrpljenju gnanemu od dobrosrčne vzpodbude ter proti danim terminom, zapovedim in prepovedim še vedno zadržujejo v deželi. Poleg tega so se številni tudi po nekoč začetem odhodu skrivoma ponovno prikradli noter v deželo in brez strahu v njej ostali. Zato se lahko domneva, da so verjetno ti tod tudi prosto oziroma predrzno in trmasto delovali in blodili.

Cesar nato poudarja, da bo odgovarjal pred Bogom, če bo molčal, medtem ko vse to poteka proti njegovemu reformacijskemu delu, ki ga je začel s premišljenim pogumom, iz pomembnih razlogov in na podlagi svoje dolžnosti do Boga.

Nato zatrjuje, da daljšega ravnanja ne bi mogel ubrati, s čimer verjetno misli, da protestantskim podložnikom ne bi mogel postaviti daljših rokov za spreobrnjenje oziroma izselitev. Dalje naroča, naj se v skladu s tem njegovim javnim generalnim mandatom vsa sodna oblast⁵³ ter gosposka, tako cerkvena kot svetna, deželani, sodni gospodje ali njihovi upravniki⁵⁴ spomnijo njegovega neprenehnega in vztrajnega namena, s katerim je v cesarski in deželnoknežji milosti sprožil svojo zdravilno reformacijo (*Reformationswefen*). Naštetim resno ukazuje, naj vsak od njih na območju, ki ga ima bodisi v lasti bodisi v upravi kot tudi, če je bil zaradi skrbništva in varuštva⁵⁵ zaupan pod njegovo jurisdikcijo ali sodno oblast⁵⁶ pridno poizve, ali se na tem teritoriju zadržujejo nekatoličani. Če se na kakem gospostvu, sodnem okrožju (pomirju) ali okrožju (pomirju) ali gosposki⁵⁷ zadržujejo take osebe, naj bodo mlade ali stare, moški ali ženske, plemenite ali neplemenite, bogate ali revne, ki ne izpovedujejo rimske katoliške vere in ki niti enkrat na leto ter niti med veliko nočjo ne pridejo h krščanski katoliški spovedi in obhajilu po pravilih in zapovedih naše matere rimske Katoliške cerkve, temveč se s pretvarjanjem ali izgovori kakor koli vedno izkažejo za neubogljive ali uporne, potem naj so posebno duhovniki, župniki in dušni pastirji marljivo in nepristransko pozorni ter naj jih povsod ovadijo in poimensko navedejo pri gosposki.

Nato naj te gosposke neposlušne tudi pokličejo predse in jih resno opomnijo, naj opustijo svoje zmotno mnenje in sprejmejo pravo vero deželnega kneza ter se res spreobrnejo. Za to spreobrnjenje naj se jim določi nepodaljšljiv termin, ob tem pa naj dobijo nujen poduk o verskih zadevah, vsa uspešna sredstva in naj se jim daje [zakramente]. To naj si vzamejo k srcu zlasti duhovniki, arhidiakoni in vikarji škofov ordinarijev in naj se izvrševanja svojega duhovniškega poklica in službe ne lotevajo z malomarnostjo.

53 V izvorniku piše *Jufdicenten*, kar je verjetno tiskarska napaka, bržkone je imel Ferdinand II. v mislih *Jurisdicenten*. Hudelja »Jurisdizenten« (*Jurisdicentes*) v slovenščino prevajamo kot »jurisdicenti« ali »sodna gosposka« (Hudelja, 2016, 484; Hudelja, 2010, 170). V izogib ponavljanju besede »gosposka« smo se odločili za prevod z besedo »oblast«. Prim. op. 23.

54 *Verwaltern* – upravniki, upravitelji, oskrbniki (Hudelja, 2016, 982).

55 *Gerhabfchafft* – varuštvo, skrbništvo (Hudelja, 2016, 377); *Vormundfchafft* – varuštvo (Hudelja, 2016, 999).

56 *Jurisdiction* – sodna oblast, jurisdikcija, področje sodne oblasti (Hudelja, 2016, 484); *Gerichtszwang* – *gerichtsgewalt, gerichtbarkeit, jurisdictio; übertragen, das gericht selbst; bezirk* (Deutsches Wörterbuch von Jacob Grimm und Wilhelm Grimm).

57 *Herrfchafft* – zemljiško gospostvo, gospostvo (Hudelja, 2016, 439–440); beseda *das Gericht* sicer pomeni sodišče, sodnija ali sodba (Hudelja, 2016, 377–378), vendar se v danem kontekstu zdi primernejši prevod sodno okrožje ali pomirje (sicer *der Burgfried* (Hudelja, 2016, 170); *Obrigkhait* – oblast, oblastvo, zemljiška gosposka (Hudelja, 2016, 656).

Ferdinand nadaljuje, da je poleg tega izvedel še, da so si nekateri ljudje, ki so se vendarle odločili za katolištvo, za spovednike izbrali take [malomarne] duhovnike, ki naj bi jih sicer rešili zmotne vere, vendar so od njih dobili slab poduk in napačne informacije. V tem primeru niti po cerkveni oblasti ti ljudje ne bi bili odrešeni. Zato cesar resno opominja vse dušne pastirje in njihove cerkvene predstojnike – škofe ordinarije in arhidiacone, da pozorno berejo spovedne listke ter da za veljavne ne sprejmejo spovednih listkov, ki jih ne podpiše duhovnik s pravo izobrazbo in cerkveno jurisdikcijo.

Če bi kdo kljub vsem tem dobrim sredstvom še naprej vztrajal pri svojem upornem mnenju, odreja Ferdinand II., naj se poskrbi, da bo pod prisego navedel, koliko premoženega in nepremičnega premoženja ima v deželi, naj se od njega izterja plačilo desetega pfeniga, ter to vsoto izroči cesarskim verskim komisarjem. Nato pa naj se nepokorneža odpravi ne le z območja deželskega sodišča, gospodstva ali območja, kjer je živel, temveč sočasno iz vseh cesarjevih dednih kneževin in dežel. In takemu brez posebnega dovoljenja namestnika notranjeavstrijskih dednih dežel Janeza Ulrika vojvode Krumlovškega in kneza Eggenberga v Ferdinandovih deželah ni več dovoljeno živeti, poslovati niti ne potovati.

Cesar navaja tudi polno titulature svojega dolgoletnega zaupnika kneza Eggenberga, in sicer: namestnik notranjeavstrijskih dednih kneževin in dežel, visokorodni knez, cesarjev ujec in zaupnik Janez Ulrik vojvoda Krumlovski in knez Eggenberga, grof Postojnski, gospod Ptuja, Ehrensausa in Strassa, vrhovni dedni maršal v Avstriji pod in nad Anižo, vrhovni dedni komornik na Štajerskem in vrhovni dedni točaj na Kranjskem in v Slovenski marki, vitez Zlatega runa ter cesarski tajni svetnik in komornik.⁵⁸

Če pa bi kdo ugovarjal in se pretvarjal, da svojih posesti v določenem roku ne more prodati in se jih znebiti, naj lokalna gosposka nepristransko in pravično oceni vrednost teh posestev ter jih najugodneje proda. Od kupnine naj se vzame⁵⁹ deseti pfening. Zaradi poškodovanosti dokumenta ni povsem jasno, kaj je Ferdinand II. naročal v nadaljevanju, in sicer ali je naročal, da se preostalega dela vrednosti kupnine ni smelo več trpeti na tem ozemlju in bi ga zato izseljenec morala vzeti s seboj v tujino, ali pa je deželni knez prav obratno takšen iznos kapitala dejansko prepoval.⁶⁰

Ferdinand II. nato morebitnim kršiteljem zagrozi s svojo nemilostjo ter telesnimi in premoženjskimi kaznimi. Predstavnike cerkvenih oblasti pa spodbuja k upoštevanju in izvajanju določil svojega generalnega mandata. Rekonstrukcija nadaljnjega besedila v tem odstavku je zaradi razjede nemogoča, saj nam v danem trenutku še ni znana katera druga boljše ohranjena različica dokumenta. Iz besedila, ki se je ohranilo, lahko razbe-

58 O Janezu Ulriku Eggenbergu, njegovih posestih in naslovih prim. Komić Marn, 2015, 13–17.

59 Ker prvo od besed v sintagmi – *abrichten* – v slovenščino običajno prevajamo kot uriti, vaditi, učiti, izučiti; se zdi, da jo je v danem kontekstu verjetno treba razumeti v pomeni besede *abreichen* – dati, dajati ... (Hudelja, 2016, 18); *einnemen* pa v pomenu pobrati (Hudelja, 2016, 249). Zato besedno zvezo *abrichten und einnehmen* na tem mestu poenostavljeno prevajamo kot »se vzame«.

60 Gre za naslednji sestavek, ki je zaradi velike razjede (10,4 x 4,1 cm) v desnem spodnjem delu dokumenta nerazumljiv: »wie oben gemeldet / abrichten vnd einnehmen / den übrigen Werth aber den a[...] [...] län-ger vnder feiner Jurisdiction vnd Gebiet nicht gedulden / vnd dißfalls ainichs anfehen der Perfohenen nicht haben / noch sich an fteiffer / v[...] [...] [L]andtsfürftlichen Befelchs nicht abhalten lassen« (ARS, AS 2, 1. reg., 97 (54/13), sn. 1, Khayserlich general die reformation betreffend datiert zu Wien den 20. Junii 1631ten, vrstica 49–51). Vprašanje kapitala izseljencev je podrobneje obdelano v naslednjem poglavju.

remo, da se vladar nato obrača še na (proti)reformacijsko komisijo, zlasti na njenega vodjo – ljubljanskega škofa, cesarskega svetnika in namestnika notranjeavstrijske vlade ter njegova sočlana [kranjskega] deželnega glavarja in deželnega vicedoma.⁶¹

Potem se Ferdinand II. očitajoče obrne še na kranjske deželane ter jih opominja, da jim je bil že pred časom zaukazal, naj se spreobrnejo ali izselijo, ko zapiše:

*Poleg tega končno mi tudi ne moremo obiti tega, da čeprav smo glede naših deželanov že pred tem dali natisniti povsem jasne in resne generalne [mandate], naj se proti tistim, ki se nočejo odvrniti od svojih zmot, opravi vsa dolžna izvršba, da moramo pač sedaj prav tako [kljub temu] slišati, da se ne le številni omenjeni naši nesporebrnjeni deželani pogosto nepokorno zadržujejo sem ter tja po deželi, temveč da se je [zdaj] tudi del tistih, ki so že zdavnaj odšli, brez dovoljenja tajno pritihotapil noter [v deželo], poleg tega so se tisti, ki so se nekoč s spovedjo in obhajilom (vsaj v svetem velikonočnem času) že prilagodili (spreobrnil), s tem ne nadaljujejo. In ponovno je naša resna volja in mnenje, da se naše omenjene generalne mandate (kar naj enkrat za vselej zadošča) primerno izvrši.*⁶²

Nadalje vladar ukazuje vsem župnikom, dušnim pastirjem in njihovim nadrejenim, da naj bodo glede te zadeve oprezni ter da naj vsako kršitev ovadijo pri deželni gospodski. Ta pa naj, če nekdo nima posebnega dovoljenja prej omenjenega opolnomočenega namestnika notranjeavstrijskih dednih dežel preljubeznivega vojvode Krumlovškega in kneza Eggenberga, med njegovo odsotnostjo cesarske tajne svetnike v Gradcu opomni, da se bo proti neposlušnim postopalo po pravilih.

Pomembna pa je tudi zadnja Ferdinandova zapoved, ko naroča, »naj se ta naš generalni mandat v splošno vedenje in informiranje prebere s prižnice, v vseh tistih krajih, kjer se še zadržujejo nekatoliške osebe«.⁶³

Ferdinand II. svoj generalni mandat sklene z opozorilom, da misli resno ter da bodo kršitelje doletele popolnoma zaslužene kazni.

Dokument je bil izdan na Dunaju 20. junija 1631, v dvanajstem letu Ferdinandovega vladanja Svetemu rimskemu cesarstvu, trinajstem letu vladanja Ogrskemu in štirinajstem letu vladanja Češkemu kraljestvu.

61 Ferdinand II. res ne navaja, da bi bila škofova sočlana (proti)reformacijske komisije kranjska deželni glavar in deželni vicedom, čeprav se zdi zelo verjetno, da sta bila mišljena prav veljaka, ki sta omenjeni funkciji vršila na Kranjskem. Več o možnih sočlanih kranjske (proti)reformacijske komisije v naslednjem poglavju.

62 Prosti prevod izvimika: »Dabey Wir auch fchließlichen difes anzuhencken nicht vmbgehen khunden / daß ob Wir zwar / Vnſere Landtleuth betreffend / hiebevorn in gleichem gantz gemessene ernſtliche Generalien in Truck außgehen laſſen / Vns auch khaines andern verfehen hetten / als es wurde denſelben von den jenigen / ſo von jhrem Irrthumb abzustehen nicht vermüegt werden khönden / in allem der ſchuldige Vollzug gelaistet worden feyn / daß Wir doch ebenfahls anjetzo vernemen müſſen / daß nicht allain ſich etliche befagter Vnſer vnbekehrten Landtleuth hin vnd wider noch im Landt vngehörſamb auffhalten / ſondern auch thails, ſo allberaith jhren abzug genomen / ohne habende Licenz widerumb haimblich herein ſchleichen / thails aber ob ſie ſich ſchon ainmahl eingestelt / doch (wenigilt zu der heiligen Oeſterlichen Zeit) mit der Beicht vnd Communion nicht continuiren ſollen / Vnd aber nochmahlen Vnſer gantz ernſtlicher Will vnd Mainung / das befagten Vnſern Generalien (als bey welchen Wir es ainmahl für allezeit bewenden laſſen) der gebürende / Vollzug gelaiftet werden ſolle« (ARS, AS 2, 1. reg., 97 (54/13), sn. 1, Khayſerlich general die reformation betreffend datiert zu Wien den 20. Junii 1631ten, vrstica 57–63).

63 Prosti prevod izvimika: »Vnd ſolle diß Vnſer General zu mennigklichs wiſſenſchafft und nachrichtung in allen denen Orten / allda ſich noch vnCatholiſche Perſohnen auffhalten / auff der Cantzl verlesen werden« (ARS, AS 2, 1. reg., 97 (54/13), sn. 1, Khayſerlich general die reformation betreffend datiert zu Wien den 20. Junii 1631ten, vrstica 67–68).

KOMENTAR IN POSLEDICE GENERALNEGA MANDATA

V obravnavanem besedilu se večkrat izrazi Ferdinandova osebna nota na primer, ko cesar komentira dotedanje uspehe katoliške prenove, rekoč, »da je bilo veliko blodečih ovčic iz svoje slepote pripeljanih v naročje krščanske Katoliške cerkve in v pravo stajo«.⁶⁴ Politiko v obdobju nastanka dokumenta je namreč narekovalo načelo *religio vinculum rei publice*,⁶⁵ cesar pa se je, kot kaže spodnji citat, čutil tudi osebno odgovornega za zveličanje duš svojih podložnikov in poudarjal, »da bo odgovarjal pred Bogom, če bo molčal, medtem ko vse to poteka proti njegovemu reformacijskemu delu, ki ga je začel s premišljenim pogumom, iz pomembnih razlogov in na podlagi svoje dolžnosti do Boga«.⁶⁶

Drugi val svoje »zdravilne reformacije« (*hailfambe Reformation*) je deželni knez po lastnih besedah začel »pred štirimi ali petimi leti«, s čimer se je verjetno skliceval na ustanovitev nove (proti)reformacijske komisije 27. marca 1627 v Gradcu, ki je bila po ugotovitvah Regine Pörtner pristojna za celotno Notranjo Avstrijo (Pörtner, 2003, 138–139). Kljub temu »nova« komisija pušča tudi več neodgovorjenih vprašanj, Matija Prelesnik je v svoji študiji *Protireformacija na Kranjskem* namreč navedel, da je Ferdinand II. leta 1627 za »ravnatelja« komisije na Kranjskem ponovno imenoval škofa Tomaža Hrena (Prelesnik, 1901, 332). Ob tem se lahko vprašamo, ali je bila nova notranjeavstrijska (proti)reformacijska komisija ob koncu dvajsetih in na začetku tridesetih let 17. stoletja že od začetka razdeljena na deželne »pododdelke«, ali pa je ta delitev bila poznejša.

Sodeč po Hrenovih koledarskih zapiskih, se je nova (proti)reformacijska komisija na Kranjskem začela v drugi polovici novembra 1627. Škof si je tozadevno v svoj koledar zapisal: »21. november [1627] cesarska [proti]reformacijska komisija naznanjena po mnogih odrih in v nagovorih ter srečno začeta.«⁶⁷ Prelesnik navaja še eno Hrenovo notico o delu komisije iz škofovskega zapisnika:⁶⁸ »Glej, v poprej tako veliki in malone nebrojni množici heretikov smo našli v Ljubljani samo enega, po drugih krajih komaj dvanajst trdovratnih in nepokornih ljudi, pri katerih ni bilo pričakovati poboljšanja življenja in vere. Te vse smo z oblastjo cesarjevo obsodili v izgon od tu. Hvala Bogu in Mariji, Materi Devici! Et haec est mutatio dextrae Excelsi!«⁶⁹ (Prelesnik, 1901, 332; Dolinar, 2011b, 351).

64 Prosti prevod izvirnika: »daß vil irrige Schâßl auß jhrer Blindheit / in die Schoß der Christlichen Catholischen Kirchen / vnd den rechten Schafftall gebracht worden« (ARS, AS 2, 1. reg., 97 (54/13), sn. 1, Khayserlich general die reformation betreffend datiert zu Wien den 20. Junii 1631ten, vrstica 19–20). O tem prim. op. 31.

65 V prostem prevodu bi stavek pomenil, da je vera vezivo države (Dolinar, 2011a, 327; Brendle, 2015, 100; Kočevár, 2020, 15).

66 ARS, AS 2, 1. reg., 97 (54/13), sn. 1, Khayserlich general die reformation betreffend datiert zu Wien den 20. Junii 1631ten, vrstica 24–25.

67 Prosti prevod izvirnika: »21. Nov. Reformationis Caesareae Commissio per omnia pulpita promulgata pro concione et incepta feliciter« (Dimitz, 1862, 109).

68 Prelesnik kot vir navaja Hrenov spis *Volumen Secundum Primi Protocolli Pentificalium*, pag. 401 (Prelesnik, 1901, 332, op. 4).

69 Jožef Lesar latinski pasus na koncu navedka prevaja kot »To je izpremenila vsemogočnost božja!« (Lesar, 1913, 450). Verjetno gre za svetopisemski citat, nemara Ps 77,11.

Generalni mandat iz leta 1631, ki ga obravnava ta razprava, nam sicer slika precej drugačno podobo verskih razmer v deželi od Hrenove zgornje notice, vendar kljub neujemanju poročil o stanju na terenu, Ferdinand II. ne pušča dvoma o pomenu (proti)reformacijske komisije za izvajanje njegove politike. Deželni knez se v dokumentu namreč večkrat obrne na svoje »verske komisarje, predvsem na direktorja, to je ljubljanskega škofa, našega svetnika in namestnika notranjeavstrijske vlade«.⁷⁰ V letu nastanka obravnavanega mandata je komisija sicer dobila novega *Directorn*, saj je leta 1630 preminulega škofa Hrena (prim. Turk, 2013; Dolinar, 2011b) kot pastirja Ljubljanske škofije in vodjo (proti)reformacijske komisije nasledil notranjeavstrijski namestnik Rinaldo Scarlichi (Dolinar, 2007, 126; Kidrič & Miklavčič, 2013).

Novi »direktor« se je pri vodenju komisije lahko oprl še na svoja sočlana (*mitcommissarien*): deželnega glavarja in deželnega vicedoma. Ferdinand II. v dokumentu izrecno ne navaja, da bi s tem mislil nosilca teh dveh funkcij na Kranjskem, kar ponovno odpira že načeto vprašanje organizacije nove (proti)reformacijske komisije na notranjeavstrijski in deželni ravni. Čeprav tudi »direktor« ni poimensko naveden, glede njegove identitete ni dvoma, saj ga cesar naslavlja kot ljubljanskega škofa, cesarskega svetnika in notranjeavstrijskega namestnika, kar je Scarlichi tedaj tudi bil.⁷¹ Nekaj dvomov zbujajo odgovor na vprašanje, kdo sta bila škofova komisarska kolega, in sicer bi deželni glavar lahko bil že omenjeni štajerski plemič in cesarjev dolgoletni zaupnik Janez Ulrik Eggenberg,⁷² deželni vicedom pa Oktavij grof Panizoll (Valvasor, 1689, IX, 82; Klun, 1852, Heft 1, 97). Ob tem se seveda pojavlja vprašanje, kako je v visoko evropsko politiko vpleteni Eggenberg sploh lahko opravljal svoji funkciji deželnega glavarja in (proti)reformacijskega komisarja v Ljubljani.

Kot dajejo slutiti Ferdinandove odredbe v obravnavanem dokumentu, je kranjsko (proti)reformacijsko komisijo največ dela čakalo v Ljubljani. V deželni prestolnici naj bi, tako cesar, domovalo več nekatoličanov (*yncatholifchen*). Zadnje poročilo je v očitnem nasprotju s zgornjo Hrenovo notico iz leta 1627, ko naj bi bila komisija v Ljubljani našla le eno osebo, ki se ni bila pripravljena spreobrniti. Tudi kar zadeva stanje po deželi, kjer naj bi Hren slaba štiri leta poprej odkril »komaj dvanajst« nekatoličanov, cesarjevi očitki iz leta 1631 puščajo drugačen vtis, saj Ferdinand na koncu dokumenta jasno naroča, naj se njegov generalni mandat »prebere s prižnice, v vseh tistih krajih, kjer se še zadržujejo nekatoliške osebe«.⁷³

Imen krajev, v katerih se zadržujejo kriptoprotestatni z izjemo Ljubljane, dokument ne navaja. Sklepamo, da bi mednje lahko sodila mesta in kraji, kjer je protestantizem v 16.

70 Prosti prevod izvirnika: »Religions Commissarien, vorab den Directorn, als den Bifchoffen zu Laybach / Vnfern Rath vnd [Stathal]tern deß I: O: Regiments« (ARS, AS 2, 1. reg., 97 (54/13), sn. 1, Khayserlich general die reformation betreffend datiert zu Wien den 20. Junii 1631ten, vrstica 55).

71 Rinaldo Scharlich je leta 1630 najprej postal notranjeavstrijski namestnik, cesar Ferdinand II. ga je nato 19. aprila 1630 imenoval za ljubljanskega škofa, papež Urban VIII. pa je njegovo imenovanje potrdil 13. novembra 1630. Novi škof je v Ljubljano naposled prišel šele spomladi leta 1631 (Dolinar, 2007, 126).

72 Več seznamov kranjskih deželnih glavarjev navaja, da je za časa nastanka obravnavanega generalnega mandata funkcijo kranjskega deželnega glavarja vsaj nominalno opravljal že večkrat omenjeni Janez Ulrik vojvoda Krumlovski in knez Eggenberg. Tega naj bi leta 1635 nasledil njegov sin Janez Anton. Prim. ARS, AS 730, 80, Seznam kranjskih deželnih glavarjev 1261–1803; Valvasor, 1689, IX, 67; Klun, 1852, Heft 1, 83; Komić Mam, 2015, 15.

73 Prosti prevod izvirnika: »in allen denen Orthen / allda sich noch vnCatholifche Persohnen auffhalten / auff der Cantzl verlesen werden« (ARS, AS 2, 1. reg., 97 (54/13), sn. 1, Khayserlich general die reformation betreffend datiert zu Wien den 20. Junii 1631ten, vrstica 67–68).

stoletju pogнал globoke korenine.⁷⁴ Poročila o protestantih se namreč še po tridesetih letih 17. stoletja na primer pojavljajo na Jesenicah in v Beli Peči (Žabota, 2016, 446–448), sledovi reformacije pa so bili prisotni tudi na Loškem gospostvu. Tamkaj je (proti)reformacijska komisija sicer delovala že pred Hrenom, in sicer med letoma 1585 in 1588 (Benedik, 1991, 392), vendar Pavle Blaznik na podlagi poročila starološkega župnika iz leta 1639 ugotavlja, da je protestantizem tod iz javnega življenja sicer izginil, vendar so številni župljani še vedno posedovali protestantske knjige in se niso odzivali duhovnikovim pozivom na zagovor zaradi svojega verskega življenja (Blaznik, 1973, 253).

Kot sredstvo za iskanje nekatoliških oseb Ferdinand II. v generalnem mandatu trikrat navaja denunciacije, in sicer v primeru Ljubljane omenja možnost, da bi bili nekatoliški posamezniki ali skupine »pisno ali ustno odkriti« (*münd: fo schriftlich entdecker*⁷⁵), nato »vsem župnikom, dušnim pastirjem ter njihovim nadrejenim« dvakrat naroča, naj nekatoliške osebe, ki ne upoštevajo deželnoknežjih odredb, prijavijo (*denunciern*) deželni gosposki.⁷⁶ (Proti)reformacijska komisija je nato imela nalogo, da ljudi, ki niso vdani katoliški veroizpovedi, po Ferdinandovih besedah, resno opomni, naj opustijo svojo zmotu, ki preprečuje zveličanje, ter jih pripelje na pot prave vere.⁷⁷ Tisti, ki deželnoknežje poti ne bi želeli ubrati, so morali prodati svoja posestva, od njih plačati deseti pfenig, kot je to predvideval Augsburški verski mir,⁷⁸ in se izseliti.

Zgoraj navedeno daje slutiti, da je bilo poleg plemičev z dežlanskim statusom na Kranjskem še vedno precej protestantov tudi med nižjim plemstvom in drugimi sloji prebivalstva. Ferdinand II. namreč poudarja, da je plačlila desetega pfeniga »iz milosti osvobodil le svoje deželane«.⁷⁹ S tem se sklicuje na svoj patent z dne 1. avgusta 1628, v katerem je bil zapisal tudi, da čeprav bi sicer imel pravico, da bi v »takem nezaželenem primeru, ko se namreč hoče ta ali oni poslužiti pravice do izselitve, terjati plačilo naknadnega davka ali desetega pfeniga od njegovega imetja in posesti, smo vendarle milostljivo upoštevali, da so se te naše notranjeavstrijske dedne dežele in teh isti deželani doslej, kot zgoraj omenjeno, do nas in naše hvalevredne hiše Avstrije izkazali za zveste in na voljo, pa tudi da se (kolikor vemo) nikoli niso lotili ničesar sovražnega do nas ali

74 Glede verskih razmer v Novem mestu je Ivan Vrhovec sklepal, da ob smrti škofa Hrena leta 1630 vsled protireformacije in katoliške prenove ni bilo več protestantov (o protireformaciji in katoliški prenovi v Novem mestu prim. Vrhovec, 1891, 39, 75–76). Podobno tudi za Kranj v tridesetih letih 17. stoletja Josip Žontar ne omenja morebitne protestantske prisotnosti (Žontar, 1939, 186–195). Za splošne razmere na Kranjskem v obravnavanem obdobju prim. Gruden, 1992, 844–846.

75 ARS, AS 2, 1. reg., 97 (54/13), sn. 1, Khayserlich general die reformation betreffend datiert zu Wien den 20. Junii 1631ten, vrstica 17.

76 ARS, AS 2, 1. reg., 97 (54/13), sn. 1, Khayserlich general die reformation betreffend datiert zu Wien den 20. Junii 1631ten, vrstica 64–65.

77 ARS, AS 2, 1. reg., 97 (54/13), sn. 1, Khayserlich general die reformation betreffend datiert zu Wien den 20. Junii 1631ten, vrstica 10–12.

78 Določilo o »naknadnem davku« (*Nachsteuer*) vsebuje paragraf 24 Augsburškega verskega miru z dne 25. septembra 1555, ki sicer govori o pravici do izselitve (*Abzugsrecht bei Bekenntniswechsel, ius emigrandi*). Prim. Buschmann, 1994, 1. Band, 217–283. Ferdinand II. je v svojem patentu z dne 1. avgusta 1628 naknadni davek poimenoval kot: *Nachstewr / oder zehender Pfennig*, pravico do izselitve pa kot: *beneficium emigrationis* (Kočevar, 2020, 395).

79 Prosti prevod: »delfen Wir allain Vnser Landtleuth auß Gnaden befreyet« (ARS, AS 2, 1. reg., 97 (54/13), sn. 1, Khayserlich general die reformation betreffend datiert zu Wien den 20. Junii 1631ten, vrstica 12).

omenjene naše hvalevredne hiše. Zaradi tega se potemtakem hočemo milostno – v še naprej zasluženo priznanje take njihove, nam izkazane stanovitne zvestobe in iz posebne milosti – nadalje tako izreči, da se lahko oni, naši nekatoški deželani, neovirano lotijo in nadaljujejo ne samo s svojim omenjenim odhodom oziroma izselitvijo, ne da bi plačali omenjeni naknadni davek [oziroma] deseti pfenig« (Kočevar, 2020, 417).

Kot kaže generalni mandat z dne 20. junija 1631, ki ga obravnava ta razprava, določila Ferdinandovega patenta iz leta 1628 niso upoštevali niti vsi deželani, niti nižji plemiči brez deželanstva, niti drugi prebivalci protestantske veroizpovedi. Kakšen naj bi bil *modus operandi* (proti)reformacijske komisije pri obravnavi takšnih oseb, v nadaljevanju generalnega mandata navaja Ferdinand II., in sicer jim je bil postavljen »nepodaljšljiv termin« (*vnverlångter Termin*) za spreobrnitev, v katerem so bili od duhovnikov deležni poduka o katoliški veroizpovedi. Tisti, ki se niti po izteku danega roka niso spreobrnil, so morali pod prisego navesti, koliko premičnega in nepremičnega premoženja so imeli v deželi, od tega premoženja (proti)reformacijski komisiji plačati deseti pfenig in se izseliti iz vseh Ferdinandovih dednih dežel.

Cesar nato naroča še, naj za prodajo posesti tistih izseljencev, ki tega ne bi mogli prodati v določenem roku, poskrbi lokalna gosposka. Vrednost naj bo, kot veli, nepristransko in pravično ocenjena, imenja pa najugodnejše prodana,⁸⁰ nakar naj se od kupnine, če ne gre za deželane, vzame deseti pfenig. Patent iz leta 1628 je tozadevno izvzel fidejkomisna posestva, ki jih ni bilo treba prodati.⁸¹ Teh generalni mandat iz leta 1631 sploh ne omenja, kar lahko pomeni, da so protestantski deželani Kranjsko po večini že zapustili v določenem roku in so imeli v deželi svoje posesti po večini le še plemiči brez deželanstva ter predstavniki drugih družbenih slojev, ki niso bili upravičeni plačila desetega pfeniga. Po drugi strani je po doslej opravljenih raziskavah tisti čas na Kranjskem obstajal le en fidejkomis, in sicer Radovljica v lasti družine Thurn-Valsassina (Smole, 1982, 407; Preinfalk, 2008, 247–264).

Kot je bilo omenjeno že v povzetku vsebine generalnega mandata, je nadaljnje besedilo zaradi razjede trenutno nemogoče rekonstruirati. Zato ne vemo, ali je Ferdinand II. prepovedal, da bi kapital od prodanih protestantskih posesti po plačilu desetega pfeniga izseljenci še naprej imeli v deželi ali da bi ga vzeli s seboj na tuje.⁸² Ne glede na to, kaj je cesar v obravnavanem dokumentu res prepovedal, je znano, da je odhod kapitala protestantov deželo siromašil. Valvasor navaja, da je Ferdinand II. istega leta 1631 kranjskim poverjenikom ukazal, naj protestantskim izseljencem vseh stanov, ki zapuščajo deželo, ne izročajo več njihovih »kapitalij«, temveč naj se jim od teh plačuje pripadajoče letne obresti (Valvasor, 1689, VII, 470).

80 Ferdinand II. je s patentom iz leta 1628 za odprodajo posesti protestantskim izseljencem dal leto dni časa, torej do 2. avgusta 1629. Vsem, ki jim svojih posesti v tem času ne bi uspelo prodati, pa je nato dal še šestmesečni rok (torej do začetka februarja 1630), v katerem so prodajo posesti lahko prevzeli katoliški sorodniki ali zaupniki protestantskih izseljencev, nakar so prodajo prevzele deželnoknežje oblasti (Kočevar, 2020, 386).

81 Protestantskim izseljencem fidejkomisnih posesti ni bilo treba prodati, temveč so dohodek od njih prejeli v tujino (Kočevar, 2020, 386, 416–417).

82 Sestavek, ki je zaradi razjede težko razumljiv, se glasi: »wie oben gemeldet / abrichten vnd einnembn / den übrigen Werth aber den a[...] [...]en länger vnder seiner Jurisdiction vnd Gebiet nicht gedulden / vnd dißfalls ainiches anfehen der Perfohnen nicht haben / noch sich an steiffer / v[...] [...] [L]andtsfürflichen Befelchs nicht abhalten laßen« (ARS, AS 2, 1. reg., 97 (54/13), sn. 1, Khayserlich general die reformation betreffend datiert zu Wien den 20. Junii 1631ten, vrstica 49–51).

Kako je prodaja posesti protestantov potekala v praksi, je na primeru iz sosednje dežele Štajerske, natančneje posestva Legen pri Slovenj Gradcu, pokazal Boris Golec. Lastnik Jurij David Leyser je leta 1630 prodal omenjeno posest in se preselil na Ogrsko, nakar mu je s tožbo in izvršbo uspelo, da si je Legen ponovno pridobil in si leta 1638 zanj izprosil še dovoljenje, da je posest lahko upravljal po katoliškem skrbniku (Golec, 2013, 244). Na Kranjskem pa se skoraj sočasno srečamo s poročili, da posestva »od evangeličanskih emigrantov viteškega stanu« zlasti pogosto kupuje duhovščina.⁸³ Kopičenje posesti v rokah klera je začelo vznemirjati druge kurije deželnih stanov tako, da je leta 1639 o tem razpravljal kranjski deželni zbor.

Splošna verska reformacija in emigracija nekatoličanov,⁸⁴ kot sta procesa konfesionalizacije in (proti)reformacije označena v deželnozborski propoziciji za kranjski deželni zbor tega leta, sta pomenila medgeneracijsko podjetje habsburške dinastije, saj ga je Ferdinand II. podedoval po svojem očetu Karlu II., nadaljeval pa ga je njegov sin Ferdinand III. Zadnji je kurije kranjskih deželnih stanov, ki so se na deželnem zboru leta 1639 sprle zaradi krepitve posestne moči duhovništva, pozval naj obnovijo harmonijo v svojih vrstah. Umirjanje strasti je napovedala stanovska izjava, da so bili verski emigranti maloštevilni in ne tako premožni, da bi lahko obogatili duhovščino. Prelati pa so obljubili, da bodo drugim stanovom posredovali svoje mnenje o zadevi.⁸⁵

Vsi izseljenci, ki so prodali svoja posestva na Kranjskem ali drugod v notranjeavstrijskih deželah, bi za trajen povratak v domovino morali postati katoličani, za obiske pa so potrebovali posebno dovoljenje (*Licenz, special Licenz*), ki sta ga izdala vojvoda Krumlovski in knez Eggenberg oziroma cesarski tajni svetniki v Gradcu. Vendar generalni mandat daje slutiti, da se številni izseljenci teh Ferdinandovih odredb niso držali, saj se cesar na najmanj dveh mestih v besedilu pritožuje, da se je del izseljencev ponovno pritihtopil v deželo brez dovoljenja. To daje slutiti tudi, da cesarjeve grožnje z »nemilostjo ter telesnimi in premoženjskimi kaznimi«, ki se pogosto pojavljajo v njegovih (proti)reformacijskih odlokih, niso imele večjega zastraševalnega učinka.

Poleg tistih, ki so prodali svoja posestva in odšli na tuje, so se drugi odločili za spreobrnjenje. Kot je bilo omenjeno že v uvodu, lahko na podlagi *Letopisa ljubljanskega kolegija Družbe Jezusove* opazujemo naraščajoče število spreobrnjencev v katolištvo zlasti od sredine dvajsetih let 17. stoletja, k čemur je verjetno pripomogel tako rastoči ugled katolištva po cesarjevih zmagah na bojiščih tridesetletne vojne kakor tudi spreobrnitev deželnega maršala Diritia Auersperga leta 1625 (*Societas Jesu. Collegium Labacense*, 2003, 102). V začetnem obdobju delovanja druge (proti)reformacijske komisije med letoma 1627 in 1633 je pri ljubljanskih

83 Prosti prevod besedila: »In puncto der, durch die Geisstligkeit, in praeiuditium des Rütterstandts Heüffig erkauffenden Güetter der evangelischen emigranten soll ein Guettachten coniunctim, oder separatim volgen. In Cassten A ist von diser materi auch ein aignes fasciell per Einstand recht zufinden« (ARS, AS 2, 1. reg., 837, Perizhoff: Regesten der Landtagsabhandlungen, 1639).

84 Prosti prevod izvirnika: »universal religions reformation und der uncathollischen emigration« (ARS, AS 1, 310 (I-159), Deželnozborski spisi 1639, Num. 3, Landtags proposition abschrüfft in Crain de anno 1639 (1639, januar 8., Dunaj), 44). O tem prim. Kočevar, 2019, 110.

85 S posestvi duhovščine naj bi se ravnalo v skladu z odloki cesarja Ferdinanda I. z dne 14. oktobra 1524. Duhovščini naj bi bili tako pridržani predkupna pravica in pravica ponovnega nakupa (*das einstandtrecht und jus redimendi*) (Kočevar, 2019, 161–164).

jezuitih v katolištvo prestopilo 133 oseb, ki so verjetno vsaj po večini prihajale iz plemiških vrst (Kočevar, 2017, 202–208). Pri tem je treba poudariti, da so rezultati Družbe Jezusove le del dogajanja, ki je zajelo tudi druge dele dežele.

Kot je posebej omenil nemški zgodovinar Johannes Burkhardt, v konfesionalnem obdobju ni šlo za spopad različnih religij, temveč drugačnih razlag iste vere – krščanstva (Burkhardt, 2009, 42). Kar se je v praksi kazalo v tem, da protestantskim spreobrnjencem v katolištvo po vsej verjetnosti ni bilo treba prejeti zakramenta krsta,⁸⁶ temveč sta bila zanje poleg poduka o katoliški veroizpovedi najpomembnejša prejem obhajila pod podobo kruha in spoved (zakrament sprave), za katero je spreobrnjenec prejel spovedni listek (*Beichtzettl*).⁸⁷ Anton Koblar navaja primer plemiča Janeza Ludvika Raspa s Krumperka, ki se je leta 1629 tako spovedal pri frančiškanih v Kamniku in nato spovedni listek poslal deželnemu upravniku v Ljubljano, nato pa še tajnim svetnikov v Gradec (Koblar, 1908, 120).

Nekateri spreobrnjenci so novo veroizpoved sprejeli le navzven ter nato ostali »mlačni katoličani«, kar cesar graja na koncu generalnega mandata rekoč, da številni od tistih, »ki so se nekoč s spovedjo in obhajilom (vsaj v svetem velikonočnem času) že prilagodili (spreobrili), s tem ne nadaljujejo«. ⁸⁸ Nekateri spreobrnjenci pa so imeli tudi to nesrečo, da so si, po Ferdinandovih besedah, »za spovednike izbrali in se dali za svoje zmote spovedati takšnim duhovnikom, od katerih bi lahko dobili ne le slab [verski] poduk in podatkov v svoji zmotni vesti ne bi mogli sprejeti, temveč v takšnem primeru ne bi bili preskrbljeni z odvezo od duhovne oblasti«. ⁸⁹ Dejstvo, da je v besedilu nekajkrat izpostavljena tudi malomarnost duhovnikov, kaže na pomen procesa katoliške prenovе, ki je v skladu s tridentinskimi smernicami le počasi napredovala (Benedik, 1991, 114–115). ⁹⁰ Poleg tega to kaže na počasno uveljavljanje sklepov tridentinskega koncila in dolgotrajnost celotnega procesa.

86 Krsta so bili deležni spreobrnjenci iz drugih religij, npr. muslimani, prim. Golec, 2019, 381–399.

87 Reprodukcijske spovednih listkov iz 17. stoletja prim. Štuhec et al., 2020, 146–147.

88 Prosti prevod izvirnika: »ob sie sich schon ainmahl eingestellt / doch (wenigst zu der heiligen Oefterlichen Zeit) mit der Beicht vnd Communion nicht continuiren sollen« (ARS, AS 2, 1. reg., 97 (54/13), sn. 1, Khayserlich general die reformation betreffend datiert zu Wien den 20. Junii 1631ten, vrstica 61–62).

89 Prosti prevod izvirnika: »jhnen aber solche Priester zu Beichtvâttern erwöhlen / vnd sich von denselben von jhren Irrthumben abfolvirn lassen / von welchen sie nicht allain schlechten vnderricht / vnd Information in jhrem jrrigen Gewissen empfangen köndten / sondern auch mit dem Geiftlichen Gewalt in solchen fahl zu abfolvirn nicht verfehen feyn« (ARS, AS 2, 1. reg., 97 (54/13), sn. 1, Khayserlich general die reformation betreffend datiert zu Wien den 20. Junii 1631ten, vrstica 37–39).

90 O angažmaju škofa Hrena za vzgojo in izobrazbo duhovnikov Dolinar, 1994; Dolinar, 1995, 217–218.

THE 1631 GENERAL MANDATE OF EMPEROR FERDINAND II ON THE
RELIGIOUS SITUATION IN CARNIOLA:
(NON-)ADAPTATION OF CARNIOLAN ELITES TO THE
COUNTER-REFORMATION AND CATHOLIC REVIVAL

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SUMMARY

This article shows how the Counter-Reformation decrees were enforced in practice, and it presents a document dealing with the specific situation in Carniola. The general imperial mandate issued on June 20th, 1631, was part of the second wave of Ferdinand II's Counter-Reformation, which began with the 1627 establishment of a new Counter-Reformation committee and reached its apex with the adoption of the 1628 patent on the conversion or expulsion of Protestant nobility in Inner Austria. The mandate provides historiography with good insight into the (non-)implementation of the decrees adopted three years prior to that. In it, the emperor observes that some Protestants converted to Catholicism and others moved abroad. Nonetheless, some non-Catholics remained in Carniola, there were many "lax Catholics" among the converts, and some of those that had moved away returned home without the required permission. The Counter-Reformation committee that supervised the religious situation in the country imposed specific deadlines for the conversion or expulsion of Protestants. The key two external proofs of conversion included performing confession, which the convert demonstrated with written proof, and receiving communion. The Protestants that did not convert to Catholicism had to sell their land, pay a tenth of what it was worth (except for the members of the estates), and leave all Ferdinand's lands. The slow implementation of the decrees shows that the emperor's threats and sanctions did not have a significant intimidating effect.

Keywords: Counter-Reformation, Catholic revival, confessionalization, Carniola, Ferdinand II, nobility

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NAPLES AND SICILY AFTER UTRECHT AND RASTATT 1713–1714. FROM THE BRITISH PERSPECTIVE

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ABSTRACT

The research is based on documents from the National Archives in London, State Papers, Foreign, Venice (n° 99), folders n° 60 i 61. These documents contain precious information on political changes in Italy after 1714 in the light of British interests and from the perspective of British contemporaries as the Treaty of Rastatt has ordered a shift of authorities in the Naples and Sicily. The Austrian takeover of these Spanish possessions has produced important consequences for British interests in the Mediterranean. This research reconstructed the events from the perspective of these interests.

Keywords: Kingdom of Naples, Sicily, Great Britain, Vittorio Amedeo II, pope Clement XI

NAPOLI E SICILIA DOPO UTRECHT E RASTATT 1713–1714. DALLA PROSPETTIVA BRITANNICA

SINTESI

Alla base della presente ricerca ci sono i documenti custoditi negli Archivi Nazionali di Londra, gli State Papers, Foreign, Venice n° 99, fasc. 60 e 61. Contengono preziose informazioni sui cambiamenti politici in Italia dopo il 1714 dal punto di vista degli interessi britannici e della prospettiva dei britannici contemporanei. Il trattato di Rastatt dal 1714 prevedeva il cambio di governo a Napoli e in Sicilia e l'acquisizione austriaca di questi possedimenti, precedentemente in mano spagnola, ha avuto conseguenze importanti per gli interessi britannici nel Mediterraneo. La ricerca ha ricostruito gli eventi tenendo conto del punto di vista di questi interessi.

Parole chiave: Regno di Napoli, Sicilia, Gran Bretagna, Vittorio Amedeo II, papa Clemente XI

INTRODUCTION¹

Since the beginning of the 18th century Italy was coming back into the focus of international relations. Its new political prominence almost resembled the already distant era of the Renaissance. The Austrian conquest of the Kingdom of Naples (1707) took place during the Spanish succession war (1701–1714), a major European conflict that followed the long-awaited death of the last Spanish Habsburg, Carlos II (1661–1700, king: 1665–1700).² The war threatened to seriously upset European relations. France sought the Spanish throne on behalf of Philip V (1683–1746, king: 1701–1724), a grandson of Louis XIV (1638–1715, king: 1643–1715): that would enable a new leverage of strategic power, but France was lacking the military strength, although possessing the largest single European ground force. Swedish king Charles XII (1682–1718, king: 1697–1718) opened the Great Northern War front (1700–1721) against the coalition of Russia, Denmark and Poland.

In the Spanish succession war England and Netherlands supported candidacy of Charles of Habsburg, future Charles VI (1685–1740, emperor: 1711–1740), the son of Leopold I (1640–1705, emperor: 1658–1705). Charles VI, directly engaged in Catalonia, considered Naples as an important financial and strategic stronghold in the struggle for the Spanish succession, although southern Italy was not on the way of strategic operations. Austrians entered in Naples on July 7, 1707, ending a long period of Spanish rule.³

Right after taking over the throne, Charles VI gave a lot of prominence to Italy.⁴ Divided and moved towards margins of international relations, Italy somehow retained its specific significance, as control over Italy was still considered as a key to influence in the Mediterranean. Austrian conquest of Kingdom of Naples threatened British and Dutch interests (Granito, 1861, II, 120).

During the War of the Spanish Succession (1701–1714) Savoy (Piedmont) also became more important. Vittorio Amedeo II (1666–1732, reign: 1675–1730) showed more and more ambitions from the end of the 17th century, easily willing to switch

1 This article is a result of research on a scientific project *Modernization of Western Balkans* (n° 177009), financed by the Ministry of Education, Science and Technological Development of the Republic of Serbia. We especially owe a gratitude to the colleague of ours Haris Dajč, assistant professor.

2 The previous success in a long and the challenging so-called Great Turkish War (1683–1699) enabled Austria to take over initiative in international relations. Spanish succession and possible gains in Italy have been set as new Austrian Habsburg priorities. The Spanish succession war engaged both the Western Europe and Austria.

3 From the beginning of the 18th century, new priorities in Austrian foreign policy were Italy and the Danubian provinces along the border with Turkey. Some provinces such as Friuli and Veneto became located on the watershed of strategic directions of Austrian interests. Austrian activities, especially in Italy, were also of interest for Britain, Netherlands and France. (Since the mid 15th century, Naples and Sicily partly substituted the role of Eastern Mediterranean, primarily eastern coasts of Adriatic and Ionian seas, fallen into Turkish spheres of influence).

4 Charles VI succeeded his elder brother, Joseph I (1678–1711, emperor: 1705–1711), as Holy Roman Emperor, King of Bohemia, King of Hungary and Croatia, and King of Serbia, Archduke of Austria, etc.

sides for territorial compensation. Ending alliance with Bourbons (1703), he turned to Austria, Britain and the Netherlands. He was given promises for money and new possessions in northern Italy (Storrs, 2000b, 3). While he resisted pressure from Bourbon army at Turin, Vittorio Amedeo II was compelled to displace his family to Genoa (1706). Austrian successes in Italy helped him to finally obtain new territories (Storrs, 2000b, 4). Savoy had possession of Sicily confirmed in Utrecht, while until then it was controlled by English fleet (Storrs, 2000b, 4).⁵ Anyway, English influence on Vittorio Amedeo II was obvious, as shown in recent research that emphasizes their relations after 1684 (Storrs, 2000a, 214).

Historical analyses of the disintegration of the Spanish rule in Italy emphasized unfavorable conditions in economy, politics and army, and internal discontent facilitated a change of government (Cremolini, 2013, 184–185). In processes that took part after Utrecht and Rastatt, Gaetano Sabatini was tracking roots of modern Italian national movement. He considered Spanish rule as backward and degrading force (Sabatini, 2007, 594). Later studies followed his footsteps and pointed even more weaknesses of Spanish rule in the Kingdom of Naples. A significant step forward in clarifying the circumstances in the Kingdom of Naples was achieved in the volume *Naples in the Eighteenth Century. The Birth and Death of a Nation State* (Imbruglia, 2000). In this collective project, structured to follow certain segments of Neapolitan society in the eighteenth century, proceedings almost do not affect the establishment of the Austrian authorities, nor the international relations context. During decades back John A. Marino explores Neapolitan society revealing the essential tendencies of economic development, the details of everyday life, even the cultural climate (Marino, 1988; Marino, 2011). His results have facilitated our understanding of the internal circumstances. Collection of archive documents *Baroque Naples. A Documentary History 1600–1800* is a dense volume of curios data and bibliographical suggestions following the Naples history, contemporary travelers' testimonies, descriptions of the art, architecture and classical inheritance, literature, music and theater (Porter, 2000).

After losing Naples and Sicily, Spain was facing new challenges in international politics. In the otherwise rich and profound study *Napoli capitale. Identità cittadina. Studi e ricerche 1255–1860* (Galasso, 1998) the Austrian intermediate period was neglected together with the international scene where Britain has emerged as an ultimate force in the Mediterranean. Italian historians observed eighteenth century Naples primarily in the light of "proto-national" interests. Therefore, of a significant importance was the volume *Peace Was Made Here: The Treaties of Utrecht, Rastatt and Baden, 1713–1714*, edited by Renger E. de Bruin and Maarten Brinkman: "for the British ... the Treaty of Utrecht was an enormous success, creating a balance of powers in Europe and British dominance at sea" (Bruin & Brinkman, 2013, 238).

5 Sicily remained possession of Vittorio Amedeo II of Savoy for only several days. The island was recaptured by Spanish fleet in the war 1718–1719. By decision of Quadruple Alliance (Great Britain, Netherlands, France and Austria) Vittorio Amedeo II had to switch Sicily for Sardinia.

We noticed a shift in interpretations of a perspective of long-term historical consequences, especially in comparison with the significance of the 1648 Westphalian treaties, in the volume *Performances of Peace: Utrecht 1713* (Bruin et al., 2015). A collection of works that brought together significant connoisseurs of the era, seek to shed light on the various aspects of the negotiations and peace concluded in Utrecht and its immediate aftermath. In particular, the British public attitude related to the Utrecht treaty was presented by Samia Al-Shayban, *The Treaty of Utrecht and Addison's Cato: Britain's War of the Spanish Succession, Peace and the Imperial Road Map* (Al-Shayban, 2015, 123–141). Cited article encouraged our research of the British politics during the government shifts in Naples and Sicily. We have also observed the events following the 1713 Utrecht peace that led to the Triple Alliance between the Dutch Republic, France and Great Britain against Spain in 1717, with all the consequences for relations in the Mediterranean. Frederik Dhondt examined the shift in general political relations in the study “*Balance of Power and Norm Hierarchy: Franco–British Diplomacy after the Peace of Utrecht*” placing emphasis on the alliance of Britain and France from 1716. Dhondt also questioned European diplomacy from the point of the alliance’s sustainability, stressing its consequences in Italy (Dhondt, 2015, 108–155).

In Britain, changes after 1713 and 1714 contributed to the development of home policies, with exceptionally stimulating economic implications (McKay & Scott, 1983, 43–66). The presence of British traders became a significant factor observed by several analysts in the mid-18th century Naples. Antonio Genovesi (1713–1769), as revealed by Franco Venturi, emphasized the basic principles of British foreign trade, prejudging how they could be reflected in the Kingdom of Naples (Venturi, 1962, 122–163). Genovesi highlighted the case of the trader John Cary (1649–1722), for many years involved in overseas trade with the West Indies (Caribbean), and later even ran as a candidate in the parliamentary elections. The highly personalized entrepreneurship of the British traders could not go unnoticed by Italian contemporaries, emerging from a different sphere of understanding of commercial business. Our research has revealed the high commitment of British diplomacy to commercial interests in every corner of the Mediterranean, while they occasionally had to be adjusted to frequent and complex changes in the relations of European powers.

The purpose of this research is to shed light on the Kingdoms of Naples and Sicily immediately after the treaties in Utrecht and Rastatt, using the British sources. For the first time, these sources were completely examined in this study, both from the British perspective, and from the need to further highlight very sensitive circumstances in Italy, reflecting the general European relations, especially those involving Austria, the Ottoman Empire and France. Of particular importance are, we must stress, the British reports from Venice. From the British point of interest, Venice was becoming an useful information center, rather than being any important trade competitor. In Venice could be heard the latest news and hints of political change. These reports allowed us to explore the British perspective after the abolition of the Spanish rule and the transition of the Savoy and Austrian authorities the Kingdoms

of Naples and Sicily respectively. This methodological approach is also justified by Britain's role as a guarantor of the implementation of the Utrecht Treaty. Events of a "*local character*" did not attract the attention of historians who already used the British sources, since they were preoccupied with crucial diplomatic relations that charted the post-Utrecht Europe.

THE ATTEMPTS TO DEFINE THE BRITISH MEDITERRANEAN POLICY FROM THE BEGINNINGS OF THE 18TH CENTURY

During the reign of Queen Anne (1665–1714, queen: 1702–1714) Britain has not yet clearly defined its Italian policies. From the point of view of potential British interests, the state of the Apennine peninsula was marked by the decadence of Venice. The decline of Venice in political and economic power opened up new opportunities for the British relations with the Levant and the Middle East. However, lowering the level of diplomatic relations did not prevent Britain and Venice to continue to tolerate the freedom of trade. The similar model was noticeable in British relations with other Italian merchant states. In relations with the Kingdom of Naples and Sicily, Britain has also paid attention to their strategic role in Mediterranean navigation. In particular, during the War of the Spanish Succession British ships had to sail in convoys, as in the Mediterranean the merchant vessels were followed by warships as protection from the pirates, especially from the Salée Barbary pirates (TNA SP 99/60, f. 6r).

British expansion into Western Mediterranean started with the conquest of Gibraltar (1704). After Britain captured Menorca (1708),⁶ Port Mahon became significant anchorage for the British Mediterranean fleet. Gibraltar and Menorca remained mostly strategically important for Britain, although also several economic projects were envisaged with Menorca (some circles in London planned to build a commercial centre, in a fashion of Livorno or Marseille) (Anderson, 2003, 336). From Gibraltar and Menorca, British fleet could supervise ports of southern France, and eastern and southern Spain.

The Spanish succession war brought Sicily partly under British control. English merchants decided to take advantage of the British fleet supremacy and submitted "*A memorial from the Sicily merchants*". The document was read in the Parliament on December 10, 1712, and afterward forwarded to Sir Edward Gould (?–1728) for further analysis. The project on trade with Sicily was soon confirmed and signed. British merchants, however, did not succeed in achieving favorable relations with Venice (Atkinson, 1925, 396–400; Kocić, 2018a, 147 and further on).

6 The British conquest of Menorca also faced the local pontifical influence. The pope possessed the right of appointing bishops. A report from the beginning of February 1713 reveals that both the local clergy and the Vatican accused the British government on the island of acting against Catholic interests and papacy, and expected the protection of France (TNA SP 99/60, ff. 44r–44v). Complaints about the British behavior continued to arrive in Vatican from Menorca also after the Utrecht treaty (TNA SP 99/60, ff. 165r–165v).

Peace conference in Utrecht was convened in order to close the Spanish succession war, but the conflicts did not end until the beginning of 1713.⁷ Anyway, new demarcations were taking shape. Charles VI did not take part in peace negotiations in Utrecht, but continued operations in Spain, Italy and Flanders. The Treaty of Utrecht recognized Louis XIV's grandson Philip, Duke of Anjou, as King of Spain, as Philip V. The Treaty confirmed the rise of Great Britain under Queen Anne and later the House of Hanover. On behalf of Spain, Phillip V renounced his rights over Sicily in favor of Savoy. The Spanish territories in Europe were divided as Savoy obtained Sicily and parts of the Duchy of Milan, and Austria (Charles VI, the Holy Roman Emperor and Archduke of Austria) the Spanish Netherlands, the Kingdom of Naples, Sardinia, and the other part of the Duchy of Milan. Austria compensated the loss of Spanish Habsburg inheritance by possessions in Italy: Milan, Naples, Sardinia. Spain was the single state that lost territories in the Succession war (Spanish Netherlands taken over by Austria). The peace agreement in Rastatt (1714) provided Austria with Flanders, Milan, Sardinia, Kingdom of Naples and administration of Tuscany (Anderson, 2003, 335; Ingraio, 2000, 117–119).

In Utrecht, Britain performed as a dictating force. Philip V was forced to renounce Sicily and Savoy possessions on behalf of the Spanish throne. And it was just his personal unwillingness to compromise the Utrecht agreement that paved the way to the Austrian dominance in southern Italy.

THE NEW GOVERNMENT OF THE KINGDOM OF NAPLES

Christian Cole (1673–1734)⁸ emphasized that “*The Neapolitan Nobil[i]ty, which loves changes, is very weary of the Germans, and it is thought they would gladly chose a new Master*” (TNA SP 99/60, f. 40v). The same source claim that: “*The Neapolitan Nobil[i]ty is very ill pleased with their present Government, & would willingly change Master*” (TNA SP 99/60, f. 43r). Pope Clement XI (1649–1721, pope: 1700–1721) was not contended when Carlo Borromeo Arese (1657–1734, viceroy: 1710–1713) was removed and replaced by Wirich Philipp von Daun (1669–1749, viceroy: 1713–1719), who took part in Austrian conquest of Naples (TNA SP 99/60, f. 77r).⁹ Austrian administration inherited habits of Spanish administration, as certain historians believed, to impose decisions from the central administration to Naples. That manner applied primarily to the fleet, army and fortifications (Mafrici, 2007, 637). *Supremo Consiglio d'Italia* was moved to Vienna, where Kingdom of Naples had two representatives (Schipa, 1904, 6).

7 About the same conference: Pitt, 1971, 446 and further on.

8 Christian Cole arrived in Venice in 1707 as a Secretary of the British Embassy in this State. From 1708 until 1714 he was on the position of a *chargé d'affaires*, but his rank was that of a Secretary. In 1715, for a brief period he was named a Resident.

9 Conte di Teano, marchese di Rivoli, occasionally noted as Dhaun, in British sources Thau.

The viceroy Carlo Borromeo, described by British sources as kind but inactive, was at the port of Baia, overseeing construction of a new ship. In mid-April arrival of count Daun was awaited, and that was supposed to mean an administration with experience and authority (TNA SP 99/60, ff. 82r–82v). For that reason count Daun was named a viceroy of Naples for the second time,¹⁰ despite the fact that “*a military man was necessary in these times*” (TNA SP 99/60, f. 84v).

Circumstances became even more complicated when the plague, that devastated most of Apennine peninsula, attacked the Papal States (Kocić & Dajč, 2014, 145–154). After news of plague outbreak came to Vienna, Clement XI insisted that viceroy of Naples takes part in defense. “*The Pope wrote to Naples desiring all vessels coming from Trieste, Fiume, & that coast may be forced to doe contumacia, and if His desire be refused He will stop all commerce with Kingdom of Naples*” (TNA SP 99/60, ff. 86r–86v).

British trade took place in convoys, that is, accompanied by warships. Two warships, “*Superbe*” and “*Ormond*”, who had previously sailed from Messina and Palermo to Naples (TNA SP 99/60, f. 98v), in mid-May 1713 left this port and set sail for Livorno accompanied by a merchant ship “*Crown Galley*” (TNA SP 99/60, f. 110r). At the same time the largest warship of the Neapolitan fleet “*Sant Leopold*”, accompanied by several tartans loaded with grain and other groceries shipped from Barcelona, sailed further south (destination not specified), along with several British merchant ships (TNA SP 99/60, f. 110v).

Count Daun remained in Rome, where he managed to avoid meeting the pope (Kocić, 2017, 49). Just at that time the pope decided to appoint eight new bishops for Naples, mostly friars, while Monsignor Jérôme Alexandre Vicentini (1672–1723) was to travel to Naples as a papal (apostolic) nuncio (1713–1723) (TNA SP 99/60, f. 112v). With these decisions, Vatican *de facto* recognized the new government in the Kingdom of Naples.

Count Daun arrived in Naples at the end of May 1713 “*and had took possession of the Government of that Kingdom*”. New viceroy urgently needed money, so he ordered 300,000 ducats are to be collected (TNA SP 99/60, f. 116r). He decided to tax also the clergy, asking for one tenth of the income. He refused appointment of two of papal bishops, with explication that they were not born on the territory of the Kingdom of Naples. He required Council and all supreme institutions to enforce the laws more strictly (TNA SP 99/60, f. 118v; Kocić, 2017, 49). Viceroy Daun has political and economic support from the local nobility (TNA SP 99/60, f. 126r).

At the end of May, 40 tartans were sent from Naples to Barcelona with the task of embarking German troops (TNA SP, 99/60, f. 118v). Thus began exchange of soldiers, after defining the boundaries in Utrecht. At the same time strengthened a political party in Naples with the idea of the conquest of Sicily - (TNA SP 99/60, f. 126r). Anti-clerical measures by the new government received approval from Neapolitan subjects (TNA SP 99/60, ff. 126r–126v). An indicative attitude towards

10 First time he was named in 1707, after conquest of the city.

the policy of Charles VI in the Kingdom of Naples was described by the words of Christian Cole “*The Germans are now a going to shew what they can doe when they will, and that both we and the Dutch have been too forward during all the war by charging our selves wholly with it*” (TNA SP 99/60, f. 126v). Cole criticized British support for Charles VI during the War of the Spanish Succession, although he was aware of the difficulties the British government faced in implementing the Utrecht treaty. The time that followed revealed that the role of the guarantor heavily burdened the British court, and also its representatives in the Kingdoms of Naples and in Sicily (Kocić, 2017, 49 and further on).

The Armistice between Austria and France was announced on June 30, 1713 “*but the Correspondence with Sicily was not yet thereby opened*” (TNA SP 99/60, f. 138r). The viceroy Daun soon after inspected the Spanish and German troops, stationed in the Kingdom of Naples. The local Spanish soldiers were required to give oath of faithfulness to Charles VI, and those who refused had to leave the Kingdom (TNA SP 99/60, f. 144v). Anyway, Spanish soldiers who refused to join the Austrian army were to be transported to Spain on first convenient opportunity with passports. Several soldiers soon changed their minds, but viceroy Daun refused their offer (TNA SP 99/60, f. 150v). Spaniards who took oath previously, deserted the army. Three of them were captured, and viceroy Daun condemned them to death (TNA SP 99/60, f. 154r).

Imposition of the Austrian administration in Naples was impeded by prerogatives of Papal States. Charles VI refused to confirm bishops named for Kingdom of Naples by Clement XI (TNA SP 99/60, f. 165r). Relations between Kingdom of Naples and the Holy See worsened during events here reconstructed according to the British sources. Francesco Pignatelli (1652–1734), Archbishop of Taranto (and from 1703 until 1734 Archbishop of Naples), summoned the Grand chamber and excommunicated the whole Naples *Judicatura* on pretext that they breached the immunity of the church. Viceroy Daun sent soldiers to archbishop’s palace, and they arrested some clerks. Afterwards they sent prisoners to Rome (TNA SP 99/60, f. 178r; Kocić, 2017, 52–53). For his part, the Pope decided to act with caution with the Kingdom of Naples, hoping a protection from Charles VI. British reports reveal that within some circles of the Austrian authorities in Naples persisted the idea of conquering Sicily. For this reason Daun ordered the armament of the troops and came to an agreement with his confidants in Palermo (TNA SP 99/60, f. 185r). Meanwhile, three ships with German soldiers from Barcelona returned to Naples (TNA SP 99/60, f. 190r). Several ships with soldiers sailed for Calabria under command of don Giuseppe de Liguori (TNA SP 99/60, f. 190r). Under pressure, or in order to maintain good relations with Charles VI, Vatican decided to withdraw the excommunication of the Archbishop of Naples (TNA SP 99/60, f. 190v).

Atmosphere in Kingdom of Naples remained, however, restless. Approximately a hundred “*German*” soldiers appeared in front of prison Benevento with a request to have delivered “*state enemy*”.¹¹ Prison principal answered there is no

11 Provincia di Benevento in the Campania region.

such a man, and that he will not deliver it without approval of the pope himself. After that, soldiers broke into the prison. The mutiny caused a local population discontent. Five soldiers and two locals were killed, and soldiers forced to retreat. After news of that incident Clement XI addressed the emperor Charles VI complaining that viceroy Daun breached his “*temporary jurisdiction*” (TNA SP 99/60, f. 214v; Kocić, 2017, 53).

The Austrian authorities in Naples were still afraid of the behavior of the Spanish troops. The ships that were supposed to transfer Spanish troops from Naples were ready to sail in early November 1713. Half of the Spanish soldiers on board were born in the Kingdom of Naples and had no other homeland (TNA SP 99/60, f. 224r). Charles VI's order caused some dissatisfaction but also confirmed the authorities' intention to put it into action (TNA SP 99/60, f. 224v). There were 3.000 Spanish soldiers in the Kingdom in Naples. A group of Spanish deserters fled to Sicily instead of being transported via Rijeka to Hungary (TNA SP 99/60, f. 231r). Austrians feared they could be followed by the rest of Spanish soldiers. Spanish soldiers were transported on several occasions by convoys, supervised by British warships, during the autumn of 1713 until the late spring of 1714.

Since Spain was taken over by a French dynasty, the viceroy Daun ordered on October 31, 1713 that all Frenchmen and all “*French supporters*” leave the Kingdom of Naples within 15 days (TNA SP 99/60, f. 231v; Kocić, 2017, 53).

Between Sicily and Naples, tensions continued in 1713, but British war and merchant ships continued to traverse their ports. Two British warships (the Colchester and the Bristol) left Naples after four days stay in mid-October 1713 to join the British Mediterranean fleet in Palermo. Previously in Naples they transferred the claims related to the British ships' damages, and the vice-king Count Daun accepted the British requests (TNA SP 99/60, ff. 214r–214v), and they returned quickly to Palermo (TNA SP 99/60, f. 216r). A few days later, the British “*Gayhound*” was sent to find out whether the government in Naples decided in favor of the British merchants. Admiral John Jennings (1664–1743) was also expected to arrive in Naples as the commander of the British Mediterranean fleet, in order “*to finish that affair*” (TNA SP 99/60, f. 220r). The British interests were threatened again by Charles VI's decision to ban imports of foreign goods to Naples (silk, silver, etc.). It was followed by a Decree, which prescribed the clothing that every social group was allowed to wear (TNA SP 99/60, f. 232v). A few months later, new trade taxes were introduced, “*by which Our Navigation thether (Read as: thither) would suffer very much*” (TNA SP 99/60, f. 267v).

The government in Naples became particularly upset about the arrival of the new British fleet in the Mediterranean in early March 1714 (TNA SP 99/60, f. 294r). At the same time, the government banned any trade between Calabria and Messina, and issued an order to repair Gaeta and other fortresses in the Kingdom of Naples (TNA SP 99/60, f. 296r). The peak of tension was triggered by the

Daun's order to ban grain exports from Naples under the pretext of a bad harvest. Regarding the attitude of the King of Sicily, and the emergence of a new British Mediterranean fleet, the British sources claim that "*They have strang[e] notions in their heads there about the King of Sicily, and of the designs of Her Majestys Squadron lately come into the Mediterranean*" (TNA SP 99/60, 345v). Count Daun has ordered that the cannons should be turned towards the sea, and fortifications to be supplied with guns and grenades (TNA SP 99/60, ff. 345v–346r). Thanks to the growing tensions, the Kingdom of Naples could hardly wait for the conclusion of a peace treaty between France and Austria, concluded on 7 March 1714 in the Baden city of Rastatt, and across the Kingdom *Te Deum* was played for months in the Churches, and the free trade was established with Germany, Hungary and other states or territories (TNA SP 99/60, f. 355v). The new Naples authorities continued to work on rebuilding the army and navy. A decision was made to build a new pier at the port. The arrival of 500 German soldiers from Manfredonia was also expected (TNA SP 99/60, 352v).

VITTORIO AMEDEO II IN SICILY

Britain did not hold consuls in the ports of Sicily, contrary to the practice in Naples. For this reason, the news Cole received from his confidants came largely from his Naples intelligence circles, possibly from Rome or from the press. The archive sources allow conclusion that the Naples kept attractiveness for the British of aristocratic origin, but they were less likely to visit Sicily. Sicily gained importance for the British, especially the merchants, only after 1713, when some British merchants also decided to settle on the island.

Another important circumstance has affected different developments in Sicily, in relation to the kingdom of Naples. Until 1713, Sicily was the possession of Spain, and its military base. Philip V initiated reforms in 1701 that produced important political, social and financial consequences, according to the historian Valentina Favarò (Favarò, 2019, 107). This is how the Spanish authorities brought in order their rule in Sicily until the peace in Utrecht. Consolidation of Spanish governance made it difficult for Vittorio Amedeo II to establish his own rule on Sicily. Defined as the *Nueva Planta*, reforms included the Kingdom of Naples, but were suspended as Naples fell under Austrian rule already in 1707.

Britain primarily tried to protect commercial positions in Sicily, defined by Utrecht treaty, on March 8, 1713 (Cooper, 1832, II, 373). Local nobility was pleased to hear that the duke of Savoy will soon arrive at Sicily as a king (TNA SP 99/60, f. 94r). While addressing previous viceroy of Sicily (Carlo Antonio Spinola, 4th Marquis of the Balbases 1665–1721, viceroy 1707–1713), Vittorio Amedeo II informed him that mediation of Britain and admiral Jennings was secured in Utrecht. He considered that the danger was coming from Kingdom of Naples, where 5.000 Catalan soldiers were stationed (Stellardi, 1862, 27).

The military preparations that followed pointed out a determination of Austria to seize Sicily. With that, Charles VI threatened to violate the peace agreements. He specially endangered principle of “*neutrality of Italy*”, emphasized by several Apennine states.

In the first days after the signing of the Utrecht treaty, Vittorio Amedeo II began to act as a sovereign of Sicily, seeking to put under his control even the ecclesiastical possessions (TNA SP 99/60, f. 92v). Unable to cope with his decisions, the Pope published the *Second Monitorio* in early August 1713 demanding that all those who violate church privileges have a period of 50 days to repent, and in the future to refrain from any violation of church immunity. As punishment was intended excommunication, regardless of sex and social status of the offender. The *First Monitorio*, previously enacted with a similar purpose, was annulled by the Turin Edict issued by Vittorio Amedeo II. Then already, a British source predicted a more radical move by the Pope, as Vittorio Amedeo II rejected a reconciliation proposal (TNA SP 99/60, f. 154v).

In August 1713 “*An Excom[m]unication in primo grado was affix[ed] at Rome against the Judges in Sicily, and against al[l] who assisted [Him] in executing the orders of their King in banish the Bishop of Catania, and these cannot be absolved but by the Pope himself*” (TNA SP 99/60, f. 178r; Kocić, 2017, 52). Otherwise, the pope considered Sicily as a feud of the Holy See (TNA, SP, 99/60, f. 206v). Sicilian bishop in Giurgenti excommunicated all king’s officials and ordered all churches in his diocese to be shut. The dispute threatened to further deterioration of the relations between the Holy See and Savoy. Therefore Clement XI sent to Palermo Dominican friar Gamardi (TNA SP 99/60, ff. 202r–202v).¹²

British sources shed light on the strained relations between Savoy and Rome. Vittorio Amedeo II directly opposed the pope in order to take over Sicily. He was ceremoniously crowned in the Savoy capital, Turin, on September 22, 1713, on Saint Maurice Day. Public celebration lasted for three nights (Stellardi, 1862, 33–34). Vittorio Amedeo II started towards Sicily already on September 25 1713 (Stellardi, 1862, 41; Di Casalgerardo, 1899, 9). He arrived in Palermo in mid October, where he received “*loud and joyfull acclamations of their Subjects*” (TNA SP 99/60, f. 220r; Di Casalgerardo, 1899, 11 and further on). Soon he revoked two most hated taxes and ordered release of all prisoners “*even those who wer[e] condemned for crimes of the State*” (TNA SP 99/60, f. 224v).

The army of Vittorio Amedeo II took over all the fortifications on the island, and all Spanish soldiers had to leave Sicily (TNA SP 99/60, f. 232r). As Britain was a signatory and guarantor of the Treaty of Utrecht, the British Mediter-

12 In October 1713 “*An Excommunication was again affixed & fulminated against the Marquis de Los Balbasos, and all the Government in Sicily, because they banished the Bishops of Messina & Giurgento*” (TNA SP 99/60, f. 217r).

anean fleet had the task of ensuring the safe arrival of Vittorio Amedeo II in Palermo. The fleet under Admiral John Jennings remained in Sicily (Messina) overseeing the transfer of power.

For several reasons, Sicily became a sort of a test field showing how the implementation of the Utrecht provisions could easily fail. Of particular importance is the fact that, in the new redistribution of forces in the Apennine Peninsula, the island became isolated territory that could not be controlled from the Savoy. Despised as an ally, Vittorio Amedeo II had the desire, though not the ability, to retain power by flirting with the support of France. But the Vatican did not easily relinquish its property rights. British reports reveal that Pope Clement XI was close to the idea of reunion of the Two Sicilies, i.e. the Kingdoms of Naples and Sicily. This is indicated by the document from the end of 1713 referring a conversation between the Pope and French representative with the Vatican, Cardinal Joseph–Emmanuel de La Trémoille (1659–1720). The cardinal persuaded the pope to surrender his investiture over Sicily to Vittorio Amedeo II. The Cardinal claimed that the inhabitants of the Kingdom of Naples hated the Germans, and that Clement XI would be assisted by the fleet and armies of France, Spain and Sicily, in case of an attack from Naples. The pope replied that he would consider the proposal only after he sees Vittorio Amedeo II “*in possession of bo[th] the Sicilies*”, and after that he changed the topic of conversation (TNA SP 99/60, f. 242v). In his second report, a week later (December 15, 1713), Cole announces the results of Clement XI’s conversation with Charles VI’s envoy Marquis di Priè¹³ and he appealed to Pope “*agains[t] the sending to treat with the King of Sicily*”. The pope promised the Austrian envoy that he would “*not medle att all in that affair, nor to send any body to treat w[ith] His Sicilian Majesty*” (TNA SP 99/60, f. 244v). Cole was at that time already convinced that Venice decided not to accept Vittorio Amedeo II as the king of Sicily (TNA SP 99/60, 285r).

The intentions of the Spanish soldiers camped in tents around Messina, were unclear, although it was assumed they will soon be taken back to Catalonia (TNA SP 99/60, f. 234v). In a tense situation following the shift in local Sicilian administration, and within the conflict between Spain and the pope, Vittorio Amedeo II delayed the public crowning ceremony. There were even rumors that he will soon return to Savoy “*where his presence is thought necessary, whilst a war seems¹⁴ unavoidable in Italy*” (TNA SP 99/60, f. 234v). Vittorio Amedeo II was crowned in Palermo on December 21, 1713.¹⁵ Nobility and ordinary subjects joyfully greeted the new ruler, expecting a support of their prerogatives and rights.

13 Ercole Giuseppe Lodovico Turinetti, marchese di Priero e di Pancalieri, and marchese di Priè (1658–1726), began his career at the court of Vittorio Amedeo II. Since 1706 in Austrian service, since 1708 Austrian ambassador in Rome. Charles VI appointed him as governor of Austrian Netherlands in 1716. He held the post until 1725, when he was dismissed.

14 Writes: seemees.

15 A short pamphlet was published that described the whole ceremony and all achievements of Vittorio Amedeo II that recommended him for a ruler of Sicily; Fontana, 1714.

However, new king was more inclined to entrust high positions to his personal loyalists instead to the local nobility who soon started to feel nostalgic in regard to the previous Spanish rule (Symcox, 1983, 171).¹⁶

Vittorio Amedeo II considered Sicily an important conquest and property. Sicily exported grain, raw silk and olive oil. Palermo was a huge commercial port, Messina exporter of a raw silk. According to the census, ordered by him personally, there were 1,125,120 inhabitants in Sicily in 1714. By the end of February 1714 a parliament convened in Palermo declared new taxes (Symcox, 1983, 171–172). In June 1714 Vittorio Amedeo II moved to Messina and confirmed old privileges, established a status of a free port and founded a trading company for export of goods from the Sicily (Symcox, 1983, 172). He left Messina on the 2nd of September and returned to Palermo (Di Casalgerardo, 1899, 39). In the domain of his authority over the church in Sicily, Vittorio Amedeo II remained in conflict with Rome ordering that papal decisions are not to be accepted without his personal permission (TNA SP 99/60, f. 294r).

Vittorio Amedeo II left Palermo on September 8, 1714, and appointed for a Sicilian viceroy count Annibale Maffei (1666–1735, viceroy 1714–1718), previously his former representative in Utrecht (Symcox, 1983, 173).¹⁷ Maffei was elected viceroy of Sicily in Messina on August 28, 1714. On the next day Vittorio Amedeo II traveled to Palermo (Di-Blasi & Insegna, 1842, II, 485). Charles VI was still refusing to accept the Savoyard possession of Sicily. Savoyard Sicily was also left in the unsolved conflict with the pope, who remained deprived of his local jurisdictions.

The viceroy Maffei appeared in Palermo on September 10, 1714, and the next day officially took power in Sicily (Candela, 1996, 100). Although he was considered one of most successful Sicilian grandees, he faced a plot against his rule in March 1715 (Di-Blasi & Insegna, 1842, II, 486). Sicily remained a “*calamita grafissime*”, a reflection of dissatisfaction with Savoyard rule (Sanfilippo, 1843, 276).

FURTHER IMPLICATIONS

A new shift took place when the Queen of England, Scotland and Ireland Queen Anne was succeeded by Elector of Hanover George I, on 1 August 1714. George I (1660–1727, reign: 1714–1727), was prone to the cooperation with Austria, as

16 Vittorio Amedeo II remained in Sicily for the most of 1714. In Savoy, his absence encouraged the development of the heretical Waldensian movement. Vittorio Amedeo II previously, in 1686, banished their pastors, forbade public worship and forced parents to give their children a Roman Catholic baptism, and violently crushed their rebellion. London was warning that the basic Waldensian religious rights must be respected. The appeal, in that sense, by the British envoy in Turin, was accepted favorably (Muston, 1866, II, 239). The Savoy cooperation enabled Britain to support Vittorio Amedeo II, even in domain of religious relations.

17 The book that contains significant bibliographic data on Maffei family, and on previous duties of Maffei, 1737.

Charles VI was suddenly endangered with the relations between Savoy and Britain. In the meantime, Austria contested the rights of Savoy on Sicily. Similarly, Britain started to consider that Vittorio Amedeo II was becoming too influential in Italy, and endangering the British relations with Austria. As a signatory guarantor of the Utrecht peace treaty from the previous year, Britain gained Gibraltar and Menorca, consolidating its presence and influence in the Mediterranean. Situation in the Kingdom of Naples was becoming complex. News arrived in Naples at the beginning of March 1714 that Britain sent a large fleet to Mediterranean (TNA SP 99/60, f. 294r). To distance themselves from relations with Savoyard Sicily, the first answer of Austrian administration was to ban any trade between Calabria and Messina (TNA SP 99/60, f. 296r).

Relations with the Vatican were again disturbed when Vittorio Amedeo II decided in early 1715 to expel the Jesuits from Sicily and close their colleges. The pope responded with a new bull against Sicily (TNA SP 99/61, f. 22r). However, Vittorio Amedeo II had to face his Sicilian subjects and their readiness to settle the relations with the pope while he relied in vain on British support. The British sources state that the conflict with the pope also distracted Vittorio Amedeo II to support Charles VI against the Turks (TNA SP 99/61, f. 37r).

Unresolved issues following the Utrecht and Rastatt settlements (1713–1714) led to hostilities between Austria and Bourbon Spain. New war against the Ottoman empire did not match Austrian interests, as Austria was involved primarily to protect Venice (1716–1718). In complex circumstances, Charles VI was prepared to take into account the needs of Spaniards settled in previous Spanish dominions, including the Kingdom of Naples. In negotiations with the Ottoman Empire, Austria was more willing to accept French than British mediation “*avoiding the unconditional character implied in the confirmation of the Utrecht settlement*” (Dhondt, 2015, 121). It was a significant shift in the structure of European relations.

The navigation on the Mediterranean remained threatened by the attacks of pirates, or corsairs (Kocić, 2018b, 504–505; Kocić & Samardžić, 2019, 294). The British government was dedicated in order to ensure safe navigation in the waters of Sicily and the Kingdom of Naples after the Utrecht peace. The War of Venice with the Ottoman Empire (1714–1718) fully actualized the issue of the Ulcinj pirates, but also emphasized personalities such as George Apat. It was his career that confirmed that the maritime merchant could turn into a pirate, and then he himself accepted the role of the corsair (i. e. privateer) after being recruited into the service of the Papal State (Kocić, 2018b, 508–515). The Ottoman wars in the Mediterranean in particular contributed to the strengthening of piracy. The Ulcinj pirates were particularly considered exempt from any responsibility. The wars would usually activate North African pirates who were also under the nominal authority of the Sultan. British merchants, damaged in pirate attacks, rarely managed to compensate the damages, although British ambassadors to the Porte and Venice worked in that sense (Kocić & Samardžić, 2019, 298–300).

The War of the Quadruple Alliance (1718–1720) was mainly a result of the ambitions of King Philip V of Spain, his wife Elisabeth Farnese (1692–1766), and his first minister Giulio Alberoni (1664–1752) to retake territories in Italy on account of the France. Charles VI refused to recognize Philip V as the King of Spain. In return, Philip V decided to withhold his claims to Naples, Milan, and the Netherlands. Philip V was roused by his influential wife, Elizabeth Farnese, daughter of the Duke of Parma, who personally held dynastic claims in the name of her son Don Charles to the duchies of Tuscany and Parma. Representatives from a newly formed alliance of Britain and France, determined on European peace for their own dynastic securities, called on both parties to affirm each other's sovereignty, but Philip V remained intractable. On August 22 1717 Spanish first chief minister Alberoni launched the invasion of Austrian Sardinia in what seemed like the beginning of the re-conquest of the Spanish former Italian empire. In June 1718, Philip V unleashed another assault, this time on Savoyard Sicily, as a preliminary for attacking the Italian mainland. Realizing that only British fleet could prevent further Spanish landings, and that pro-Spanish groups in France might push the regent Orléans into war against Austria, Charles VI signed the contract with Britain and France on August 2 1718, based on British plan that he renounces his claims to Spanish throne if Philip V renounces his expectations of previous Spanish possessions in Italy. Savoy had to cede Sicily and gain Sardinia in exchange, and Charles VI had to confirm the rights of the house of Savoy to the Spanish throne if the Bourbon line fails to survive.

Philip V and Elizabeth Farnese, however, remained resolute. Austrian military effort in Sicily proved derisory. Only after the British Navy's attacks on the Spanish fleet and shipping, Philip V and Elizabeth Farnese dismissed Alberoni and made peace with the allies – Britain, Austria, Netherlands, Savoy – with the Treaty of The Hague on February 17 1720 (Samardžić, 2011, 23–24). During the conflict, Britain faced a strengthening of Russian aspirations in northern Europe (Samardžić & Kocić, 2019, 108), and the Russian challenge limited the operation of its fleet in the Mediterranean.

On cases of Naples and Sicily Britain mastered techniques of managing international relations and economy that surpassed the limits of traditional territorial states and contemporary mercantilist theories. British interests in the Mediterranean, both Western and Eastern, were accomplished due to weaknesses of disjoined Italy and retreat of Spain and Turkey to the level of second-rate powers. Simultaneously, using its possessions in Italy, Austria was trying to improve conjuncture of reduced agrarian economy, oriented towards limited continental market. That is why Austria was so dedicated to Italy from the beginning of the 18th century – trade, seafaring, manufacturing, mining (Di Vittorio, 1973, 3–21).

Britain was so concentrated on Austrian role in Italy and Germany both from the points of its strategic interests in the Mediterranean and the Baltic, and after the experiences of the previous from the seventeenth century that impeded general European prosperity. Ending the Quadruple Alliance war, The Treaty of The Hague, signed on 17 February 1720, confirmed the 1713 Utrecht peace provisions, and

Philip V repeated his renunciation of the French throne and the claims to former French possessions in Italy. Emperor Charles VI renounced again his claim on the Spanish throne. The four-year-old Philip's third son Charles of Spain (future Carlos III, 1716–1788, King of Spain 1759–1788) was recognized as heir to the Duchies of Parma and Tuscany. Savoy and Austria exchanged Sicily for Sardinia.

During the Quadruple Alliance war Britain used its economic and diplomatic strongholds in the Ottoman Empire in order to clearly consider the complexities of European relations, as the alliances and hostilities entered in dynamics of changes while any European power could not rely on previous historical or institutional experience. For the first time in history, clear and lasting political ties have been established between the European East and West, and also the Baltic and the Mediterranean. Britain restored alliances with Austria and Netherlands, while still restraining both Austrian continental pretensions, and the ones within the general relations of Catholicism and Protestantism. Britain used France to curb Spanish attempts in the Mediterranean.

There were other important sequences of events in Italy. The War of the Spanish Succession and the wars of Austria and Venice against Turkey concluded with the Treaty of Passarowitz (1714–1718), produced indirect pressures on the province of Friuli. The war efforts and difficulties, especially since 1716, led to new economic troubles, in particular due to increased taxes on soy and skin in the counties of Gorizia and Gradisca, introduced by Charles VI. There were also rioting in Tolmin and Udine (Maniacco, 2015, 157–158).

The rearrangement of Italian possessions after 1714 has also contributed to the importance of the provinces caught on the path of the Austrian extent on Italy. Trieste became a free port in 1719. Ships of all types were sailing to Trieste, Ancona, Rijeka, and Dubrovnik. "*Golfo di Venezia*" became "*polycentric*" and cosmopolitan. The Peace of Passarowitz 1718 was otherwise generally considered as the beginning of the "*last phase*" of the Republic of Venice, where a fatigue should have taken place after exhausting Turkish wars and economic recession. Venice already withdrew from active Italian policies, and Austrian breakthrough limited its sovereignty and strategic maneuvering space. However, the mid-eighteenth century, and onward, a new economic dynamism was felt, associated with the engagement of Venice in connection with renewed conflicts at sea and British and French fleets. Cultural performance has persisted, even increased, and there has been no noticeable demographic decline until the end of the 18th century. The cessation of the Turkish wars (1645–1669, 1684–1699, 1714–1718), and, quite certainly, the new regional role of Austria and Britain contributed to the noticeable economic and social recovery of Istria, Dalmatia and the Bay of Kotor (Albania Veneta). Although the Peace of Passarowitz, 1718, was for Venice unfavorable due to the loss of the possessions in Ottoman Greece (Morea), the "*territorial gains along the eastern Adriatic marked its greatest expansion ever*" (Ivetić, 2011, 63–70).

NEAPELJ IN SICILIJA PO UTRECHTU IN RASTATTU 1713–1714. IZ BRITANSKE PERSPEKTIVE

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POVZETEK

V prispevku so analizirane razmere v Neapeljskem kraljestvu in na Siciliji med pogajanjem v Utrechtu in Rastattu in neposredno po njih. Po določbah pogodbe v Utrechtu je bilo Neapeljsko kraljestvo dodeljeno Avstriji, na Sicilijo pa je bil pripeljan vladar savojske vladarske hiše (Piemonte) Vittorio II. Amedeo. Neapelj in Sicilija sta bila tedaj španski posesti in papeški fevdi. Z osvojitvijo Gibraltarja in otoka Menorke si je britanska vlada zagotovila dve izjemno pomembni pomorski bazi na zahodnem Sredozemlju, kar je bilo bistvenega pomena za ohranitev njene levantske trgovine. Sprememba oblasti je povzročila izjemno pozornost britanske vlade, ki je, med drugim, imela vlogo poroka za izvajanje pogodb podpisanih v Utrechtu. Ta vloga je poudarjala novo in pomembno mesto Britanije v evropskih razmerjih in v Sredozemlju. Avtorja opozarjata, da je med primopredajo oblasti britanska trgovina še naprej krožila s posredništvom v pristaniščih v Neapeljskem kraljestvu in na Siciliji. Viri, na katerih temelji raziskava, razkrivajo, da je britanska vlada po prihodu kralja Jurija I. na oblast še naprej pozorno spremljala dogodke v Neaplju in na Siciliji, osredotočena na zagovarjanje svojih strateških in trgovinskih interesov ter v kontekstu ohranjanja novega ravnovesja v mednarodnih odnosih. Kot sta avtorja potrdila na primeru dogodkov v Neaplju in na Siciliji, se z dodatnimi podrobnostmi iz britanskih poročil hitro postavijo pod vprašaj teritorialne rešitve dogovorjene v Utrechtu in Rastattu. Britanska podpora je prispevala k utrditvi položaja Vittorija Amedeja II. na Siciliji. Nekaj let kasneje, ko je izgubil to podporo, se je moral odpovedati Siciliji. Avtorja ugotavljata, da britansko gradivo o dogodkih v Italiji dodatno osvetljuje zapletene odnose v Italiji in priča o vlogi Velike Britanije neposredno po Utrechtu in Rastattu. Tesni odnosi in stare težnje so privedle do Vojne štirikratne alianse (1718–1720), ki je bila zlasti posledica ambicij nove španske kraljice Elizabete Farenske in prvega ministra v vladi Giulia Alberonija. V skladu z določbami mirovnega sporazuma v Haagu (1720), se je Filip V. ponovno odrekel svojim pravicam do francoskega, cesar Karel VI. pa do španskega prestola. Kot kompromisno rešitev je Avstrija dobila Sicilijo, Španija pa Sardinijo. Nesoglasja med Španijo, Francijo in Avstrijo so odprla prostor za krepitev britanskega vpliva na Apeninskem polotoku in na splošno v Sredozemlju. K temu so prispevali tudi notranji italijanski konflikti ter šibkost Španije in Osmanskega cesarstva.

Ključne besede: Neapeljsko kraljestvo, Sicilija, Velika Britanija, Vittorio Amedeo II., papež Klemen XI.

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WRITING THE ORIENT: THE REPRESENTATION OF THE OTTOMAN SOCIETY IN THE TRAVEL OF EDUARD SACHAU (1845–1930)

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ABSTRACT

*In the nineteenth century, the writings of European travellers became a textual vehicle by which the West sought to understand the Orient. Based on first-hand but highly subjective data, they contain comparisons between the Orient and the Occident which distinguish the two regions from one another. Thus, they played an important role in shaping the Western perception of the Orient. This article focuses on the German Orientalist-philologist Eduard Sachau (1845–1930), who held a chair at the Friedrich-Wilhelm University in Berlin and also served as the director of the Seminar für Orientalische Sprachen (Institute of Oriental Languages). Sachau's journey to the East began in 1879 and lasted about six months. His travel notes were published (in 1883), under the title *Reise in Syrien und Mesopotamien* (Travel in Syria and Mesopotamia). In the nineteenth century, not only the British and French but also the German travellers had an important role in shaping the Western perception of the Orient. Following Edward Said's groundbreaking work *Orientalism* (1979) this study will argue that Sachau's narratives produce certain stereotypes. It will be made the case through analyses of the forms of expression, perceptions and cultural patterns that Sachau chose in order to construct an orientalist discourse, when he described different ethnicities, religions and sects.*

Keywords: Travel, Orientalism, Eduard Sachau, Orient, West, Ottoman

SCRIVERE SULL'ORIENTE: LA RAPPRESENTAZIONE DELLA SOCIETÀ OTTOMANA NEL VIAGGIO DI EDUARD SACHAU (1845–1930)

SINTESI

Nell'Ottocento, gli scritti dei viaggiatori europei divennero veicoli testuali attraverso i quali l'Occidente cercava di intendere l'Oriente. Basati su informazioni di prima mano, sebbene molto soggettivi, mettevano a confronto l'Oriente e l'Occidente, evidenziandone le distinzioni. In questo modo influenzavano fortemente l'idea che veniva a formarsi tra gli occidentali dell'Oriente. L'articolo s'incentra sull'orientalista e filologo tedesco Eduard Sachau (1845–1930), professore all'Università Federico Guglielmo a Berlino (oggi Università Humboldt) e direttore dell'Istituto di

Studi Orientali. Nel 1879 Sachau intraprese un viaggio di circa sei mesi in Oriente, pubblicandone poi nel 1883 gli appunti in un libro intitolato Reise in Syrien und Mesopotamien (Viaggio in Siria e Mesopotamia). Nell'Ottocento non solo viaggiatori inglesi e francesi, ma anche quelli tedeschi influenzarono in modo significativo la percezione occidentale dell'Oriente. Rifacendosi all'opera pionieristica di Edward Said Orientalismo (1979), nel presente studio si sostiene che le narrazioni di Sachau creino certi stereotipi, e si propone di dimostrarlo attraverso un'analisi delle forme di espressione, percezioni e modelli culturali scelti da Sachau per costruire un discorso orientalistico nelle sue descrizioni di diverse etnie, religioni e sette.

Parole chiave: viaggio, orientalistica, Eduard Sachau, Oriente, Occidente, ottomano

INTRODUCTION

Edward Said's book *Orientalism* has played a significant role in understanding the West's perception of the Orient, by combining detailed textual interpretation with discourse analysis. In his book, Said argues that Western civilization created the Orient as 'the Other', by transforming it into a new entity, "with supporting institutions, vocabulary, scholarship, imagery, doctrines, even colonial bureaucracies and colonial styles". Furthermore, he emphasizes that the Occident constructed the Orient through a process of imagination that was informed by cultural parameters (Said, 1979, 2). "The Orient was seen as an exotic, erotic, a frightening place and also as an inferior, unprogressive place, forever trapped in time simultaneously attractive and repulsive" (Laisram, 2006, 1). These stereotypes found their expression in literature, art, philosophical discourse and politics but crucially also in travel writing. In this context, Said believes that the travels by Marco Polo, Mandeville and Pietro Della Valle and many Crusaders and Christian pilgrims in the Middle Ages, constitutes an important vehicle for understanding, defining, experiencing and recreating the Orient and considers the travel literature with critical viewpoint. Travel writing plays a crucial role in his theoretical construction of Orientalism (Said, 1979, 58).

As Said points out that travel writing is a lens "through which the Orient is experienced and shapes the language, perception and form of the encounter between East and West" (Said, 1979, 58) that are historically, geographically and culturally separate from each other. This also turns into a relationship with continuity "usually involving conditions of coercion, radical inequality and intractable conflict" (Pratt, 1992, 6). Said considers the production of texts relating to travels in the nineteenth century as a part of the West's own cultural hegemony. These texts became the primary textual vehicle for constructing the Orient as the 'other' and disseminating it. Based on highly subjective data, they contain precise comparisons between Orient and Occident, which highlight the cultural differences between the two spheres. In other words, the travel narratives became a part of the orientalist discourse (Said, 1979). The impressions of the travellers, which involve contacts, contrasts, similarities and conflicts with a new world, are converted into notes during the journey and shortly after and these notes are transferred to different types of texts, which serve literary or scientific purposes (Sharp, 2002, 155). This is quite a complex process. When a traveller converts his notes into a book, he adds inherently something from his own soul to the travel writing. The greater the distance between the experience and the writing of the journey, the more space fictionality and subjectivity will gain. This time interval permits the traveller to fill up the gaps according to his own imagination, by using and creating certain stereotypical assumptions. In this sense, travel means the recreation of the impressions and experiences (Soukah, 2016, 36). The stereotype constitutes a certain generalization that is highly resistant to change, not open to criticism and scrutiny and that characterizes an object, a person or group by certain cultural patterns and values based on lacking information about culture and people (Bausinger, 1998, 160).

The German travellers' narratives play an important role in the theoretical construction of how the Germans imagined the Orient. By analyzing literal, scholarly, political and travel texts written in the nineteenth century in Germany, Polaschegg's work has an important place in researching and interpreting the perception of the Orient (Polaschegg, 2005). Soukah argues in his dissertation that the Germans' attitudes to the Orient were not less colonial, imperialist and hegemonic than the Anglo-French tradition (2016). In the last decades the study of encounters between East and West from the Middle Ages to the present day has been shaped by cultural theories in the studies of the German literature. Brenner's comprehensive work (1990) offers a rich overview of the most important theories concerning the German travel writing. In sum, one can say that in the nineteenth century, the German travellers from different professions with different intentions and methods produced certain stereotypes such as brutality, despotism, pollution, laziness about the Orient, Islam and the Ottoman people. These stereotypes had an impact on literature art and even on daily life in German speaking world. One of these travellers was Eduard Sachau (1845–1930). As an orientalist-philologist, Sachau who was a very important figure of German academic orientalism (Orientalistik) visited the Ottoman Empire between 1879 and 1897 and subsequently produced a book called *Reise in Syrien und Mesopotamien*. This work can be considered from two angles: First, his travel was a process of the production of orientalist knowledge, which has been used by various disciplines of the social sciences as an important resource for understanding Ottoman societies, geography, history and politics. Second, in a quite idiosyncratic and subjective way, it represented an oriental other. The first aspect most recently has been the focus of an article by the author (Avci, 2020). This study claims that Sachau's narratives, although his journey was a scientific expedition, produced certain stereotypes, by describing the Orient as the 'other' through different ethnicities, religions and sects. It illustrates which perceptions, forms of expression and cultural patterns Sachau used to build a discourse about the Orient and Ottoman society. This study will proceed in three steps: first, it will be discussed the development of travel literature in the nineteenth century and the position of the Germans in the travel writing in this era. Second, it will be given a brief biography of Sachau. And third, it will be examined how and through which cultural patterns, values and beliefs Sachau represented the orient as a space and its people.

THE DEVELOPMENT OF THE TRAVEL LITERATURE IN THE NINETEENTH CENTURY

During the Victorian Era (1837–1931), Great Britain revolutionized travel technology with its inventions. In this age, the new railway transport became very sophisticated and trains carried people on the island and goods across boundaries at a higher speed than ever before in the history of the transportation. Therefore, the railroad transport can be considered as the symbol of the modern travel (Nesvet, 2017,

221). The rapid development of the transportation industry in the Europe enabled travellers to make safer and more comfortable journeys and provided a link with the colonies. As a result of this progress, the cultural transfer was intensified between West and East (Pordzik, 2005, 53–54; Brenner, 1990, 549–50). The development and institutionalization of colonialism gave the citizens of the colonial states a very free space to travel. It can be said that especially the journeys of the English citizens to the Orient are very remarkable. For British travellers the Orient had almost the same connotation as India and they perceived it as a British property. Therefore, the Orient-imagination of British travellers was in close parallel to the representation of their own political rule. In other words, their perceptions were dominated by the colonial-political discourse and atmosphere (Said, 1979, 169).

Despite doubts about their credibility and reliability, the travelogues constitute significant historical sources and contain quite rich and comprehensive material for anthropology, history, cultural studies and similar disciplines. Throughout history, people from different professions, such as merchants, geologists, missionaries, soldiers, adventurers, archaeologists and scientists, travelled to the Orient and then published their travel notes in different forms, representing the Orient in keeping with their cultural values. Travel notes or reports illustrate “heterogeneous textual genres” both in their structure and in their themes. As a kind of narrative, they can indicate even within the same travel book a structural difference (Soukah, 2016, 37).

EDUARD SACHAU (1845–1930) AND HIS TRAVEL TO THE ORIENT

In the early nineteenth century, Germans encountered the Orient as a mere text and the subject of literature, culture and academia. The discovery of the Orient by the German people and state was belated when compared to French and British, mediated through translations, poetries, novels and even operas. Direct contact began only in the later nineteenth century. The Orient was for the German travellers a backward, quite alien, eccentric place but also a place that must be known, mapped, explored, discovered again and imagined (Avci, 2018, 169). Towards the end of the nineteenth century, the political rapprochement between the German and *Ottoman empires enabled the German travellers greater mobility* in their journeys through the Ottoman territory, and sometimes also the support of the German government. Thus, the Orient was transformed to a place, which could be touched, felt and stereotyped.

This resulted in a substantial corpus of travel literature on the Orient and on Africa, which was “inextricably intertwined with the creation and maintenance of European imperialism” and served to strengthen colonial rule (Iverson, 2003, 200). Furthermore, during this period many travel accounts were also written in order to produce the required knowledge that could provide the necessary infrastructure to consolidate the colonial order and could institutionalize formally the colonial authority. The financial and diplomatic support of several travels by official state institutions is an example of the relationship between travel and colonialism (Edwards & Graulund,



Fig. 1: A map showing the route of Eduard Sachau in his travel, part I (Sachau, 1883, 478).

2011, 1; Prass, 2019, 1). Sachau's travel cannot be associated directly with German colonialism. When he travelled to the Orient in 1879, Germany was still a young empire, which was founded in 1871 "with its capital in Berlin, dominated by ruling elites of the Kingdom of Prussia, and yet it still had no imperial, overseas presence". The German chancellor Otto von Bismarck who presented himself as "contemptuous of the German colonial dream" practiced a balance of power politics in Europe and only in 1884 allowed "the establishment of overseas German colonies" (Hodkinson, 2017, 264). As he also pointed out in his book, Sachau's journey was a scholarly research activity. Nevertheless, in his narratives one can clearly perceive a rivalry with the activities of the dominant French and English travellers and orientalists in the Ottoman Empire. This was also an important reason why his travel was supported by the German state institutions.

Born in 1845, Eduard Sachau was educated as an orientalist. He became a student of the Arabist Heinrich Leberecht Fleischer (1801–1888) in Kiel and Leipzig, considered the father of German orientalism (Becker, 1932, 458). However, he finally completed his doctorate on the Semitic languages under the supervision of the orientalist Richard Gosche (1824–1889) in Halle (Wokoeck, 2009, 291). He adopted Fleischer's text-critical method and began to work as a

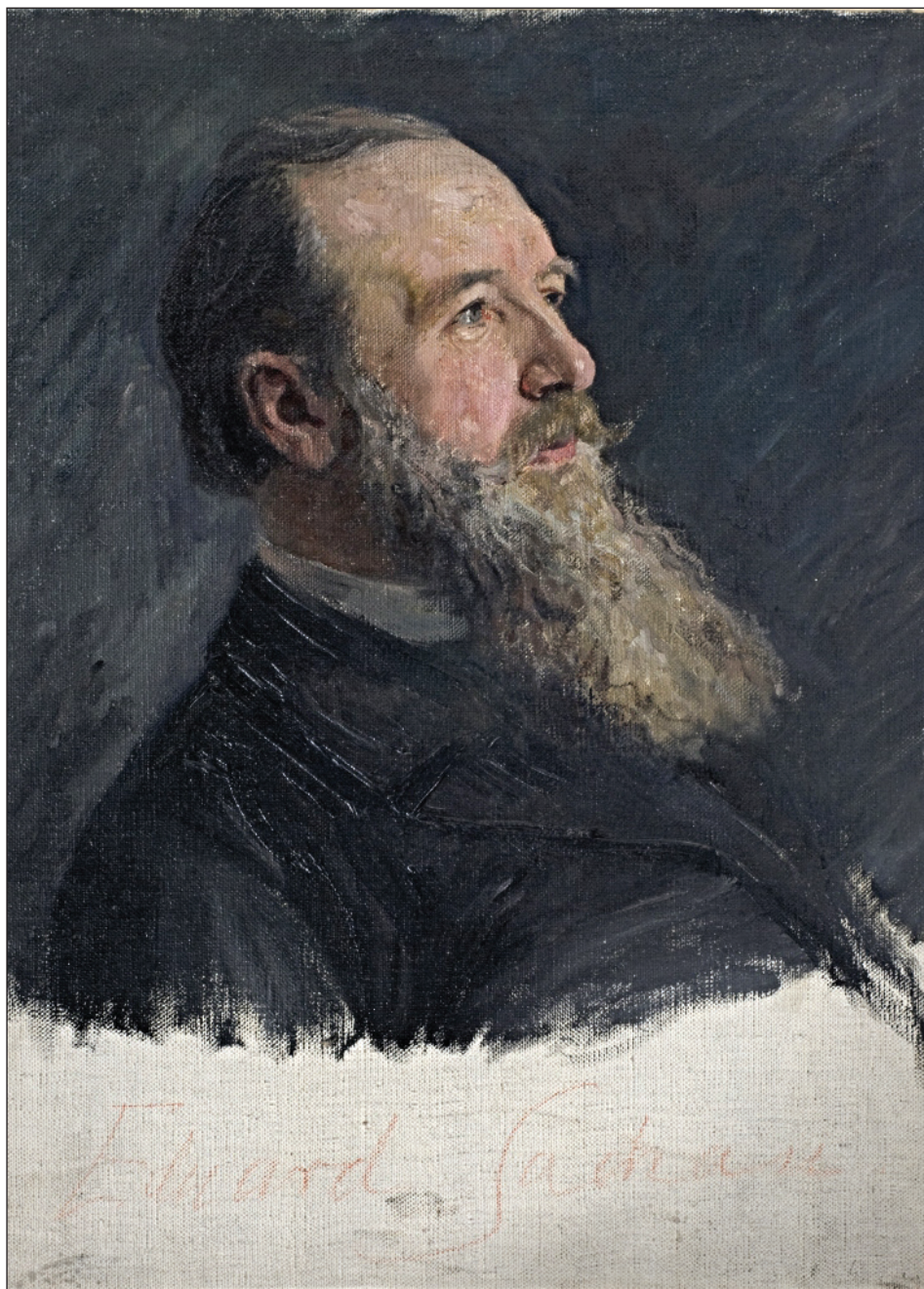


Fig. 2: A portrait of Eduard Sachau (Wikimedia Commons).

professor of Semitic languages at the University of Vienna in 1869. Sachau was a member of the *Königlich-Preußischen Akademie der Wissenschaften* (Royal Prussian Academy of Science) and since 1876 Professor of Oriental Languages at the University of Berlin. In 1887, he became the director of the *Seminars für Orientalische Sprachen* (Seminar of Oriental languages), which was founded for the future of the German colonial interest. He always stressed the practical relevance of teaching the oriental languages (Mangold, 2004, 165; Hanisch, 1992, XVIII; Marchand, 2009, 354–420) and worked in a variety of areas, including Semitic philology, Islamic jurisprudence and science, and Christian theology.

Sachau travelled to the Ottoman Empire in 1879, which was one of his journeys to the Middle East. He completed his travel in 1880 and published then in 1883 the travel accounts of this expedition, under the title *Reise in Syrien und Mesopotamien* (Travels in Syria and Mesopotamia). He began his expedition in Beirut and continued towards Damascus-Aleppo-Birecik-Urfa. From Urfa, he moved on and reached the city of Al-Raqqa and then to Deyr-i Zor and Mosul. After staying there, he entered the present territory of Turkey and continued his way to the direction of Midyat-Cizre-Mardin-Diyarbakır. Then he moved to Siverek-Birecik-Aleppo to Iskenderun via Hatay. He returned by ship from Iskenderun (Sachau, 1883, VII–X). During the travel, he collected several materials from different areas and produced orientalist knowledge. When he was back in Germany, he published then many philological and archaeological works that were based on his notes. Among them most important are the following: *Skizze des Fellichi-Dialekts von Mosul* (1895), *Über die Lage von Tigranokerta* (1881a), *Über die Poesie in der Volkssprache der Nestorianer* (1896), *Palmyrenische Inschriften* (1881b), *Eine dreisprachige Inschrift aus Zébed* (1881c), *Edessenische Inschriften* (1882).

THE REPRESENTATIONS OF THE ORIENT IN HIS TRAVEL

As seen very often in travel writings, Sachau's travel was also a cultural encounter between East and West. On the one hand, he investigates the mystical aspects of the Orient through a complex set of stereotypes. On the other hand, he converts the Orient, as Said also states from something into something else (Said, 1979, 67), -geographical, topographic, anthropological, sociological, historical, sectarian, religious and tangible textual-. He builds a new geography, ignoring consciously the Arabic-Turkish equivalents of some region names. His preference for using pre-Islamic or pre-ottoman place names such as *Klein Asien*, *Mesopotamian*, *Armenien* (Sachau, 1883, 2) illustrate another expression of ownership by isolating the region from its existing Muslim-Ottoman inhabitants. In the 19th century, these similar expressions can often be seen in Europe, more specifically in German travel writing and historiography. He uses the term 'Ottoman Empire' when referring to the current ruling power as a political unity. However, neither



Fig. 3: A map showing the route of Eduard Sachau in his travel, part II (Sachau, 1883, 478).

in the eyes of Sachau nor other contemporary travellers from Europe these territories were culturally part of the Ottoman Empire.

In fact, the East was perceived as another place in the West and “judged it by a standard it never applied to itself” (Laisram, 2006, 1). While Sachau sometimes conveys, plainly, his impression as he sees it, sometimes he perceives it directly through certain cultural patterns such as laziness, pride, stubbornness and bigotry and, above all, degrading prejudices that are strongly Eurocentric that he takes over as a product of collective imagination, based on what he had seen and read before. One can say that for him, the East means a distant, imaginary geography outside of Europe, but also a historically and philologically quite close and a real world. Because, as an orientalist, he studied and taught for many years its languages, religions and cultures.

Sachau believes that it is not possible to carry out a planned itinerary in detail in the Orient. Because, according to him, the Orient *contains a mystery* that takes travellers “incidentally” out of the program (Sachau, 1883, 3). These can sometimes be a geography waiting to be discovered, untouched books, ancient settlements etc. During his travel, he touches the space, feels it and depicts the ‘other’ in their everyday life. As he often points out, the Orient is never a safe place for anyone because it is absolutely unpredictable what would happen to a person who wants to move from one city to another in the Orient. Having internalized this fear, he never dares to walk around without weapons, servants, and unarmed, such as other European travellers (Sachau, 1883, 20–211). According to him, a stranger, who is afraid of being robbed or attacked by local inhabitants often reaches out to his gun at nights. Thus, he shows that he would turn a weapon against the enemy lurking in front of him and that he wants to prove that he is not afraid to use it (Sachau, 1883, 120).

In the nineteenth or early twentieth century, the majority of the European travellers showed authoritarian behaviors when dealing with the peoples of the Orient during their journeys. This is even more the case with British travellers, as citizens of a colonial Empire, which occupied one-fifth of the whole world. It is not difficult to notice that Sachau brims with self-confidence: he sees himself as superior to the oriental people. He experiences a dilemma between fear and trust during the journey. Although he believes that there is almost no place safe and in the Orient one faces the danger of being attacked, he always moved quite comfortably. Because, being a European gave him confidence that he would not be so easily attacked, except by “Circassians and Kurds living on the Ottoman-Turkish border”. According to him, when there would be an attack, it would be done for the purpose of robbery (Sachau, 1883, 385, 437). He believes that there is a significant difference between the Bedouins and Kurds in the tendency to violence. The Kurds can rob travellers but never kill them. On the other hand, the Bedouins can burgle and kill a traveller (Sachau, 1883, 356).

The “unsafe” Ottoman country is not clean either. He observes the society, culture as a European by generalizing the geography and subconsciously compar-

ing it to where he comes from (Europe). The method by which he describes the city of Homs is a product of the stereotypes of the collective memory that he took over without question as quoted; "...the city is dirty, tortuous and stinky like any oriental city..." (Sachau, 1883, 62). When he arrives in a village called en-Nahla in today's Syria, the order, wealth, size and grandeur of the houses reminds him of Europe. While he enters the oriental market, "with its wild crowds, screams and clamor" (Sachau, 1883, 100), this feeling disappears almost completely and he finds himself again, like waking up from a dream, in the dirty, narrow, winding and uneven streets of the Orient. While Europe is depicted as peaceful, safe, moderate, beautiful and orderly place in his writing, the Orient appears as an inexhaustible source of problems, as the opposite of the western culture. One can see this antagonism in different parts of his narratives.

Sachau emphasizes that the peasants who guided him in accomplishing his research in Urfa bathed in the Belih Stream only once during the journey and based on this impressions, he describes them by generalizing as the dirty steppe people who "don't use water just for cleaning themselves". According to him, the drinking water is too valuable in this region to be wasted just for cleaning (Sachau, 1883, 213). As a Western traveller, he describes the Orient, by othering it ontologically and epistemologically as well as highly generalizing from a western standpoint. In order to define the superiority and perfection of European civilization in relation to the Orient, he emphasizes the backwardness, disorder and dirtiness of the Orient and compares it with Europe. Thereby, he actually seeks to identify himself as an European. As Thompson points out travel is to record an "encounter between self and the other and a "negotiation between similarity and difference" (Thompson, 2011, 10).

In order to keep the oriental servants under the control and discipline during the travel, Sachau threatens them to lower their salary because he believes that the most characteristic feature of the oriental people are "greed and covetous, no matter whether they live in city or village and in desert" (Sachau, 1883, 213). Furthermore, he claims that the people in the Orient have a tendency to choose always a way out of difficulties and to escape from responsibility. According to him, this character prevented them from acting practically and rendered them incapable of hard work and intellectual reasoning (Sachau, 1883, 299–300). In the nineteenth century, it became nearly a tradition in a wide range of writing genres (literature, politic, academic and art) in Europe to represent the Orient through certain stereotypes such as indolent, fatalist, despotic and uneducated. The travel narratives also played an important role in the emergence and spread of these negative imaginations.

As seen in Sachau's narratives, an orientalist-traveller perceives the "civilization he had studied before, with unshakable abstract maxims" (Said, 1979, 52). Sardar points out that "The traveller saw what he expected to see and reported what his audience at home were conditioned to expect" (Sardar, 1999, 24). That means, the encounter with the other has almost no significance in the

elimination of stereotyped powerful ethnic prejudices. In this context, it can be said that an orientalist-traveller chooses/searches the kinds of people who are suited to the stereotypes he has created before. Finally, two different kinds of orientalist-knowledge forms emerge from travel impressions. Said formulates this as follow:

[...] the very power and scope of Qrientalism produced not only a fair amount of exact positive knowledge about the Orient but also a kind of second-order knowledge-lurking in such places as the 'oriental' tale, the mythology of the mysterious East, notions of Asian inscrutability-with a life of its own, what V. G. Kiernan has aptly called 'Europe's collective day-dream of the Orient' (Said, 1979, 52).

In travel narratives, one can see “gender, racial identity, national identity, economic status and host of other interrelated markers of status and privilege” (Iverson, 2003, 201). Seen from this angle, travel is the process of knowledge production. During his travel, Sachau produced a wealth of knowledge in different fields, ranging from anthropology to politics, philology, religion and geography. As Said points out, amount of “exact positive knowledge about the Orient” (Said, 2016, 52). However, he uses this knowledge also as a way, as a vehicle to ‘otherise’ the people and observes the multinational Ottoman society very carefully in their daily lives, up to the most ordinary religious practices and beliefs and describes them by separating each other from their religion and sectarian. A concrete example of this method is his emphasis on the deep ‘hatred’ between the Ansarians (Al-Nuşayriyya Shiite minority sect) and “Muslims”:

In Antaki [today Hatay], I met the elements of another nation that I first met in Rible in the Bekaa, the Arabic-speaking Ansarians, the inhabitants of the mountains between Orontes and the Eleuthero [...] The most cordial hatred exists between them and the Mohammedans. Since they are not allowed to enter the mosques they hold their worship in their own Sanctuary.

[In Antaki traf ich wieder ein Volkselement, das mir zuerst in Rible in der Bekaa begegnet war, die Arabisch redenden Ansarijje, die Bewohner der Gebirge zwischen Orontes und dem Eleutheros [...] Zwischen ihnen und Mohammedanern besteht der cordialeste Hass; da man ihnen nicht gestattet die Moscheen zu betreten, halten sie ihren Gottesdienst in einem eigenen Gotthaus.] (Sachau, 1883, 463)

As seen in this quotation, he builds a generalized narrative form from a small, insignificant incident in different parts of text. From his description of Ansarians and Muslim can be understood that he does not classify the Ansarians as Muslims or explain what he means by the expression that Muslims are Sunnis.

Sachau often observes Muslims’ perception of non-Muslims in their everyday life as follow:

When talking about Christians particularly European Christians, an average Muslim who uses labels like giaour (unbeliever), dog or pig feels himself indescribably superior in such cases and would send him [...] to hell with pleasure.

[Der Durchschnittsmuslim, der von dem Christen und besonders dem europäischen Christen mit seinem fremdländischen Manieren nie anders mit solchen Titeln wie Giaur (Ungläubiger) Kelb (Hund), Khanzir (Schwein) föhl sich bei solchen Gelegenheiten unendlich weit über ihn erhaben würde ihn am liebsten [...] in die Hölle expedieren.] (Sachau, 1883, 15)

By watching an opening ceremonies during the parade of Muslim pilgrims in Hama, he claims that similar rituals provoke the “fanaticism of the Muslims”. Therefore, he emphasises that the Europeans in the vicinity prefer to stay away from the crowd in this situations. He states that he was also attacked by Muslims (Sachau, 1883, 15). One can say that he tends to understand the Ottoman society based on class and religious conflict and antagonism. He believes that the anti-Christian rhetoric of Ottoman Muslims arose in fact not only from religious fanaticism but also from envy of their wealth. According to him, the religious conflict has indeed become a vehicle for Muslims that allows them to seize Christians’ possessions. The silence of the Ottoman government in the face of the attacks encourages the Muslims to commit further harassments against Christians (Sachau, 1883, 15). From the text it is clear that he is quite prejudiced in his views on Islam and never believes that Islam and Christianity can be reconciled, as seen in the following quotation: “Islam is more likely to be swept away from Syria, like once from Spain” (Sachau, 1883, 16). His emphasis on the contrast between Islam and Christianity is often seen in different parts of the text.

While Sachau perceives the Muslims with blatantly negative eyes in their daily lives, his attitude towards Christians who embraced modernity, education and the European lifestyle in Aleppo is quite sympathetic. “On all the streets of the Christian neighborhood, on Sunday and other celebration days, men and women of the hardworking church community appear in elegant and precious clothes while they were going to church” (Sachau, 1883, 106). Although the Christians are not exposed to generalized, negative prejudice and hatred their neighbors, Turks and Arabs, are often represented by clichés and stereotypes such as lazy dirty and irregular. In other words, it can be said that the religion occupies an important place in his stereotype production.

His itinerary enabled Sachau to enquire into the condition of the Kurdish people, whom he had classified as an Indian-European tribe. This contact led him to build a memory, cultural design and stereotype about the Kurds. He visited the house of a Kurdish chieftain, a white-painted solid built house that lay outside the village, named Hasan Shamdin (Şemdin) in Gercüş a provincial town located in the east of Mardin. According to him, these houses are “very reminiscent of the castles of the German Middle Ages and the behaviors of their owners (chieftains)

to the saddest times of mediaeval Europe” (Sachau, 1883, 414). The feudal structure and the banditry of the Kurds occupy an important place in his narratives. As he did before in Bedouin society, he frequently visited and watched these tribal leaders, which led him to build many negative stereotypes about them. In addition, he layered sometimes existing stereotypes onto his observation.

Sachau claims that the Syriac and Nestorian Christians were persecuted by the Kurds in the Ottoman provinces. He believes that their skills in using weapons, their tendency to violence and the silence of the Ottoman government served to increase the oppression against them (Sachau, 1883, 410). During travel, he visited many Christian families whose narratives play a significant role in shaping his Kurdish perception. He often uses some negative certain stereotypes such as savage and bandit to describe the Kurdish people. Wandering with fear and suspicion can be a sign that he set off on a journey with some prejudices about them (Sachau, 1883, 385–420). In his narrative, one can see a complex pattern: the Ottoman government keeps up its pressure on the Kurds, the Kurds on the Christians, the Ottoman government on the Kurds and Christians, and the Kurds, Arabs and the government together on the Yezidis.

By describing them as a “mysterious and completely closed” society in Sinjar, he cannot communicate with the Yezidis which were largely unknown to him. While he describes the Muslim Kurds by the non-Muslim narrative, he depicts the Yezidis by narrative of their Muslim neighbors.

Nobody among my men, including Christians and Muslims, feels secure among them. There is always the danger that the word devil or expressions that are rightly or wrongly related to the devil may be used innocently in conversation. In this case, a Yezidi is unpredictable and prefers to pull the knife immediately. [Meine Leute, sowohl Christen wie Muslims, fühlten sich sehr unheimlich unter ihnen; es ist immer die Gefahr, dass man in der Unterhaltung arglos einmal das Wort Teufel oder Ausdrücke, die mit Recht oder Unrecht auf den Teufel bezogen werden, gebraucht, und in dem Fall ein Jezide unbrechenbar und zieht am liebsten sofort das Messer.] (Sachau, 1883, 331)

Rather than relying on the narratives of their Muslim neighbours he made his own observations about the Yezidis in Midyat, focusing particularly on banditry.

We have repeatedly met with some of the gangs of these bandits [Yezidi] who were armed with their long rifles, knives and pistols. These weird men with the pointed gray wool hood, white mantle and Bundshuh [type of shoe] walked away from us without giving a salute according to the custom of the country and undoubtedly estimated the number of our rifles and the value of our belongings.

[Wir begegneten mehrfach Abtheilungen dieser Banditen, die mit langen Flinten, Messern und Pistolen bewaffnet finster und ohne nach landessitte



Fig. 4: The Bedouins of the Syrian Desert on the route of Eduard Sachau (Sachau, 1883, 32–33).

zu grüssen an uns vorüberschritten zweifellos die Zahl unserer Flinten und den Werth unserer Habe abschätzten, unheimlichen Gesellen im Bundschuh, weissen Mänteln und spitzen, grauen Filzhüten.] (Sachau, 1883, 385)

Rather than negative Yezidi perception, his thoughts about the Bedouins are generally quite positive. As a linguist of the Semitic languages, he spent much time in Bedouin tents without the need for an interpreter to converse with them. Among all Muslim societies, the Bedouins have a privileged position in his writing.

The free Bedouins are the most decent ethnic element in the whole of the Orient. All of their facilities and customs are consistently humane [...] The pure, unalloyed Semite of the desert, is superior as a human being when compared to the urban Arabs and their neighbours, Kurds and Turks.

[Die freien Beduinen sind das anständigste Volkselement im ganzen Orient. Ihre sämtlichen Einrichtungen und Gebräuche sind durchweg human [...] Der reine, unvermischte Semit der Wüste steht als Mensch hoch über dem städtischen Araber und über den Nachbarvölkern, den Türken und Kurden.] (Sachau, 1883, 312)

As seen in the above quote, he makes openly a rigid cultural categorization between peoples. This can be considered a continuation of the orientalist tradition.

In the nineteenth century, the travellers were very curious about what an oriental woman in the Ottoman provinces looked like. In the Islamic society, the oriental woman was not very visible in the public sphere. Even though the travellers had almost no direct or close contact with the female world of the Orient, nevertheless, they depicted the oriental woman, by generalizing, at a lower level compared to the European woman. This description provided an entirely to the “Orientalized” image in nineteenth century Europe, which depicts women as a “miserable, powerless creature suffering from the violence and oppression of the ruling oriental man”. As Soukah points out when speaking the German Traveller Fürst von Pückler-Muskau the traveller could only watch the woman in her daily life from a distance (Soukah, 2016, 82) yet, portrayed her in great detail. The parallel with Sachau is striking. As part of everyday life in the Orient, the woman is an entity that Sachau observes and depicts from a distance with her mystery. For example, the peasant woman carrying a bucket of water on her head to the house of her husband from the Orontes River reflects the typology of women in the Orient, that is, an oriental woman in the service of her husband and isolated from a social world. According to him, this event, which is the routine of everyday life, shows what the natural duties of the oriental woman are (Sachau, 1883, 57).

The depiction of women in travel writing was sometimes shaped through certain sexual stereotypes and sometimes made with imaginary female figures, which did not actually exist. It is possible to see the physical depiction of oriental women and their sexuality in Sachau’s narrative. According to him, the Bedouin women, whether as wives or daughters, are “terribly ugly without exception”. While moving on the mountain of Sinjar, he encounters a group of Yezidi women who wash clothes and depicts a 13-year-old girl among them as follows: “[...] This girl seemed to have appeared to us from another world because of the elegance of her outer appearance and the beauty of her face” (Sachau, 1883, 327). The physical-sexual depiction of a child in this way in travel notes constitutes a striking example for how authors bequeath motifs to each other.

CONCLUSION

The travellers, who encounter different communities on their travels, are an important vehicle for the political and socio-cultural exploration of the Orient. Their hegemonic-colonial discourse played a very important role in shaping the perception of the Orient, of Islam and of the Ottomans in nineteenth-century Europe. With his Eurocentric approach to geography and culture, Sachau produced not only orientalist knowledge but also certain stereotypes about the Ottoman people and depicted them according to certain cultural patterns. Therefore, he also became a part of the formation of a collective Orient-perception, such as

the previous and subsequent travellers. Even though he made close contact with Ottoman people, he sometimes perceived the Ottoman communities through their neighbors (enemies) or mostly influenced by the narratives of the travellers before him. In other words, it can be said that he often built his thoughts on the highly generalised orientalist epistemology of his time. This means that he took over some knowledge, stereotypes and cultural approaches without questioning. While he reconstructed the Orient in his narrative, he actually brought forward his European identity without realizing it. One can say that his travel, in a way, was a journey he made to himself.

PISANJA O ORIENTU: UPODOBITEV OTOMANSKE DRUŽBE V POTOPISU EDUARDA SACHAU (1845–1930)

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IZVLEČEK

V 19. stoletju so literarna dela evropskih popotnikov postala besedilna sredstva, s pomočjo katerih je Zahod poskušal spoznati in razumeti Vzhod. Sloneč na neposredno pridobljenih, a zelo subjektivnih podatkih, so potopisi izpeljevali primerjave med Vzhodom in Zahodom ter izpostavljali razlike med obema regijama. S tem so močno vplivali na predstavo o Vzhodu, ki se je izoblikovala med zahodnjaki. Avtor se v prispevku osredotoča na nemškega orientalista in filologa Eduarda Sachau (1845–1930), profesorja z Univerze Friderika Viljema (danes Humboldtove univerze) v Berlinu in predstojnika tamkajšnjega Inštituta za orientalske jezike. Sachau se je na popotovanje po Vzhodu, ki je trajalo približno šest mesecev, odpravil leta 1879, zapiske s potovanja pa objavil leta 1883 pod naslovom *Reise in Syrien und Mesopotamien* (Potovanje po Siriji in Mezopotamiji). V 19. stoletju so ne samo britanski in francoski, temveč tudi nemški popotniki pomembno vplivali na zahodnjaški pogled na Vzhod. Naslanjajoč se na pionirsko delo *Orientalizem* (1979) Edwarda Saida, avtor v raziskavi dokazuje, da Sachauove zgodbe ustvarjajo določene stereotipe. To prikaže z analizo načinov izražanja, mnenj in kulturnih vzorcev, ki jih je Sachau izbral za gradnjo orientalističnega diskurza, ko je opisoval različne etnične skupine, verstva in ločine.

Ključne besede: popotovanja, orientalistika, Eduard Sachau, Vzhod, Zahod, otomanski

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THE COLLABORATION OF CHINESE AND BRITISH RADICALS AND THE ROLE OF HONG KONG IN MODERN CHINESE HISTORY

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ABSTRACT

This study used the British colonial archives, old Hong Kong English and Chinese newspapers, and Chinese revolutionary archival documents. British radical journalists and the English press collaborated with Hong Kong Chinese revolutionaries and launched several revolutionary activities, which led to the killing of the Chinese revolutionary leader Yeung Ku Wan and the involvement of the British Hong Kong colonial government. The British government was also concerned about the tensions between Chinese revolutionaries and the Qing government and made Hong Kong an important place in the campaign to overthrow the Qing government.

Keywords: China, Hong Kong, Revolution, Yeung Ku Wan, British radical, Journalism, Qing government

LA COLLABORAZIONE TRA I RADICALI CINESI E BRITANNICI E IL RUOLO DI HONG KONG NELLA STORIA DELLA CINA MODERNA

SINTESI

Lo studio ha utilizzato gli archivi coloniali britannici, i vecchi giornali inglesi e cinesi di Hong Kong e i documenti d'archivio rivoluzionari cinesi. I giornalisti radicali britannici e la stampa inglese hanno collaborato con i rivoluzionari cinesi di Hong Kong e hanno svolto diverse attività rivoluzionarie, che hanno avuto come conseguenze l'uccisione del leader rivoluzionario cinese Yeung Ku Wan e il coinvolgimento del governo coloniale britannico di Hong Kong. Una delle preoccupazioni del governo britannico era rappresentata dalle tensioni esistenti tra i rivoluzionari cinesi e il governo Qing, rendendo Hong Kong una città importante nella campagna per far cadere il governo Qing.

Parole chiave: Cina, Hong Kong, Rivoluzione, Yeung Ku Wan, Radicale britannico, Giornalismo, Governo dei Qing

INTRODUCTION¹

The Boxer Movement's attacks on foreign missionaries started in the late 19th century and led to the invasion of Peking by the Eight-Power Allied Forces and the withdrawal of the Qing government from the city. At the time, the British economic interests in China were focused on the Yangtze River Basin, such as Shanghai and Wuhan. British Chinese policy also considered a large proportion of the interests in this region, although Hong Kong also had a certain position in the British policy considerations for China. As a former colony occupied by the United Kingdom from China, Hong Kong has had a complex and far-reaching impact on the development of Chinese history. In fact, as early as the beginning of the 20th century, Hong Kong posed a greater threat to China's political stability. This threat actually came from a conspiracy of a group of Chinese revolutionaries and British radicals. Light has been shed on the relationship between Sun Yatsen and Hong Kong Chinese elites, particularly Ho Kai, around 1900 (Choa, 2000). Moreover, scholars have disclosed that Chinese elites, such as Ho Kai, were involved in a double allegiance towards the Chinese and British governments, viz., disloyalty in the eyes of the Hong Kong colonial government (Fung, 2005; Law, 2009). In addition, John Carroll argued that Chinese elites collaborated with the British colonial government in the making of modern Hong Kong (Carroll, 2009). Nevertheless, the relationship of Chinese revolutionary and British radicals in modern Hong Kong history has not been fully studied and its impact on modern Chinese history has not been reviewed. Zou provided a picture of how Tse Tsan Tai communicated with Australian and British supporters of the revolution and planned to seek asylum (Zou, 2013). However, a grand view of how Chinese and British radicals endeavoured to promote revolution under the protection of the British colonial government has not yet been provided. The author argues that the British and Hong Kong colonial government policy of defending the sovereignty of and interests in Hong Kong provided a loose space for Chinese and British radicals to collaborate in Chinese revolutionary activities; as a result, Hong Kong played an important role in modern Chinese political development.

Regarding the relationship between Chinese revolutionaries and the British government, Yang Tianshi and Zhang Yufa both asserted that the British government had an economic interests-based foreign policy towards Chinese revolutionaries (Yang, 2002; Yan, 2010). British diplomats would oppose or sit watching on various occasions (Yan, 2010), which is why scholars have portrayed this British foreign policy as negative or non-interventionist (Deng, 2012). John Y. Wong pointed out that the philanthropic British Prime Minister and impartial British democracy saved Sun Yatsen from being shipped back to China for execution by the Qing government

1 This article is funded by the research grant of Shenzhen University – Lingnan University Joint Centre for the Greater Bay Area and International Studies (CGIS). My great thanks to the help and support of Professor LAU Chi-pang, Professor Mark Hampton, my wife, and the anonymous reviewers for their comments.

(Wong, 2004). Wong's observation expanded scholarship implying that the British political convention benefitted Chinese revolutionaries.

As result of Yeung's connections with the British in Hong Kong and the relatively loose policy of reform, the study of political assassination could uncover the nature of Hong Kong and Chinese reformers in Sino-British relations around the turn of the twentieth century. Robert Bickers, who studied British settlers and British concessions in China during the first half of the twentieth century, noted that the group of different British-owned interests and opinions regarding British foreign policy towards China subsequently influenced Sino-British relations (Bickers, 1999). Chan Lau Kit-ching focused on twentieth century Hong Kong in Sino-British relations, including the aforementioned revolutionary network in Sino-British relations. She asserts that the British and Hong Kong governments failed to resolutely curb the expansion and development of Hong Kong reformers; rather, with tolerance, the reformers were sheltered and even assisted. In the case of Yeung Ku Wan, she emphasizes that the Hong Kong government and the Colonial Office were subject to the decisions of the Foreign Office, the final decrees of which were shaped by British Minister to Peking, Ernest Satow (Chan Lau, 1990).

In this article, the author describes the complex international political struggle behind a political murder. The first section discusses the assassination of the Chinese revolutionary leader Yeung Ku Wan by the Qing government; the second section reveals the involvement of the Hong Kong governor, who sympathized with the Chinese revolutionaries in the political assassination investigation and asked the British government to exert pressure on the Chinese government; the third section points out that Chinese and British radical journalists and British businessmen in Hong Kong were in solidarity with the case and even launched revolutionary activities to exact their revenge; and finally, the author emphasize that the British in Shanghai made concessions, and London believed that Yeung Ku Wan's case was less important than other British interests in Shanghai and control of other port cities. The British minister did not believe that murdering a Chinese reformer and the violation of British territoriality in Hong Kong were sufficiently serious to challenge the Qing government, so official protest should be abandoned.² To secure British interests in China, the British Foreign Office had to downgrade the urgency of Yeung's case, but it still protected the sovereignty of Hong Kong, thus providing a haven for Chinese revolutionaries.

THE QING GOVERNMENT MURDERED YEUNG KU WAN

Yeung Ku Wan, the top leader of the Reform Party in South China, threatened the security of the Qing Guangdong government. Therefore, the Qing government had a strong motive to arrest and murder Yeung Ku Wan. Yeung was the leader of the 1895 Guangzhou Uprising, which was an attempt to overthrow the Qing. He fled to South Africa after the revolution failed (Tse, 1924, 10).

2 Ernest Satow to the Marquess of Lansdowne December 7th 1904 (CO 129/330, 365–366).



Fig. 1: Photograph of Yeung Ku Wan (first row, second from the left) and Sun Yatsen (second row, third from the left) in Japan (Wikimedia Commons).

His name was on record with the Qing government, while Sun Yatsen's name, Sun Man, was on the record as being wanted for arrest. Yeung Ku Wan chose to continue the revolution. He remained confident of success when he led the Huizhou Uprising and committed the assassination of Tak Sau, the Two Guangs Viceroy (Tse, 1924, 18–19).

Shi Jianru, a member of the Revive China Society, reported to Yeung Ku Wan at the time. After the assassination of Tak Sau failed, Shi Jianru went to Hong Kong and met secretly with Yeung Ku Wan at Yeung's house (Yang, 1955, 27). Shi had been persuaded by his uncle to return to Guangdong for family business reasons. However, his family sent Shi Jianru to the government because Shi's brother did not want to be implicated in Shi Jianru's revolutionary activities. Shi Jianru went to the Qing government and pled guilty (Yang, 1955, 27). Shi Jianru



Fig. 2: Hong Kong Governor Sir Henry Arthur Blake and a Qing official Cen Chunxuan (岑春煊) (Wikimedia Commons).

finally provided the information that the Qing government needed,³ which was entirely different from what the Nationalists propagandized about Shi Jianru, a hero (Deng, 1957).

When the Hong Kong government managed to obtain the record of Shi Jianru's confession, it was proof that the Qing government considered Yeung Ku Wan a principal criminal and planned to eliminate him and his threat. It was possible that Yeung Ku Wan could have been extradited to Guangdong at the request of the Qing government if it claimed that Yeung Ku Wan was a Chinese national, although he was a British subject. However, the British Hong Kong governor, Blake, believed that there was no extradition treaty between Hong Kong and China.⁴

3 Blake H.A. to Chamberlain. J., Murder of Yeung Kui Wan, British National Archives at Kew (CO 129/305, 507–509).

4 Blake, H.A., to Chamberlain. J., Murder of Yeung Kui Wan (CO 129/317, 495).

In 1900, Yeung Ku Wan did not know that Shi Jianru, who was aware of his address, had disclosed his secret involvement with the revolutionaries. Assassinating a British subject in a British colony was not wise behaviour on the part of the Qing government. When Yeung Ku Wan was in Hong Kong, Tak Sau had been demoted to governor of Guangdong from his position of Two Guangs Viceroy. Li Ka Cheuk was the commandant of the Canton City Guard in Canton. Thus, Tak Sau and Li Ka Cheuk had strong motives to remove Yeung Ku Wan and directed a series of attempts on his life in British Colonial Hong Kong.

Tak Sau and Li Ka Cheuk regarded Yeung Ku Wan's life work as a reformer intimidating to the Qing, particularly the Guangdong government. In 1895, the Qing government offered a reward on Yeung Ku Wan's head of 1,000 taels.⁵ Yeung Ku Wan's daughter Jinxia also reported overhearing one murderer say that he had secret information indicating that the head of Yeung Ku Wan was worth 100,000 taels (Yang, 1955, 13). If Yeung Ku Wan's life meant such a vast sum of money, it proved that the Guangdong government would pay a very heavy price to get rid of him, even if the act challenged British territorial rights. At least three plots to murder Yeung Ku Wan between 1900 and 1901 were uncovered.

In September 1900, four revolutionaries – Kong Kung Hi, Lu Lian, Wang Geting and Lu Tai – fled to Hong Kong from Huizhou with the failure of Huizhou Uprising.⁶ When they were in Hong Kong, Kong Kung Hi was hired by the Qing government to murder Yeung Ku Wan sometime in November 1900.⁷ Kong Kung Hi, a witness at the later trial of the murder suspect, claimed that a Qing official came to Hong Kong and promised to reward him with 20,000 HK dollars and a position as a government official were he to kill Yeung Ku Wan.⁸ Ng Lo Sam, a Hong Kong police agent, was the middleman who introduced Kong Kung Hi to the Qing government official. Kong Kung Hi admitted that he took some money from the Qing official, but he also met with and disclosed this plot to Yeung Ku Wan. Kong Kung Hi asked Yeung Ku Wan to escape with him to Thailand, but Yeung Ku Wan rejected the idea, and Kong Kung Hi went to Thailand.⁹

Five days after Kong Kung Hi fled to Thailand upon the failure of the first assassination attempt, Ng Lo Sam hired another killer from mainland China: a notorious thief named Ma Wong Hoi and his gang. In November 1900, Henry May, the British Superintendent of Police, learned of this association and warned Ng Lo Sam against involvement with Ma Wong Hoi. May testified that Ma Wong Hoi left Hong Kong on November 30 and that he had received an apologetic letter from Ng Lo Sam stating that he had asked Ma Wong Hoi to leave, had never wished to cause trouble and would not do so again.

5 Zhongxian Shangge (重縣賞格) (Chinese Mail (香港華字日報), 10. 12. 1895, 4).

6 The Story of Yeung Ku Wan in a Prosecution (提解案引出楊衢雲故事) (Chinese Mail (香港華字日報), 16. 8. 1911, 3).

7 Blake, H.A., to Chamberlain. J., Murder of Yeung Kui Wan (CO 129/317, 518–519).

8 Blake, H.A., to Chamberlain. J., Murder of Yeung Kui Wan (CO 129/317, 518–519).

9 Blake, H.A., to Chamberlain. J., Murder of Yeung Kui Wan (CO 129/317, 519).

However, it was later disclosed by Kong Kung Hi that, on January 4, 1901, Ng Lo Sam met Li Ka Cheuk, who hired him to assassinate Yeung Ku Wan. Subsequently, they left with a team of killers on the evening of January 7 and arrived in Hong Kong on the morning of January 8.¹⁰ A team of assassins led by Chen Linzai shot Yeung Ku Wan at his home on January 10. The other killers were Tung Cheung, Li Kwai Fan and Tsui Fuk.¹¹ The killers embarked on the gunboat Kin Yui from Guangzhou and fled back to Guangzhou in the same gunboat without clearance through customs. The Hong Kong police boat did not catch up with the gunboat (Yang, 1955, 21).¹²

The lawless actions of the Qing government were well covered, and frightened Chinese residents who lived in Hong Kong feared being witnesses, even in a British court. As a result, it took nearly two years for the Hong Kong police to obtain sufficient evidence, and they arrested only one suspect in this complicated situation. Revolutionaries including Kong Kung Hi caught Li Kwai Fan on April 5, 1903, and turned him in as one of the killers. Li Kwai Fan had no address in Hong Kong and spent his time in a brothel and casino.¹³ Li Kwai Fan was hanged on June 17, 1903, although he and his lawyer never admitted that the defendant himself had been involved in the murder and claimed that the witnesses were not trustworthy. However, the judge said that, although the prisoner claimed that he did not commit the murder, it could mean that he did not kill Yeung Ku Wan in person but could still have been involved in the murder.¹⁴

The final report from the British noted Li Kwai Fan had confessed his complicity with the assassins up until a few minutes before the murder. Another fish seller said that Li Kwai Fan persuaded him to kill Yeung Ku Wan on January 10, 1901, the day of the murder, but he rejected the offer. Nevertheless, that evening, he went to have a look at Yeung Ku Wan's residence and saw two men go upstairs. Li Kwai Fan was watching outside, standing guard. Another witness testified that Li Kwai Fan was merely the lookout for the assassins. Regarding the witnesses, one said that he heard Li Kwai Fan talk about the assassination of Yeung Ku Wan. Li might have killed or assisted in killing Yeung Ku Wan (Zhongguo, 1968) guo min dang dang shi shi liao bian zuan wei yuan hui, 1968). Yau Ma Tei fisherman Tan Zong also confessed that Li Kwai Fan told him that he had killed Yeung Ku Wan, and he kept this secret until April 1903, when a policeman in Hong Kong asked him about the murder. He had been afraid to disclose the truth even after two years (Zhongguo, 1968).

Although the remaining suspects were not brought to the Hong Kong court, witnesses left evidence that Qing government soldiers, including Chan Linzai, were the true murderers who shot Yeung Ku Wan. Zhou Yunpei said that he was a cook on a ship, and he knew Li Kwai Fan. He also said that he had a brother who was the killer.

10 Blake, H.A., to Chamberlain. J., Murder of Yeung Kui Wan (CO 129/317, 506).

11 Blake, H.A., to Chamberlain. J., Murder of Yeung Kui Wan (CO 129/317, 507).

12 Blake, H.A., to Chamberlain. J., Murder of Yeung Kui Wan (CO 129/317, 506).

13 The Gage Street Murder (China Mail, 21. 5. 1903, 5).

14 The Gage Street Murder Trial—Sentence of Death (Hong Kong Daily Press, 22. 5. 1903 2–3); Murderer of Yeung Kui Wan Hanged (China Mail, 17. 6. 1903, 4).

Li Ka Cheuk found two letters from his brother and finally killed his brother. He had read the two letters beforehand, one of which asked him to go back to Hong Kong; the other one was from Henry May. The ‘brother’ whom Zhou Yunpei mentioned might have been a man named Chen Linzai. He claimed that Chen Linzai shot Yeung Ku Wan. The killers received 2,000 taels as a reward and the rank of fifth official (Zhongguo, 1968).

Fisherman Wang Sheng said that, before the assassins killed Yeung Ku Wan, they wanted to borrow his boat. Wang Sheng did not lend his boat to them. Later, they came back and said that they had killed Yeung Ku Wan and had no further need of his boat (Zhongguo, 1968). It was also said that these witnesses dared not tell the police the truth in 1901 because they feared revenge from the Guangdong government. However, they and their families would still be in trouble if they became witnesses with their testimony, unless they had no relatives or wives in Guangdong who could be used for leverage (Zhongguo, 1968).

THE HONG KONG GOVERNMENT’S RESPONSES

Yeung Ku Wan was shot four times. At the hospital, it was determined that surgery would be futile, and he later died of exsanguination. Three bullets were later extracted from his body (Liu, 1947). Yeung Ku Wan’s last words begged the British government to discover the identity of the assassins from Kong Kung Hi and address this injustice to his family.¹⁵ Before Yeung Ku Wan died, he mentioned Lu Lian, Lu Tai, Kong Kung Hi and Wang Geting. On his deathbed, Yeung Ku Wan told Henry May that, if he knew where the four people were, they would find the assassins. Governor Blake and Henry May, as the superintendent of the Hong Kong Police and colonial secretary (and later governor), attempted to arrest the suspects. In addition, the Hong Kong government offered a reward of 500 HK dollars for information leading to the arrest of the murderer. Under a request from the Hong Kong police, Lu Lian, Kong Kung Hi and Wang Geting went to Hong Kong, where they learned that Chen Linzai and Li Kwai Fan were the killers. Chen Linzai was going to be a witness in Hong Kong back in 1903 but was killed by the Qing government; Li Kwai Fan was arrested by Kong Kung Hi and Lu Lian at Dabeipu.¹⁶

The death sentence for Li Kwai Fan did not bring the end of the case because Governor Blake still wanted to extradite all of the criminals complicit in the murder.¹⁷ Both Blake and May sympathized with revolutionary activities in Guangdong, so they attempted to protect and help Yeung Ku Wan, who was a Brit-

15 The Story of Yeung Ku Wan in a Prosecution (提解案引出楊衢雲故事) (Chinese Mail (香港華字日報), 16. 8. 1911, 3).

16 The Story of Yeung Ku Wan in a Prosecution (提解案引出楊衢雲故事) (Chinese Mail (香港華字日報), 16. 8. 1911, 3).

17 Blake, H.A., to Chamberlain, J., Murder of Yeung Kui Wan (CO 129/317, 495).

ish subject. Yeung's father had been born in Singapore, the capital of the British Straits settlements of what is now Malaysia (1826-1959).¹⁸ They also expected the Qing Guangdong government to compensate Yeung Ku Wan's family with 50,000 HK dollars and a promise that senior government officials, including the acting viceroy, Tak Sau, would be dismissed by the Qing government.¹⁹

There was no extradition treaty between China and Britain in 1903, and it was impossible for the Hong Kong government to extradite Chinese national suspects to Hong Kong courts, although Hong Kong Chinese witnesses had occasionally been invited by the Qing government to identify suspects in Chinese courts.²⁰ Governor Henry Blake was clearly cognizant of these legal obstacles, but he obviously felt irritated by the "grave outrage that has been committed upon the territoriality of this Colony" and "the serious menace that the action of the Chinese Authorities involves against all residents of whatever nationality or standing in this Colony".²¹ When the Guangdong government breached British territoriality in Hong Kong, Blake was seriously shocked; thus, he begged the British government "most strongly to urge that the extradition" occur of Tung Cheung, Yeung Tsing Kai and Ng Lo Sam.²² Blake was keen to receive approval from the British government on the decision for extradition, so he sent complete testimonials to the British Colonial Office. In addition, he also proposed to the British government to exert "the strongest possible pressure" on the Chinese government at Peking to instruct the viceroy of Two Guangs to extradite the suspects.²³ Moreover, Blake also expected British government to pressure the Chinese government to dismiss government officials implicated in the murder.²⁴

Governor Blake completed his tenure in Hong Kong in 1903, and Henry May, the colonial secretary, stepped into the role of administrator in Hong Kong. Unfortunately, he did not receive news of the vehement protest that the British Minister to Peking, Ernest Satow, made at the time but thereafter only the negotiation over the case details with Satow's personal analysis.²⁵ As a result, Henry May discussed the case with the consulate-general in Canton, C.W. Campbell, and decided only to sue Tung Cheung and Ng Lo Sam in a Chinese court, with the presence of Campbell in Canton.²⁶ Governor Matthew Nathan came one year later, in 1904, and discovered that the whole intricate case of Yeung Ku Wan was almost in a dead end. One of the assassins whom Henry May wanted to prosecute in Canton, Tung Cheong, died in 1904, and only Ng Lo Sam was left as suspect for any further action that Governor

18 The Late Yeung Ku Wan (China Mail, 16. 1. 1901, 2).

19 From May F. H., Murder of Yeung Kui Wan (CO 129/321, 353–358).

20 Blake, H.A., to Chamberlain. J., Murder of Yeung Kui Wan (CO 129/317, 495).

21 Blake, H.A., to Chamberlain. J., Murder of Yeung Kui Wan (CO 129/317, 496).

22 Blake, H.A., to Chamberlain. J., Murder of Yeung Kui Wan (CO 129/317, 496–497).

23 Blake, H.A., to Chamberlain. J., Murder of Yeung Kui Wan (CO 129/317, 497).

24 Blake, H.A., to Chamberlain. J., Murder of Yeung Kui Wan (CO 129/317, 498).

25 Ernest Satow to the Officer Administrating the Government July 11th 1904 (CO 129/326, 354–359).

26 C.W. Campbell to Ernest Satow July 11th 1904 (CO 129/326, 501–502).

Nathan could take.²⁷ Nathan reviewed the documents of Yeung's case and failed to take "further action in this murder case beyond suggesting to Sir Ernest Satow the advisability of making some representation at Peking which will make clear the serious view taken by the Hong Kong government of any attempt by Chinese officials to violate British territorial rights".²⁸ Nathan also attached the opinion of Henry May and Campbell, who concurred that "nothing will be gained by taking further action" with regard to the murder.²⁹

Henry Arthur Blake became the governor of Ceylon after he left Hong Kong, so he could do nothing about the unexpected result – not to mention his suggestion to British government to force the Chinese government to hand over the suspects. However, it left a question of why there was the smell of gunpowder in the period of Governor Blake but an anti-climactic ending in the period of Governor Nathan. There were at least a handful of suspects and witnesses that Nathan could investigate further, such as Ng Lo Sam, Yeung Thing Kai, Tsui Fuk, and Li Kacheuk. The account and available information from the Hong Kong government essentially influenced British foreign policy towards a case involving the breach of territoriality and the intimidation of residents. The author must point out the evolution of the role of the press in this incident in the first five years of the twentieth century.

THE POWER OF THE BRITISH COLONIAL ENGLISH PRESS

Governor Blake's strong response in light of Yeung's death was not rare. In fact, before Blake formed his suggestion to the British government, he faced serious pressure from the British colonial Hong Kong English press, which pushed him to make progress in handling the case of Yeung Ku Wan. The Hong Kong English press had a few thousand English readers at most in 1901, but their editors were radical journalists and supporters of Yeung Ku Wan's reform movement. As early as 1895, British radical journalists who were familiar with the revolutionaries, particularly Tse Tsan Tai, published revolutionary news and announcements to promote local support for the Chinese revolution. In other words, the special relationship between Tse Tsan Tai and British journalists formed an invisible but important power behind the words in the newspapers.

Immediately after the murder, there appeared a series of letters from Chinese elite readers in Hong Kong Telegraph, China Mail, Hong Kong Weekly Press, and the Hong Kong Daily Press asking for justice for Yeung Ku Wan. In the "Notes and Comments" column of the Hong Kong Telegraph on January 15, 1901, one commentary seriously criticized the Hong Kong police, pointing out that the Hong Kong police force was "barely strong enough to properly patrol the city", and it could not bring anybody to

27 From Nathan M. to Alfred Lyttelton, Murder of Yeung Kui Wan (CO 129/324, 352–357).

28 From Nathan M. to Alfred Lyttelton, Murder of Yeung Kui Wan (CO 129/324, 356).

29 From Nathan M. to Alfred Lyttelton, Murder of Yeung Kui Wan (CO 129/324, 357).



Fig. 3: Photograph of Tsen Tsan Tai (Wikimedia Commons).

the Hong Kong court for the case of Yeung Ku Wan”.³⁰ In the Hong Kong Telegraph, a correspondent in Canton also pointed out that the Qing government likely murdered Yeung Ku Wan because “the murder will be rewarded for his dastardly crime”, which was the “policy of the Canton officials regarding reformers”, including commissioning certain officials to hunt down reformers and destroy them, as well as hiring secret agents to watch reformers in British colonial Hong Kong.³¹ Furthermore, the same letter provoked the readers of the paper, who were mostly Christian, to believe that the Guangdong government regarded “the Christians as in some way connected with reform, and in the eyes of the officials reform means treason”.³² The English press not only publicized anger, concern and anxiety, but it also encouraged the Hong Kong government to make forceful resolutions in handling Yeung’s case:

³⁰ The Policy (Hong Kong Telegraph, 15. 1. 1901, 2).

³¹ The Murder of Mr. Yeung (Hong Kong Telegraph, 15. 1. 1901, 3).

³² The Murder of Mr. Yeung (Hong Kong Telegraph, 15. 1. 1901, 3).

“Yeung Ku Wan...was a British subject, having been born and educated in this Colony. His father was also a British subject, and was born in Singapore. It is alleged that the murder was instigated by the Chinese Government through its representative at Canton; that only recently the Acting Viceroy Tak Sow issued a proclamation offering a handsome reward for Yeung Ku-wan, dead or alive... This is a serious allegation to make, and if the information has not already been supplied to the British authorities our correspondent should at once communicate with the Captain Superintendent of Police...to bring home the charge of murder to the property parties...Our correspondent suggests that His Excellency the Governor, holding the Acting Viceroy responsible, should demand the immediate production of the murders and that the British Government should adopt active measures to obtain redress.”³³

The voice was loud and strong, particularly considering that it was the most significant article in six columns of news reports, while 75 percent of the newspapers were full of varieties of advertisements.³⁴ Hong Kong government officials read English newspapers every day and, from time to time, sent newspaper clippings to the British government. Readers also felt safe using the English press to pass their opinions on to the British Hong Kong government and mould consensus with other audiences. Four weeks after the death of Yeung Ku Wan, his friends were still frightened and feared donating money directly to Yeung Ku Wan’s wife and children.³⁵ Nevertheless, they still wanted to help Yeung Ku Wan, so one of their representatives advocated that: first, people send donations to the Hong Kong Daily Press anonymously, without any information to trace the donors; second, that the Hong Kong government should “keep a strict watch on all suspicious Cantonese visitors” to protect the reformers in Hong Kong; third, Hong Kong detectives should be more efficient in arresting the authors of this murder; and fourth, the Hong Kong government should increase the bait from five hundred dollars to one thousand dollars to induce the accomplices of the assassins.³⁶ Upon receiving such information, the Hong Kong police soon increased the bait from five hundred dollars to two thousand dollars.³⁷

Simultaneously, after reading the news reports in the English press, the acting chairman of the China Association Hong Kong branch, R. Chatterton Wilcox, wrote an uncompromising report to the China Association in London (China Association, 1903, 19). In the report about Yeung Ku Wan’s murder, the Hong Kong committee felt that the Chinese government seriously challenged British interests and expected the Foreign Office to make a strong protest to the Qing government (China Association, 1903, 19–20). Wilcox, together with his British merchant committee

33 The Late Yeung Ku Wan (China Mail, 16. 1. 1901, 2).

34 The Late Yeung Ku Wan (China Mail, 16. 1. 1901, 2).

35 The Late Yeung Ku Wan (Daily Press, 8. 2. 1901, 2).

36 The Late Yeung Ku Wan (Daily Press, 8. 2. 1901, 2).

37 The Capt.Supt. of Police, Regarding the Offer of a Reward for the Arrest of the Actual Murderer, Murder of Yeung Kui Wan (CO 129/305, 524).

members who were doing business in Hong Kong and the Guangdong area, felt that the deliberate invasion, with obvious “ignorance of internationalized law” by the Qing government, must be punished, so the “sanctuary of Hong Kong can never be violated with impunity” (China Association, 1903, 19–20). The China Association was very influential in the Foreign Office, and the Marquess Lansdowne replied that he would carefully consider the matter after reading Governor Sir Blake’s despatch (China Association, 1903, 21).

After the death of Yeung Ku Wan, Tse was busy working with radical journalists. In May 1901, Tse discussed the freedom and independence of China with the editor of the Hong Kong Daily Press, Alfred Cunningham, who later organized revolutionary activities, including seeking the approval and support of the Commander of British Troops in China and Hong Kong, Major-General Sir William Julius Gascoigne (Tse, 1924, 20–23). In November 1901, he also reached agreement with G.E. Morrison, the representative of the London Times in Peking, who showed friendly sympathy and support by saying, “I am quite willing to help you and shall do my best to further and support the movement. My support means the support of the Times, and the support of the British people. My policy is the Times policy” (Tse, 1924, 21).

Unfortunately, all of these collaborations with British radical journalists vanished into smoke after the failure of the January 1903 Damingshun Heavenly Rebellion. Afterward, Tse Tsan Tai avoided publishing radical correspondence about overthrowing the Qing government publicly in the English press because he had to care for his large family.³⁸ Nevertheless, the media skills and power that he learned from revolutionary propaganda helped him to found the South China Morning Post in 1903 as a platform for Chinese to express their opinions more freely in British colonial Hong Kong (Zou, 2015).

THE BRITISH GOVERNMENT COMPROMISED

Considering that this case would be a situation in which the Qing government violated British sovereignty, Hong Kong governors, including Sir Henry Arthur Blake and Sir Matthew Nathan, would be more likely to represent this matter. Beginning in 1901, Governor Blake sent reports and Hong Kong newspaper clippings to the Foreign Office to attempt to force the Qing government to punish the criminals. It was the first time in 1901 that the British government reviewed the case of Yeung Ku Wan as a whole. After the death of Yeung Ku Wan in 1901, British Minister Ernest Satow was not influenced by the Hong Kong English press and did not consider the political assassination to be a priority in defence of British territorial rights, but he only asked Canton Consul-general James Scott to “do the best he can, but not to let it interfere with more important matters” (Ruxton, 2006). After the investigation by James Scott, Satow concluded that the evidence was insuf-

38 Tse Tsan Tai to C.C. Greenway, 9. 11. 1903 (Greenway Family Papers, CY Reel 271, 321).

ficient to warrant the British minister to take action against the Qing government.³⁹ Before Satow's suggestion about the policy regarding Yeung Kuwan's case in 1901, Governor Blake had influenced the British Foreign Office to consider protesting to the Qing government. Nevertheless, to Satow, who was busy handling post-Boxer Rebellion issues, including the treaty, ports, railways and taxes, the Yeung Ku Wan case was not a British cardinal interest.

Upon receiving Blake's despatch in June 1903, the Secretary of State Colonial Office Joseph Chamberlain not only simply ordered that "we should ask F.O. [Foreign Office] to put it strongly to the Chinese government" but also sent the F.O. a "proposed application for extradition, [which] should be given to the Governor of Hongkong". The Secretary of the Foreign Office, the Marquess of Lansdowne, concurred with the Secretary of Colonial Office Joseph Chamberlain that the British government should pressure the Chinese government, but the differing wording assumed various degrees of threat. The Marquess of Lansdowne declined the motion of Blake and Chamberlain to extradite Chinese suspects to a Hong Kong court, although he supported the suggestion of pressuring the Chinese government to dismiss Tak Sau and Li Kacheuk, and he requested compensation from the Canton government.⁴⁰

Hong Kong Governor Blake, Peking Minister Ernest Mason Satow and the Marquess of Lansdowne, Henry Petty-Fitzmaurice, Secretary of State, Foreign Office, all concurred that the Chinese government should not violate British territorial rights. The new Hong Kong governor, Matthew Nathan, also hoped that the case of Yeung Ku Wan would "be brought to the notice of the Central Government of China with a view to that Government discouraging by such means as may be in its power any attempt of Chinese Provincial Officials to violate British territorial rights in the future".⁴¹

Although the British and Hong Kong governors would have liked to protect the territorial rights of Hong Kong, a parallel reform movement in Shanghai significantly disturbed the handling of the Yeung Ku Wan case. Subao was an influential newspaper publishing articles on overthrowing the Qing government and a serious irritant to the Qing government. Nevertheless, because Subao was a newspaper in the Shanghai Concession, the Qing government had to negotiate with foreign representatives from different countries to press for extradition of arrested Chinese journalists who maligned the imperial family. The British not only disliked the action of the Qing government in arresting Chinese in the Shanghai Concessions, but it also believed that the journalists had the right to express themselves freely in the press (Wang, 2009). While the Subao case became a much larger event than the case of Yeung Ku Wan in Britain and China, the influences of the Subao case

39 Murder of Yeung Kui Wan February 20th 1902 (CO 129/314, 201–203).

40 Foreign Office to Under Secretary of State Colonial Office, Murder of Yeung Kui Wan August 19th 1903 (CO 129/321, 273–274).

41 M. Nathan to Ernest Satow, Murder of Yeung Kui Wan November 17th 1904 (CO 129/330, 368).

attracted not only common readers but also parliament members in Britain, who continued to pressure the British government to intervene in the Subao case but not the case of Yeung Ku Wan. On August 4, parliament member James Weir asked Undersecretary of State for Foreign Affairs Lord Cranborne to decline to surrender the Subao case prisoners to Chinese authorities because of the Qing government's practice of torturing radical journalists to death.⁴² Although Lord Cranborne could not immediately grant the request,⁴³ the next day, Prime Minister Arthur Balfour replied to another member of Parliament's repetitive question about protecting the Chinese journalists in the Subao case that Ernest Satow had been "instructed by telegraph that in the opinion of His Majesty's Government the prisoners should not be surrendered".⁴⁴

As a result, although there was pressure from the China Association, particularly from its Hong Kong Branch, the Marquess of Lansdowne did not approve former Governor Blake's suggestion to extradite Chinese officials for judgement in British Colonial Hong Kong. In contrast, he speculated about the legal arrangement between the Qing and British governments, declining to turn in the two Chinese Subao journalists to the Qing government on the grounds that lower level administrators and representatives of the British and Chinese governments had reached an earlier deal. Consequently, Britain compromised in the case of Yeung Ku Wan by agreeing to abandon the option of extradition of the Chinese government of lower level official suspects to the Hong Kong court.⁴⁵ The compromise protected the Subao revolutionaries. Without the extradition of suspects from Guangdong, Yeung's case entered an impasse, with the failure to gather enough evidence or suspects for a trial. Within one year, more suspects died or disappeared, which prevented the British Hong Kong governor, Mathew Nathan, from pushing the case forward. He could only hope that the Qing government would refrain from violating Hong Kong's territoriality.⁴⁶

Bearing this point in mind, Satow wrote to the Marquess of Lansdowne that "the serious view taken by the Hong Kong government of any attempt by Chinese officials to violate British territorial rights has been frequently made clear to the Chinese government", and the evidence in the case of Yeung Ku Wan could not be used to "prove serious misconducts" of the central government of China, not to mention that it was a case that happened "nearly four years ago".⁴⁷

Before arriving at the aforementioned conclusion, Satow attempted to use evidence to analyse the viability of the case:

42 Surrender to the Chinese Authorities of the Prisoners in the Supao Sedition Case (Hansard HC Deb, 4. 8. 1903, Vol 126, cc1439–cc1440).

43 Surrender to the Chinese Authorities of the Prisoners in the Supao Sedition Case (Hansard HC Deb, 4. 8. 1903, Vol 126, cc1439–cc1440).

44 Imprisoned Chinese Journalists at Shanghai (Hansard HC Deb, 5. 8. 1903, Vol 126, c1586).

45 Foreign Office to Colonial Office, August 19–31st 1903, (FO 17/1718,600–607); Marquess of Lansdowne to Mr. Townley, Affairs of China. Further Correspondence August, 1903 (FO 405/135, no page).

46 Governor M. Nathan to Colonial Office November 17th 1904 (FO 17/1718, 714).

47 Ernest Satow to the Marquess of Lansdowne December 7th 1904 (CO 129/330, 365–366).

The most reliable witnesses were dead or withdrew testimonies;⁴⁸

The known assassins or suspects were dead, had disappeared or been banished;⁴⁹

The observation of the acting attorney general of Hong Kong, B.B. Sharp, was that there were groups of people who conspired to murder Yeung Ku Wan, but he did not have sufficient evidence at the time to “warrant proceedings against them” on murder.⁵⁰

Satow did not believe that he had enough evidence to question the Qing government in 1904.⁵¹ He assumed that Britain could not ask the Qing government to punish their officials simply on suspicion.⁵² The British government finally concluded that there was not sufficient evidence to link this murder with the Qing government. It would be almost impossible to investigate the case, so they had to order the Hong Kong government to drop the matter.⁵³

In comparing two influential political assassination cases during the era, essential differences arise between that of Yeung Ku Wan and that of the fake body of reformer Hong Quanfu. First, the Hong Kong government sent witnesses to Canton to prosecute accused Qing government officials in the latter case. Second, the British government concluded that there was not sufficient solid evidence to charge officials in the Guangdong government for the murder of Yeung Ku Wan because they wanted to repair the relationship with the Qing central government after the Boxer Rebellion, rather than risk losing relations over a Chinese revolutionary leader, a British subject who arranged the rebellion to blow up the Viceroy Yamen and sought relevant indemnity for the rebellion.⁵⁴

CONCLUSION

As an intrinsic territory of China, Hong Kong became a Trojan horse within the Qing government after being colonized by the British. Although there were various uprisings and riots in the second half of the 19th century, the capitalist revolutionary movement that was required for the establishment of the Republic for China had been difficult to produce. Unexpectedly, in the colony of Hong Kong, the early fire of the Chinese revolution emerged, although the Qing government tried to extinguish it. The Chinese revolutionaries cooperated with British radical journalists to promote the revolution. They were supported by the governor of Hong Kong and the Chinese Association in Yang’s assassination case and exerted pressure on the British government to influence British policy

48 Blake, H.A., to Chamberlain. J., Murder of Yeung Kui Wan (CO 129/317, 494–495).

49 Blake, H.A., to Chamberlain. J., Murder of Yeung Kui Wan (CO 129/317, 495–498); C.W. Campbell to Ernest Satow July 11th 1904 (CO 129/326, 501–502).

50 Opinion of Hon. B.B. Sharp, K.G., Acting Attorney General of Hongkong (CO 129/317, 504).

51 From Nathan M., Murder of Yeung Kui Wan (CO 129/324, 356).

52 From Nathan M., Murder of Yeung Kui Wan (CO 129/324, 359).

53 From Foreign Office to the Secretary of States, Murder of Yeung Ku Wan (CO 129/330, 362–369).

54 Ernest Satow Telegram No. 114 May 10th, 1904 (FO 17/1718, 660–665).

towards Chinese revolutionaries in Hong Kong, viz., at least not to collaborate with Qing government to arrest the revolutionaries. However, it must be clarified that the British failed to support the activities of the Chinese revolutionaries and only protested to the Qing government, which uncovered that the nature of the protest was because the Qing government's assassination had violated the sovereignty of the British government and the security interest of British businessmen in Hong Kong and not supportive of Chinese nationalist revitalization. In light of this fact, the early revolutionaries obtained a sheltered space in Hong Kong, from which it could carry out small-scale democratic revolutions and implicit democratic initiatives and gradually evolve the sparks of revolution into a raging fire that overthrew the Qing government.

SODELOVANJE KITAJSKIH IN BRITANSKIH RADIKALOV TER VLOGA HONG KONGA V MODERNI KITAJSKI ZGODOVINI

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POVZETEK

Članek navaja, da so kitajski in britanski radikalci sodelovali pri spodbujanju sodobne kitajske revolucije v britanskem kolonialnem Hong Kongu okoli leta 1900. Veliko pozornosti je bilo posvečene kantonskemu revolucionarnemu aktivistu Sun Yatsen, katerega vpliv v Hong Kongu je bil omejen in mu ni uspelo tekmovati z najvišjim voditeljem družbe Revive China. Medtem ko je bil Sun Yatsen izgnan iz Hong Konga, sta Yeung Ku Wan in Tse Tsan Tai zasnovala več vstajnih uporov iz svoje baze v Hongkongu, da bi izpodbijali vlado Qing-a, ki so potekali pod pokroviteljstvom britanskih radikalnih novinarjev. Članek prikazuje naraščajoči politični pomen Hong Konga od 20. stoletja dalje po izbruhu kitajske revolucije. Prikazuje naraščajočo napetost med kitajskimi oblastmi in revolucionarji, ki je povzročila podporo kitajske revolucije z strani angleškega tiska in britanskih radikalov. Smrt vodilnega revolucionarnega voditelja Yeung Ku Wana je prav tako vplivala na britansko reakcijo na intervencije kitajske deželne vlade v Hong Kongu. Poleg tega je britanski kolonializem v Hong Kongu ponujal zatočišče revolucionarjem v imenu obrambe britanske suverenosti v Hong Kongu.

Ključne besede: Kitajska, Hong Kong, revolucija, Yeung Ku Wan, britanski radikalci, Novinarstvo, Qing-ova vlada

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RAZREDNI BOJ PROTI NACIONALIZMU. PRIMER TRSTA MED 1888 IN 1914

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IZVLEČEK

Članek se ukvarja z analizo stikanj in razhajanj različnih idejno-političnih gibanj na območju Trsta od osemdesetih let 19. stoletja do prve svetovne vojne. Predvsem raziskuje odnos socialne demokracije do liberalizma; od tega, kako sta se sprva obe ideji stikali, nato pa z jasnejšo ideološko artikulacijo in konkretnimi političnimi izkušnjami čedalje bolj razhajali. Članek se dotika tudi drugih idejnih gibanj, denimo ženske emancipacije, ter pa posameznih dogodkov, ki so še posebej jasno pokazali na ideološka razhajanja med obema taboroma. Tak primer je denimo ruska revolucija 1905; skozi polemiko dveh tržaških časnikov, liberalno-narodnjaške Edinosti in socialističnega Rdečega prapora lahko spremljamo nekatere od temeljnih nazorskih razlik. Pozornost je namenjena tudi ideji slovanske sloge in odnosu privrženecv različnih nazorov do nje; sploh na primeru neoslavizma. Predstavljene so tudi zamisli zgodnjih socialdemokratskih teoretikov (Henrik Tuma, Ivan Regent, Karel Slanc) in njihov odnos do Trsta kot idealnega laboratorija za razvoj socialističnega gibanja.

Ključne besede: socializem, liberalizem, nacionalizem, internacionalizem, ženska emancipacija, slovanstvo, Trst

LA LOTTA DI CLASSE CONTRO IL NAZIONALISMO. L'ESEMPIO DI TRIESTE 1888–1914

SINTESI

L'articolo presenta l'analisi delle somiglianze e delle differenze tra due movimenti ideologici e politici nell'area di Trieste dal 1880 fino alla Prima guerra mondiale. In particolare vi si esplora l'atteggiamento della socialdemocrazia riguardo al liberalismo – da come si sono prima confrontati, e poi di come, con un'articolazione ideologica più chiara e una esperienza politica nella prassi, divennero sempre più divergenti. L'articolo tratta anche altri movimenti ideologici, come l'emancipazione femminile, nonché alcuni eventi storici che hanno messo a nudo le differenze ideologiche tra i due gruppi ideologici. Un esempio è

la rivoluzione russa del 1905; attraverso la polemica di due giornali triestini, il liberalnazionale Edinost e quello socialista Rdeči prapor, possiamo rintracciare alcune delle differenze fondamentali della loro visione del mondo. Nell'articolo viene posta anche attenzione all'idea della solidarietà slava e al diverso atteggiamento nei suoi confronti; specialmente nel caso del neo-slavismo. Vi si presentano inoltre le idee dei primi teorici socialdemocratici (Henrik Tuma, Ivan Regent, Karel Slanc) e il loro rapporto con Trieste come laboratorio ideale per lo sviluppo del movimento socialista.

Parole chiave: socialismo, liberalismo, nazionalismo, internazionalismo, emancipazione femminile, slavismo, Trieste

UVOD

Od leta 1848 dalje je bil nacionalizem najbolj prisotno emancipatorno gibanje, ki je doseglo vsa območja Habsburške monarhije. A bolj kot se bližamo koncu stoletja, večjo konkurenco nacionalizem dobiva v drugih gibanjih, predvsem v socialističnem internacionalizmu, delno pa tudi v boju za enakopravnost žensk. Namen tega prispevka je na multikulturnem območju Trsta opazovati, kako so se med seboj srečevala, spajala in razhajala različna gibanja: nacionalizem, liberalizem, socializem in boj za pravice žensk. Analizirano bo predvsem obdobje od ustanovitve Avstrijske socialno demokratske stranke (ASDS) leta 1888/9 do prve svetovne vojne.

Delo se naslanja na znanstveno in strokovno literaturo, ki je z vidika politične, socialne in kulturne historiografije že obravnavala analizirano območje ter se osredotoča na teme, ki stojijo v središču zanimanja tega prispevka. Z vlogo Trsta v političnem življenju Slovencev se je ukvarjal Jože Pirjevec (2007), s slovanstvom in slovenstvom v Trstu pa Milan Pahor (2004). Nacionalnemu vprašanju obmejnih območij se je posvetil Pieter Judson (2006), konkretnemu primeru Trsta pa so bile med drugim namenjene raziskave Dominique K. Reill (2012), Giorgia Negrellija (1978), Marine Cattaruzze (2017), Borisa Gombača (1993), Boruta Klabjana (2011; 2013; 2015) in Marte Verginella (2009; 2011; 2017). Raziskave slednje so posebej pomembne tudi za razumevanje politične, kulturne in socialne vloge žensk na Tržaškem. Tržaški socialni demokraciji v času druge internacionale se je temeljito posvetila Marina Cattaruzza (2011), s specifikami slovenske socialne demokracije v Trstu zadnjega desetletja 19. stoletja pa se je ukvarjal Boris Gombač (2006). O istem obdobju, le da brez omejitve na tržaško območje, je pisal tudi Dušan Kermavner (1963), ki se je poleg tega posvetil tudi slovenski publicistiki in njenemu odnosu do ruske revolucije leta 1905. Ko gre odnos, ki ga je imelo slovensko prebivalstvo do Rusije, je najboljše študija Iskre Čurkina (1995). Z neoslavizmom kot zadnjim poskusom vzpostavitve vseslovanske vzajemnosti se je ukvarjala Irena Gantar Godina (1994).

Pričujoči prispevek se od že objavljenih raziskav razlikuje po tem, da skuša slediti raznovrstnim emancipatornim gibanjem v Trstu, ki so se dojemala kot napredna. Ne opira se le na odnos med političnimi tabori, pač pa v perspektivo postavlja tudi druga, slabše organizirana, a vseeno prisotna gibanja, denimo slovansko vzajemnost in emancipacijo žensk. V čem se je razlikoval odnos tržaških socialdemokratov in liberalcev do slovanske vzajemnosti, (jugo)slovanstva, (inter)nacionalizma in neoslavizma? Kako so se njihovi pogledi na te koncepte spreminjali? Kako se je v obravnavanem obdobju spreminjal pogled na koncepta naroda in razreda? Kako sta ta dva koncepta na Tržaškem (so) oblikovala drug drugega, kako si nasprotovala ter se dopolnjevala?

Članek posebno pozornost namenja ruski revoluciji leta 1905, saj so se skozi ta, od Trsta sicer geografsko oddaljeni zunanje-politični dogodek, zrcalili notranje-politični in svetovnonazorski mestni konflikti med liberalno-

-nacionalnim in socialističnim polom. Hkrati je bilo leto 1905 prelomno tudi za avstrijsko socialdemokracijo, ki je po tem obdobju postajala čedalje manj internacionalna; namesto tega pa so se razvijale posamezne nacionalne socialdemokratske ideje. Revolucija je tudi spremenila samo idejo vseslovanskega gibanja, saj je sprememba Rusije v ustavno monarhijo omogočila formiranje neoslavizma, zadnjega slovanskega idejnega gibanja, ki je vzniknilo pred prvo svetovno vojno.

Raziskava temelji na analizi časopisnih virov (podrobneje so navajani: Rdeči prapor, Edinost in Slovenka, nekoliko redkeje pa še Delavec, Slavenska misao, Delavski list in Slovanski svet), takratnih teoretskih prispevkih vodilnih socialdemokratov obravnavanega območja (Etbin Kristan, Henrik Tuma, Karel Slanc, Ivan Regent) ter njihovih avtobiografskih virih (Regent, Tuma).

NACIONALNO VPRAŠANJE, PREIZKUSNI KAMEN

Trst se je v drugi polovici devetnajstega stoletja iz trgovskega mesta čedalje hitreje spreminjal v industrijsko mesto. Naraščanje delavstva je vplivalo tudi na socialno in politično strukturo mesta. Do ustanovitve Avstrijske socialne demokratske stranke (ASDS) leta 1888/9 se je delavstvo v Trstu združevalo v delavskih podpornih društvih, ki so obstajala pod okriljem meščanskih strank. Pozneje se je pod avstrijskim vplivom začela socialistična misel razvijati tudi v Trstu, kjer pa je – vsa leta socialističnega delovanja – duhove najbolj buril socialistični internacionalizem (Gombač, 2006, 97). Socializem je v Trstu napredoval le počasi, še ob koncu osemdesetih let je bil omejen le na ožji krog navdušencev; tudi takratna politična zaostritev v krogu avstrijske socialne demokracije v Trstu ni imela močnejšega odmeva. Med letoma 1888 in 1914 je socialdemokracija poleg liberalnega in katoliškega tabora postala tretja politična sila v mestu. Prevladujoči liberalizem, tako italijanski kot slovenski, se je opiral na nacionalizem. Italijanski nacionalizem, ki je svoj vzpon na obmejnem območju doživel predvsem v devetdesetih letih 19. stoletja, je vključeval tudi antislavizem in je kot tak nasprotoval težnjam Slovencev in Hrvatov po pravici do manifestacije lastne nacionalnosti. Odgovor na to je bil tudi slovenski liberalizem, ki je temeljil na nacionalni komponenti. Zato je vzpon tržaške socialne demokracije, ki je v svoje središče postavljala internacionalizem, predstavljal idejni in ideološki pretres v mestu (Cattaruzza, 2011; Cattaruzza, 2017).

V narodnostno mešanem Trstu, kjer so živeli pripadniki različnih slovanskih narodnosti, je bila ideja slovanske vzajemnosti prisotna vsaj od sredine

19. stoletja dalje. Fran Podgornik¹ in Ante Jakić², tržaški starosti te ideje, sta zagovarjala stališče, da je del slovanske kulture le tisto, kar je prvobitno slovansko, in da se mora slovanska kultura otepati vseh tujih vplivov. Tega nista imela v mislih le za književnost, slikarstvo in glasbo, ampak tudi za politiko. Z argumentom tujosti sta denimo nasprotovala socialni demokraciji, češ da je ta za Slovane nekaj tujega in jim zato lahko škodi. Ogrožala naj bi jih v verskem, nacionalnem in ekonomskem pogledu. Največja nevarnost socialne demokracije naj bi bila po Podgornikovem mnenju v tem, da prezira nacionalni značaj in zaničuje narodne stranke (centrala socialne demokracije je do prve svetovne vojne ostajala na Dunaju), ki pa naj bi bile po njegovem temeljne za politični napredek.³ Vendar pa avstrijska organizacija ni bila glavni problem za starejše pripadnike slovanskega gibanja, še bolj pereča se je zdela jasnejša zavezanost jugoslovanstvu, ki jo je razglašala socialna demokracija. Že ime stranke JSDS⁴ priča tudi o tem, da ji jugoslovanstvo pomeni več od le geografske naključnosti, s čimer se razlikuje od splošnega slovanstva, ki ga je zagovarjal Podgornikov Slovanski svet.

- 1 Fran Podgornik (1846–1904) je bil na Dunaju 1879 tajnik slovenskega literarnega društva, pozneje v življenju pa sodeloval pri več slovenskih časopisih (Soča, Zora, Zvon, Slovenski narod, Dom in svet, Edinost ...). Bil je slavjanofil in rusofil starejšega kova in njegovi nazori so ob koncu 19. stoletja že sodobnikom delovali zastareli. Ukvarjal se je predvsem z narodnim vprašanjem, zagovarjal je vseslovansko slogu pod ruskim plaščem, verjel, da bi morali vsi Slovenci govoriti rusko, prevzeti cirilico ter pravoslavno bogoslužje. Predvsem so ga zanimali slovenski kmetje, manj delavci, a na splošno je verjel, da bi Slovencem univerza lahko celo škodila (znanstveno in leposlovno naj delujejo v ruščini). Zavrnil je Marxove ideje ter bil velik nasprotnik revolucije. Leta 1888–99 je ustanovil v Trstu časnik Slovanski svet, ki se je ukvarjal predvsem s politiko. Njegova misel na Slovence ni imela velikega vpliva, še največ privržencev pa je našel v Trstu in v rusofilskih krogih. Čeprav je večkrat polemiziral z Edinostjo, mu je bila ta večino časa naklonjena in je rada povzemala njegove ideje. Kritiziral je tako katoliško kot narodno-napredno stranko; največji odpor pa je zaradi zanikanja nacionalnega čutil do socialne demokracije (Pirjevec, 2007).
- 2 Ante Jakić v slovenskem prostoru ni zares znan; aktiven je bil predvsem v Trstu, kjer je izdajal časopis Slavenska misao, ki je od leta 1903 izhajal v hrvaščini; pred tem ga je urednik tiskal v francoščini kot *La Pensée Slave*. Jakić je bil naklonjen tako avstrijskemu cesarju kot ruskemu carju (Nikolaju II); k slednjemu se je v svojih uvodnikih tudi večkrat obračal po pomoč. Sicer je bil poleg slovanofilskih in rusofilskih tendenc v Trstu znan predvsem po svojem ekscentričnem življenjskem slogu.
- 3 Te trditve se pojavljajo večkrat, predvsem ob koncu devetdesetih let 19. stoletja, po ustanovitvi JSDS npr. Slovanski svet, 5. 3. 1897, 38.
- 4 Zаметke socialističnega gibanja na Slovenskem lahko zasledimo že v sedemdesetih letih, na delavce pa so vplivali predvsem tuji kolegi, sploh italijanski, nemški in češki, ki so v Trstu kot pristaniškem mestu našli svoje delo. Ideja se je širila tudi preko slovenskih delavcev, sploh rudarjev, ki so bili migrantski delavci oz. so opravljali sezonska dela v tujini. Do leta 1884 se je radikalni socializem, včasih celo anarhizem, zaradi policijskega pritiska umaknil zmernejši socialni demokraciji, vendar pa socializem v Trstu tedaj ni bil razširjena ideologija, pač pa je bil omejen na ožje kroge in posameznike, ne glede na nacionalnost. Vendarle pa velja poudariti, da so imeli proti koncu 19. stoletja tržaški Slovenci več stika z dunajsko socialdemokratsko centralo kot njihovi italijanski someščani (Kermavner, 1963; Volk, 1993; Cattaruzza, 2011).

Leto po ustanovitvi JSDS (1898) je v Trstu začel izhajati tudi socialistični časopis Rdeči prapor⁵, ki je večkrat razložil, zakaj socializem ni nikakršno neavtohtono gibanje ampak je domač, sploh ker temelji na vsakem posamezniku in je nujen celotnemu človeštvu, saj beda ne izbira narodnosti ali pokrajin, ampak je enako neusmiljena do vseh ljudi. Bede človeka ne morejo odpraviti Bog, narod ali politika, ampak morajo delavci »spoznati, da je tudi za nje ena sama pomoč: pomagaj si sam.« Da pa bi si lahko pomagali, je treba iti v boj proti kapitalizmu, najprej vsak zase in nato kot skupnost.⁶ Že Delavec, predhodnik Rdečega prapora, ki je od leta 1893 izhajal na Dunaju, v Trstu, Ljubljani in Zagrebu, je zagovarjal združitev jugoslovanskih delavcev v enotno gibanje, hkrati pa opozarjal, da boj za narodnostne pravice nima smisla, saj niso pripadniki lastnega naroda nič manjši izkoriščevalci proletariata od pripadnikov tujih narodov, kar so utemeljili z besedami:

Industrija se je pričela zadnjih let tudi v jugoslovanskih deželah razvijati, in tisoče naših bratov robota 'narod ljubečim' Jugoslovanom po njihovih tvornicah, ter ne zasluži niti toliko, da bi skromno preživela sebe in svoje družine. Naša buržoazija vedno vpije, da preti Jugoslovanom od drugih narodov pogin, sami pa izkoriščajo svoje lastne krvne brate tako, da jim ne ostaja toliko časa, da bi čitali kako koristno knjigo ter razširili duševno obzorje.⁷

Navedeni očitek lahko beremo kot neposredni obračun z narodnjaki, katerih stališča je med drugim predstavljal Podgornikov Slovanski svet. Po eni strani naj bi bili zaskrbljeni za narod in so neprestano poudarjali pomen narodne kulture, po drugi strani pa niso problematizirali izkoriščanja delavstva, ki se zaradi izmučenosti in gmočnih razmer ni zmoglo ukvarjati z lastno izobrazbo ter kulturnim povzdigovanjem. Nekaj let pozneje (1905) je pojem narodne kulture tudi teoretsko ovrgel v Trst priseljen socialist Etbin Kristan⁸, ki je zagovarjal, da je kultura lahko le internacionalna in si je noben narod ne more lastiti; kultura ima lahko v sebi nekaj »narodnega kolorita«, a ustvarjajo jo vsi narodi. Dodal je še: »Zanikati mednarodnost se pravi zaničevati kulturo. Siromašen bi bil tisti narod, ki ne bi rad sprejemal, kar je dobrega in lepega zraslo pri drugih narodih.« (Kristan, 1950,

5 Rdeči prapor je bil osrednje glasilo slovenske socialne demokracije, v Trstu je izhajal v nakladi približno 1100 izvodov (Cattaruzza, 2011, 54).

6 Rdeči prapor, 20. 1. 1900: Opomba uredništva, 4.

7 Delavec, 10. 12. 1896: Shod jugoslovanskih socijalnih demokratov o Božiču v Zagrebu, 140.

8 Kristanu bi lahko pripisali tudi avtorstvo nepodpisanega citiranega članka iz Delavca.

157).⁹ Posebej se je dotaknil tudi delavskega vprašanja ter poudaril, da je kultura, kakršno imajo Slovenci na voljo, namenjena le peščici izobražencev; da bi bilo lahko drugače, pa bi moralo najprej priti do blagostanja. Ljudje, ki jih neprestano skrbi za vsakdanji kruh in so zgarani od fizičnega dela, ne morejo uživati kulture in ji ne morejo neposredno ničesar prispevati. Zato so za kulturo po Kristanovem mnenju veliko bolj od kulturnih domov pomembne delavske organizacije, ki se borijo za boljše življenje proletarcev. Šele ko bo to doseženo, bo imela kultura sploh smisel (Kristan, 1950, 158).

Bistvo socialističnega stališča do narodnosti je bilo, da domači kapitalisti do delavcev niso nič prizanesljivejši ali bolj razsvetljeni od tujih. Slovanski socialisti v Trstu so svoj internacionalizem jemali resno, uporabljali pa so ga celo za preizkus tega, kdo resnično razume socializem in kdo ne. Tržaški socialist Ivan Regent je o nacionalnem vprašanju govoril kot o »preizkusnem kamnu«, na katerem »je bil vedno razkrinkan vsak, kdor ni razumel nujnosti razrednega boja proletariata po načelih internacionalizma. Kdor se ni zapisegel temu boju z vso dušo in prepričanjem, da je to edina prava pot za osvoboditev proletariata, je za vedno obvisel na nacionalizmu.« (Regent, 1961, 13).

Tudi Rdeči prapor je dosledno obračunaval z narodno politiko in si prizadeval pokazati, da obstajajo emancipatorni boji, ki so nujnejši od narodnega. Med drugim so izpostavili boj za pravice žensk. V članku z naslovom *Kaj je bistvo ženskega vprašanja?*¹⁰ so predstavljene težnje in pravice sodobnih žensk. Članek se zaključí z mislijo, da si ženska želi le ene stvari: »Boljšega življenja.« Če si ženske želijo možnosti izobraževanja je to zato, da bi lahko bolje živele, če si želijo političnih pravic, je to prav tako le zato, da bi bilo

9 V grobem se je Kristanovo mnenje ujemalo tudi s pogledom na nacionalizem osrednjih akterjev avstromarksizma. Vprašanje o povezavi socialdemokracije in nacionalnosti je bilo načeto že na strankarskem kongresu v Brnu (1899), kjer je aktivno sodeloval tudi Etbin Kristan. Istega leta je Karl Renner izdal eno ključnih del na to temo, *Staat und Nation. Zur Oesterreichischen Nationalitätenfrage* (Država in nacija. K avstrijskemu narodnostnemu vprašanju), kjer je zagovarjal, da nacionalizem zastira pogled na razredno vprašanje, zato ga je treba omejiti na osebno odločitev, avtonomijo. Prihodnost je videl v večnarodnostnih demokratičnih federacijah. Otto Bauer (1907) je Rennerjevo delo nadgradil s knjigo *Die Nationalitätenfrage und die Sozialdemokratie* (Narodnostno vprašanje in socialna demokracija), v kateri je prevzel idejo osebne opredelitve za nacionalnost kot del posameznikove identitete. V svojem delu je povezal nacionalizem in kapitalizem ter poudarjal, da bo nacionalizem v trenutku, ko bo vzpostavljena horizontalna razredna solidarnost, odveč. Avstromarksizem si je prizadeval depolitizirati narodno vprašanje in tako postaviti temelje za internacionalno stranko v večnarodnostni monarhiji; verjeli so, da bo delavski internacionalizem presegel buržoazni nacionalizem in trenja, ki jih ta povzroča. Več o avstromarksizmu in Slovencih s poudarkom na Karlu Rennerju, Etbinu Kristanu in Henrikumu Tumi je napisal Andrej Rahten (2009).

10 Avtorstvo tega članka bi bilo mogoče pripisati Zofki Kveder, ki se je leta 1899 preselila v Trst in objavljala v tamkajšnjih časopisih, tudi v Rdečem praporju. Zofka Kveder se je s Slovenko iz več razlogov pozneje razšla. Podrobneje o tem Mihurko Poniž, 2017.

njihovo življenje boljše.¹¹ Tako pridejo do zaključka, da je tudi ženski boj v resnici razredni boj in da bi boljše gnotne in socialne razmere razrešile skoraj vse ženske zahteve.¹²

Če sodimo po časopisu *Slovenka*, ki je v Trstu začel izhajati leta 1897¹³, so tudi ženske same svoj boj videle v kontekstu razrednega in ne nacionalnega boja, sicer predvsem v času urednikovanja Ivanke Anžič Klemenčič.¹⁴ To je zelo očitno prišlo do izraza v polemiki med Franom Ilešičem in uredništvom *Slovenke*, ko se je prvi pritožil, da *Slovenka* ne daje prioritete pravim temam. Zmotilo ga je, da so v januarski številki leta 1900 na prvo mesto postavile članka o svobodni ljubezni in ženskem vprašanju, šele na tretjem mestu pa je bil objavljen življenjepis češke narodnjakinje Frančiške Stranecke, kar pomeni, da »ospredje zavzema po takem socialno (obče človeško) vprašanje, v ozadju pa se skriva slovenstvo in slovanstvo.«¹⁵ Ilešiču se je zdelo nujno, da *Slovenka* v ospredje postavi slovanstvo, saj naj bi bila njena naloga vzgojiti ženske z narodnim čutom. To pa je mogoče le, če najpomembnejše mesto v časopisu ne bo namenjeno socialnim temam, pač pa »vrli slovanski ženi«.¹⁶ Poleg tega je Ilešič emancipatornemu tonu *Slovenke* pripisoval škodljive tuje vplive (kot so jih pripisovali socializmu), saj slovenske ženske po njegovem ne potrebujejo svobodne ljubezni in drugih naprednih reči. Stvari, o katerih je pisala *Slovenka*, po Ilešičevem mnenju niso imele realne osnove in so bile »utopija«. Slovenska dekleta pa naj bi bila »plemenita, pobožna in varčna« ter z »veselim očesom zrla na življenje ter zaupljivo dvigovala v nebo pobožen pogled«.¹⁷

Ta povsem konservativna idealizacija ženske in nerealna predstava o ženski kot predstavnici naroda je povedna, saj pokaže, kako idealiziran pogled so imeli domoljubi na stvari, ki so jih imeli za nacionalno pomembne.¹⁸ Osebnosti in resnične življenjske okoliščine pri idealističnem rodoljubju niso imele česa iskati. Tudi v tem lahko vidimo vzporednico z razrednim vprašanjem: rodoljubi se niso zares zanimali za delavsko bedo, so pa radi idealizirali slovenskega delavca kot poštenega, pridnega in zavzetega.

11 Prvi časopisni zagovor ženskih pravic je bil sicer objavljen v Podgornikovem Slovanskem svetu. Tržaški časopisi so se v odnosu do te teme na splošno izkazali kot naprednejši od drugih slovenskih časnikov. Več o tem Verginella (2011) v članku *Nacionalna pripadnost žensk in njihovo delovanje na nacionalnem obrobju*.

12 Rdeči prapor, 20.1.1900: Kaj je bistvo ženskega vprašanja?, 3–4.

13 Omeniti velja, da *Slovenka* ni bila tematsko enovit časnik, ampak je nanjo tudi vplivala volja vsakokratne urednice. Pod Marico Nadlišek Bartol je bila nekoliko bolj domoljubna, pod Ivanko Anžič Klemenčič pa so se razpirale tudi socialne teme. To seveda ne pomeni, da pred letom 1900 ni bilo socialnih tem in obratno, je pa jasno razvidna razlika v časopisih. S feminističnimi temami v prvem slovenskem ženskem časopisu se je ukvarjala Ana Cergol Paradiž v: *Slovenka* (2017, 81–94).

14 V obzir moramo vzeti, da so bile ideološka opredeljevanja relativno fluidna, Ivanka Anžič Klemenčič pa je od leta 1908 dalje delovala v katoliškem taboru. O njej in njenem delovanju pri *Slovenki* je pisala Selišnik, 2017.

15 *Slovenka*, 15. 2. 1900: Razgovori, 47.

16 *Slovenka*, 15. 2. 1900: Razgovori, 47.

17 *Slovenka*, 15. 2. 1900: Razgovori, 48.

18 Več o tem Mosse, 2005.

Fran Ilešič je v zaključnem delu pisma strnil željo po narodnem namesto razrednem z besedami:

*Želim si, da mi odslej pošiljate – Slovenko, ki bo v lepi domači obleki glasno pričala o slovanstvu in se z domačo zgovornostjo borila za svoje pravice v konkretnih razmerah, ne premlevala praznih abstrakcij – ne pošiljajte mi Socialistinj, ampak Slovenko!*¹⁹

Nekaj številke pozneje je njemu – in mnogim, ki so mislili podobno, Danica²⁰ odgovorila s člankom, ki je nosil naslov *Ali je žensko gibanje opravičeno*, v katerem je zapisano, da je zmotno prepričanje, da si sme narod, ki ima priznanih tako malo političnih pravic, prizadevati za katerekoli druge pravice, ter dodaja: »Narodnega dela zahtevate od slovenske žene, za socialno delo je ženska prešibka.« A to ni mogoče, saj: »Kar so pozabili je to, da v mrtvih srcih tudi narodna ideja ne more goreti in da neprosta ženska ni primeren činitelj za delo. Dajte ženski svobode, vzdramite njenega duha, in vaš trud bo obrodil stoteri sad.«²¹

S tem ženske govorijo nekaj podobnega kot socialisti: šele ko bodo razredne razlike odpravljene, lahko govorimo o narodnosti. Svoboda je nujnost; to poudarja tako zgoraj navedeni citat kot moto Rdečega prapora, ki se je glasil »Kdor ne zna svobodno misliti, ne more se boriti za svobodo.«²² Da gre pri vsem skupaj za razredno vprašanje, je jasno tudi iz besed urednice Ivanke Anžič Klemenčič, ki je zapisala, da je bistvo ženskega vprašanja ni vprašanje višjega sloja, ampak gre predvsem za reševanje razmer »proletarskega ženstva.«²³

Na prelomu stoletja se je narodno vprašanje čedalje bolj mešalo z drugimi vprašanji: razrednim, spolnim ipd., hkrati pa je bilo iz vseh javnih občil mogoče razbrati tendenco po politizaciji in boljši organizaciji slovanstva. Izjema so bili tu le socialisti, ki so svojo politično formacijo snovali na razredni in ne na narodni zavesti – čeprav pripadniki stranke v Trstu tudi glede tega vprašanja niso bili povsem poenoteni.

SOCIALISTI V SVILENIH SRAJCAH IN NACIONALISTIČNI PAJACI

Z rusko revolucijo januarja 1905 lahko začnemo opazovati spreminjanje odnosa, ki so ga Slovenci imeli do Rusije. Če smo za sedemdeseta in osemdeseta leta 19. stoletja lahko zasledili ocene, da je bil ruski vpliv na slovensko kulturo tako močan, da bi bilo

19 Slovenka, 15. 2. 1900: Razgovori, 48.

20 Pod besedilo je bila podpisana Danica. Ta psevdonim je pripadal Elviri Dolinar (1870–1961). Več o njej in feminističnih nazorih v *Slovenki* Ana Cergol Paradiž v: *Slovenka* (2017, 81–94).

21 Slovenka, 14. 4. 1900: *Ali je žensko gibanje opravičeno*, 74.

22 Vendar je treba še enkrat poudariti, da je bila Slovenka nazorsko bližje Edinosti kot Rdečemu praporju, s katerim je imela tudi nekaj polemik (denimo o prostituciji leta 1901).

23 Slovenka, 15. 2. 1900: Bistvo ženskega vprašanja, 26.

mogoče govoriti o »vdoru ruskega duha« (Kermavner, 1960, 5),²⁴ pa je v letu 1905 prišlo do družbeno-idejnega vdora Rusije, ki se je čedalje bolj odražal tudi na političnem področju. Hkrati sta se izoblikovali tudi dve različni poziciji v odnosu do Rusije; okostenela, rusofilska (narodnjaška), ki se je vlekla še iz 19. stoletja in je kot edini emancipatorni boj priznavala narodnega, in nova, razredna oz. socialistična, ki je po letu 1905 še bolj prišla do izraza. Osnovno idejno in ideološko zarezo med obema pogledoma na Rusijo lahko najbolj natančno spremljamo iz načina, na katerega je tržaška publicistika obravnavala rusko revolucijo leta 1905. Prav v tržaških časopisih lahko spremljamo najbolj burne odzive na dogajanje v Rusiji, pri čemer so se celo zapletali v medsebojne polemike. Liberalno-nardnjaška *Edinost* in socialdemokratski *Rdeči prapor* sta se z rusko revolucijo ukvarjala že od samega začetka, januarja 1905, ter s spremljanjem ruskih dogodkov nadaljevala celo leto.²⁵ Česa podobnega ne moremo spremljati v nobenem drugem slovenskem časopisu tistega časa. To lahko pripišemo predvsem odmiku od rusofilije, za katerega se je odločilo uredništvo Slovenskega naroda – in ko sta ugasnila še *Slovan* in *Slovanski svet*, je *Edinost* ostala edini slovenski časopis, ki se je redno in z gorečnostjo posvečal ruskim temam.

Edinost je bila že od začetka svojega izhajanja v sedemdesetih letih časopis, ki je Rusiji namenjal največ pozornosti med vsemi slovenskimi časniki. O njej je najpogosteje poročala v vznesenem rusofilskem duhu in častila vse, kar je bilo ruskega, od presvetlega carja do poslednjega mužika, vse to podkrepljeno z močnim duhom slovanske vzajemnosti. Takšno jo je sprejemalo tudi bralstvo, slovensko narodno meščanstvo, ki mu je bilo blizu »osnovno vseslovansko čustvovanje, ki je vsebovalo samodopadljivo nekritičen pogled na Rusijo kot edinega pravega mogotca med slovanskimi narodi.« (Kermavner, 1960, 7). Ko je prišlo do revolucije, se je torej znašla v zagati: na kakšen način bralcu pojasniti, da se je ljudstvo uprlo carju, ki ga je leta predstavljala kot dobrega zaščitnika Slovanov, še na začetku januarja pa celo slavila kot liberalnega?²⁶ Povzemali naj bi ruske časopise ter svojim bralcem poročali, kako so Rusi navdušeni nad carjevimi reformami, ki jim nasprotujejo le

24 Dušan Kermavner z »vdorom ruskega duha« citira besede urednika Sodobnosti in pisatelja Ferda Kozaka, ki naj bi večkrat izrekel misel, da slovenska moderna (kot umetniška smer in kot doba) svoj zagon črpa iz ruske književnosti.

25 O dogajanju v Rusiji so poročali vsi pomembnejši slovenski časopisi, le trije pa so bralcem ponujali tudi globljene analize, predikcije in mestoma celo čustvene odzive. Poleg v besedilu omenjenih tržaških časnikov, so nekaj podrobnejših analiz priobčili tudi v socialističnih ljubljanskih *Naših zapisnikih*, ki so z razrednega vidika, presenetljivo podobnega Leninovemu, že leta 1904 analizirali rusko-japonski spor, leta 1905 pa je bila posebej zanimiva analiza ruske revolucije, ki jo je v nadaljevanjih pisal Karl Linhart. Ta analiza je namreč v veliki meri netočna, sploh pa – povsem nesocialistična, kar se kaže predvsem v nepoznavanju historičnega materializma, ki bi ga kot socialistični časnik morali poznati. Nekaj o besedilih in stališčih osrednjeslovenskih časopisov (*Dom in svet*, *Domoljub*, *Slovenski narod*, *Naprej*, *Ljubljanski zvon* in *Čas*) je mogoče najti v delu *Slovenska publicistika in prva ruska revolucija* Dušana Kermavnerja (1960). O revoluciji je poročala tudi Jakičeva *Slavenska misao*, ki je zagovarjala izrazito antinacionalno stališče.

26 Odnos do carizma je bil že v 19. stoletju zapleten tudi med Rusi samimi, pa tudi med Slovenci, ki so živeli v Rusiji. Zgovoren primer je bil Davorin Hostnik; četudi je bil vedno na strani zatiranih, je bil hkrati tudi pristaš carizma, saj je bil car zanj »predstavnik ruske ideje, ki je tudi vseslovanska ideja.« Ni verjel v revolucijo, ampak da se mora »mužik dvigniti, pomeščik spustiti.« (Čurkina, 1995, 190).

»glasila internacionalnega židovstva«, ki pa »ne razumejo potreb Rusije«. Ovrgli so tudi možnost, da bi car vpeljal ustavo, saj naj z njo svojih podanikov ne bi osrečil, ampak bi državo le »izpostavil nedoglednim pretresljam«, za povrh pa so v Edinosti še dodali, da resnično »konstitucionalno življenje« obstaja samo v Angliji, povsod drugod, vključno z Avstrijo, pa je le mrtva črka na papirju.²⁷ Vere v carja jim ni omajala niti t. i. krvava nedelja 9. januarja 1905, ko je bilo v St. Peterburgu ubitih približno 200, ranjenih pa 800 ljudi (Figes, 2013, 201)²⁸. V članku z naslovom *Krvavi dogodki v Petrogradu* so zapisali, da jim s »človeškega stališča krvavi srce«, ker je tekla »dragocena človeška kri«²⁹, hkrati pa so za pokole krivili internacionalno oz. židovsko zaroto³⁰, ki naj bi pritiske na carja vršila v najbolj kritičnem času, ko je Rusija v vojni in zato nujno potrebuje notranjepolitično stabilnost. Edinost bi sicer lahko simpatizirala z revolucijo in uporom delavstva, če bi se dogajala v drugem času, ne pa ravno, ko je Rusija v vojni in »ruski sinovi krvavijok«. Za upor carju naj bi bili, po mnenju Edinosti, krivi »izvenruski krogi« oz. »Rusiji in slovanstvu nevarna internacionala«, ki se boji ruske moči v vojni z Japonsko; ker naj bi bila Rusija v vojni nepremagljiva, jo na kolena skušajo spraviti z revolucijo.³¹ Edinost je tudi v prihodnjih številkah nadaljevala s prepričevanjem bralstva, da ruski narod še

27 Edinost, 1.1. 1905: Reforme v Rusiji, 2.

28 Nezadovoljstvo delavcev, ki so delali v nemogočih razmerah, se je v Rusiji poznalo že leta 1904, vrhunec pa je doseglo januarja 1905, sprva s stavkovnimi vali (med 3. in 8. januarjem je v St. Peterburgu stavkalo približno 120.000 delavcev), nato pa 9. januarja 1905 s pohodom 150.000 delavcev, ki so se pod vodstvom Gapona podali proti Zimskemu dvorcu, da bi carju predali svoje zahteve (Figes, 2013, 196–201).

29 Če se je zdelo Edinosti pretakanje krvi odveč, pa so to nekateri sodobniki videli kot edino možnost za prehod k boljši družbeni ureditvi. Maksim Gorki je svoji ločeni ženi pisal: »Priateljica, tako se je rodila ruska revolucija. Prisrčno ti čestitam. Mnogo ljudi je umrlo, vendar naj te to ne moti – samo kri lahko spremeni barvo zgodovine« (Figes, 2013, 202).

30 Očitek o »židovskem tisku«, »židovski zaroti«, »židovskem internacionalizmu« ipd. je v Edinosti pogost, sploh ko gre za italijanski ali nemški liberalni tisk. Slovensko protijudovstvo je bilo del širšega srednjeevropskega odnosa do Judov, ki se je oblikovalo kot nekakšen skupek idej in stereotipov, ki združujejo zgodovinsko usledino predsodkov s sodobnostjo in mitologijo. Antisemitizem je bil od druge polovice 19. stoletja dalje vezan na vzpon narodnih gibanj in vstop množic v politiko, od 70. let dalje pa je imel antisemitizem svoj prostor tudi v političnih programih in ga Furet (1998) zato imenuje tudi »demokratični antisemitizem«. Antisemitizem lahko zasledimo v malone vseh slovenskih časnikih od Slovenskega sveta do Slovenskega naroda (Štepec, 2002). Upoštevati pa velja tudi, da je slovenski antisemitizem bolj kot iz sovraštva do Judov, s katerimi Slovenci niti niso imeli stika, izhajal iz nacionalistične oz. celo narodnoobrambne težnje v boju proti nemškemu ali italijanskemu liberalnemu meščanstvu. Podobno velja tudi za gospodarska vprašanja, v katera so se mešali tujci; v slovenski meščanski publicistiki je bil »žid« vsak ogrski kapitalist, ki je skušal obogateti v Bosni in Hercegovini in je na ta način oviral slovenske kapitaliste (Kardelj, 1957). Kot pa lahko razberemo iz Edinosti, je »židovska internacionala« oz. »mednarodno židovstvo« pogosto tudi oznaka za socialdemokracijo oz. socialiste. Omembe židovstva je zato treba razumeti širše in ne izključno v smislu rasnega ali verskega sovraštva do Judov. Kljub temu pa velja omeniti, da v istem obdobju niso vsi Slovenci podlegali antisemitski ideologiji. Lev Ferdinand Tuma je prav v svojem potopisu v Rusijo leta 1905 zapisal: »Pri nas razumemo navadno pod besedo žid bogatina, ki sedi na kupih zlata. Kdor pa pride v te romunske kraje (in kakor sem videl posebno tudi v Rusiji), spozna prav kmalu, da je največji trpin ravno žid.« (Zvonček, 1. november 1905, 250). O antisemitizmu na Tržaškem je pisala tudi Marta Verginella (2001) v članku *Judovski troti in slovenske čebelice*.

31 Edinost, 25. 1. 1905: Krvavi dogodki v Rusiji, 1.

ni pripravljen za ustavo, car Nikolaj pa naj bi bil mehka duša z najboljšimi nameni. Za povrh naj ljudstvo niti ne bi moglo vedeti, česa si želi; željno je sprememb, a se mu niti sanja ne, kakšnih in kaj te v resnici pomenijo. Ljudstvo se tudi neupravičeno jezi nad carjem; za njihove slabe življenjske pogoje, naj bi bilo po mnenju Edinosti krivo uradništvo.³²

Kljub navedenim stališčem pa drže Edinosti v odnosu do ruske revolucije ne moremo označiti le za konservativno, reakcionarno ali protisocialistično. V številki iz 27. januarja 1905 lahko vidimo, da je bila konservativna le toliko, kolikor je bil konservativen nacionalizem 19. stoletja, ki se ji je pač zdel pomembnejši od delavskega vprašanja, kar pa še ne pomeni, da se ga ni zavedala. Ob proticarističnih demonstracijah pred ruskim konzulatom v Trstu so namreč objavili članek z naslovom *Sovragi Rusije – in nas vseh*, v katerem so množico delili na dobre, socialistične, in slabe, laške ter liberalne protestnike.

*Socialni demokraciji ni oporekati, ako izjavlja svoje simpatije do ruskih delavskih mas in ako nasprotuje avtokratski obliki vladanja na Ruskem. To ustreza njenim načelom in njenemu programu. Poštenemu prepričanju se pa more sicer nasprotovati, ali spoštovati smo ga dolžni.*³³

Problema za Edinost ni predstavljala socialna demokracija, ampak italijanski liberalizem, ki ga je zanje utelešal predvsem tržaški list iredentistično usmerjenega kroga Piccola, o katerem so gnevno zapisali, da pri njem nastopi:

*pojav steklosti, hidrofobije, ne pa poštenega prepričanja. To ni pojav plemenitega čustvovanja ali vzvišenega čuta humanitarnega, ampak izbruhi so to pokvarjenih src, divjega sovraštva in brezvestno profaniranje velikih svobodnostnih idealov človeštva v namene zdvijanih instinktov ter gnusne požrešnosti požrešne, nenasitne rase, ki hrupi v maščevalnosti, če so kje – kakor npr. v Rusiji – postavili ograjo njenemu izmozgovanju, njenemu stremljenju, da bi ukovala ves svet v ekonomično robotstvo.*³⁴

Nadaljnji očitek Edinosti je bil namenjen hinavščini Piccola, saj naj bi v primeru ruske revolucije stopil na stran zatiranih, česar pa v primerih, ko so zatirale druge države, sploh Italija, niso storili. Piccolu naj bi bile pravice ruskih delavcev pomembne le zato, ker sovražijo Slované in vse, kar je slovanskega.³⁵

Že nekaj dni pozneje so dobili vnovični dokaz, da se za solidarnostjo Italijanov do delavskega razreda skriva predvsem sovraštvo do Slovencev. Italijanski in slovenski

32 Pozneje je krivdo na birokracijo dejansko zvalil tudi sam car Nikolaj. 18. februarja 1905 je izdal carski manifest in ukaz, v katerem je obsodil nered, hkrati pa s prstom pokazal na krivdo birokracije. Ljudi je pozval, naj se zedinijo okoli prestola in podajo predloge za izboljšave v državni upravi (Figes, 2013, 209).

33 Edinost, 27. 1. 1905: *Sovragi Rusije – in nas vseh*, 1.

34 Edinost, 27. 1. 1905: *Sovragi Rusije – in nas vseh*, 1.

35 Edinost, 27. 1. 1905: *Sovragi Rusije – in nas vseh*, 1.

socialdemokrati so v tržaškem gledališču Rossetti skupaj demonstrirali proti carjevi okrutnosti, ob čemer je Edinost v članku z naslovom *Samo za – Italijane* poročala le o tem, kako naj bi bil nek slovenski socialist³⁶ izžvižgan, ko je spregovoril v maternem jeziku, kar naj bi pričalo o izključujočem značaju italijanskih levičarjev.³⁷ Na zapis »tete Edinosti« se je odzval Rdeči prapor, ki je zanikal, da naj bi se po gledališču razlegali zaničljivi vzkliki »fora i sciaivik«, je pa obžalovanja vredno, da so nekateri »vročekrvneži« italijanske narodnosti nasprotovali govoru delavca v slovenskem jeziku. A to naj bi bila po mnenju Rdečega prapora stvar stranke, ki bo poskrbela, da se v prihodnje kaj takega ne bo več dogajalo.³⁸ Edinost se s to temo nato ni več ukvarjala, Rdeči prapor pa se je, saj je bilo očitno, da jih je obnašanje članov lastne stranke razočaralo. Navajali so, kako je na shodih socialne demokracije vedno mogoče slišati več jezikov, kako npr. na Dunaju velikokrat govorijo češko – in zato bi moralo biti to še toliko bolj samoumevno v Trstu, ki je »pomešan s Slovenci« – socialistična beseda Slovencev in Italijanov bi morala biti enakovredna, so še napisali ter odločno dodali, da zahtevajo »brezpogojno narodno toleranco.«³⁹ To pa ni bil le slovenski zagovor socialističnih tovarišev, ampak so si italijansko socialisti prizadevali za to, da bi bili pripadniki socialdemokracije enakopravno obravnavani.⁴⁰ Od leta 1897 so imeli nadnacionalno organizirano stranko; tega leta so tudi slovenski socialisti na državnozborskih volitvah v Trstu podprli italijanskega socialdemokrata Carla Ucekarja; kot Slovenec pa je v Istri in Gorici za isto stranko kandidiral Etbin Kristan. Edinost je že takrat sprožila nacionalistično, protiitalijansko in antisemitsko časopisno gonjo proti socialdemokratom, ki se je potem v različnih oblikah ponavljala vse do prve svetovne vojne (Cattaruzza, 2011).

Edinost je s časom začenjala poudarjati tudi razredni vidik, ki ga je samoumevno enačila z nacionalnim, denimo ob protestih ob zaprtju Maksima Gorkega. Tedaj naj bi bili v gledališču Verdi priča »gnusni antiruski demonstraciji gospode v svilenih bluzah in frakih«. Prepričani so bili, da Italijanom za avtokracijo v Rusiji ni mar, pač pa proti njej demonstrirajo le zato, ker sovražijo slovanstvo. Če bi Gorki živel v Trstu, so zapisali, bi ga klicali »ščavov«, kakor kličejo tudi vse druge Slované v mestu.⁴¹

Čeprav so se zgražali nad razredno pripadnostjo italijanskih socialistov v svilenih bluzah, pa je ruski car še vedno predstavljal poroštvo stabilnosti, slovanske moči in oblasti; vse tisto, česar sami kot Slovani v Trstu niso mogli doseči. To je bilo tudi bistvo, v katerem so vseskozi nasprotovali sami sebi. V to polemiko se je nato vključil še

36 Šlo naj bi za pekovskega pomočnika Budriča, ki sicer ni imel pomembnejšega mesta v tržaškem socialističnem gibanju (Kermavner, 1960).

37 Edinost, 30. 1. 1905: *Samo za – Italijane*, 2.

38 Rdeči prapor, 3. 2. 1905, 2.

39 Rdeči prapor, 10. 2. 1905, 3.

40 Tako so denimo ob shodih peli internacionalo v obeh jezikih, se vzajemno podpirali, si v strankarskih glasilih Rdeči prapor in *Lavoratore* izkazovali naklonjenost in spoštovanje ter si prilagajali konkretne politične boje in cilje. Pripadniki italijanske socialne demokracije so se tudi zavedali nepravilne obravnave, ki so jo zaradi svoje narodnosti deležni njihovi slovenski tovariši. Tudi govori ob vseh večjih manifestacijah, kakor denimo za prvi maj, so potekali v italijanskem, slovenskem in nemškem jeziku (Cattaruzza, 2011).

41 Edinost, 11. 5. 1905: *Na adresu lista Lavoratore*, 1.

socialistični Rdeči prapor, ki je bil do Edinosti že tradicionalno prezirljiv, s člankom z naslovom *Edinost zagovarja zopet carizem*, v katerem je grobo obsodil stališča Edinosti ter zagovarjal boj za Gorkega in njegovo svobodo in obsodil držo, ki jo je *narodni* časopis zavzel do ruskega ljudstva:

*In kdo ve, ali ne bi tičal Gorki še danes v ječi brez tistega mogočnega protesta, ki se je oglasil po vsem civiliziranem svetu – razen tistih krogov, v katerih vlada žandarski duh Edinosti. In tega duha imenujejo slovanskega – in kdor simpatizira s slovanskimi Rusi v njihovem boju proti egoistično-breznarodnemu cesarju, njega izobčujejo iz naroda. To ni več pajacada, ampak čisto navadna podlost.*⁴²

Rdeči prapor je v tej številki zelo natančno razložil, v čem je bistveno drugačen od Edinosti in na kakšen način se razlikuje pogled obeh časnikov do ruske revolucije. Edinosti so očitali, da je v odnosu do carja »otroško naivna«, a to ne bi smel biti izgovor za njeno pisanje, saj »kdor danes še ne razume, da je vsako zagovarjanje carizma zavedno žaljenje in oškodovanje ruskega naroda, nima nobene pravice do časnikarskega poklica.«⁴³ Poudarili so tudi, da naj bi Edinost od nekdaj slavila tirane, sploh če so bili ti dovolj prebrisani, da so se razglašali za slovanske, iz česar pa je kot edina posledica sledilo to, da so terorizirali lastni slovanski narod. Ampak Edinost naj bi bila, ko je šlo za carja, nerazsodna, zato se je tudi tako intenzivno odzvala ob protestih v gledališču Verdi. V Rdečem praporu so nato poudarili, da tudi sami dvomijo, da je imelo elegantno občinstvo v gledališču »pregloboke čute«, saj je drama Gorkega uperjena ravno proti njim, buržoaziji. A predstavo je gledal tudi »proletariat, ki se bojuje za iste ideale kakor Gorki.«⁴⁴ Pri vprašanju ruske revolucije se je Rdeči prapor čedalje pogostjeje skliceval na proletariat in na prvo mesto izrazito postavljал razredno vprašanje. Med branjem člankov o ruski revoluciji lahko tudi opazujemo širitev socialističnega besedišča Rdečega prapora, ki uporablja izrazoslovje, ki je Edinosti v veliki meri tuje.

Po sprejetju ruske ustave so v Edinosti precej zasukali način poročanja o Rusiji, pa tudi odnos do revolucije. Začel se je odkrit boj za splošno volilno pravico, ki ga je mogoče spremljati v več slovenskih časnikih. Edinost je začela objavljati borbene naslove v slogu *Tržaški Slovani, v boj za splošno volilno pravico!* (npr. 1. november 1905), pri čemer pa so še vedno skrbeli, da se njihova agitacija ne bi prekrivala s socialdemokratsko. Kljub temu pa je v določenih številkah mogoče zaslediti že pravi revolucionarni zanos in odkrito navdušenje nad revolucijo. Radikalna stališča je bilo mogoče najti tudi v dopisniški seriji *Pisma iz Prage*, v kateri so povzemali govore čeških socialistov, denimo Františka Skoupa, ki je Rusijo navajal za revolucionarni zgled (»Po Rusiji bomo rešeni vsi narodi.«)⁴⁵

42 Rdeči prapor, 12. 5. 1905: *Edinost zagovarja zopet carizem*, 2.

43 Rdeči prapor, 12. 5. 1905: *Edinost zagovarja zopet carizem*, 2.

44 Rdeči prapor, 12. 5. 1905: *Edinost zagovarja zopet carizem*, 2.

45 Edinost, 11. 11. 1905: *Pisma iz Prage*, 1.

Svoje bralstvo so začeli seznanjati tudi s socialistično/marksistično terminologijo; najdemo lahko notice, ki razlagajo pojme (npr. proletariat). Skladno z uporabljenim besednjakom se je Edinost občutno radikalizirala tudi v mnenjih. Meja med liberalizmom in socialdemokracijo je postajala poroznejša. Objavili so denimo odlomke iz govora Etbina Kristana, socialista in tedanjega urednika Rdečega prapora, z javnega shoda 26. novembra. Tudi ta je poudaril, da so se »od Rusov naučili, kako se napravi revolucija«, v istem govoru pa se je tudi zavzel za žensko volilno pravico: »Toda moramo pripraviti na politično življenje tudi naše slovenske žene, da nam bodo tudi one pomočnice v boju.«⁴⁶ Proti koncu leta 1905 je iz Edinosti že mogoče razbrati jasni emancipatorni impulz, ki ga je po eni strani povzročila ruska revolucija, po drugi vzpostavitev konkurenčne emancipatorne ideje, v tem primeru socialdemokracije, s katero se je morala boriti za privržence na narodnostno in nazorsko mešanem tržaškem ozemlju.⁴⁷

Vendar pa Edinost ni edina, ki je leta 1905 spremenila svoj diskurz. To leto predstavlja tudi cezuro v zgodovini internacionalizma socialne demokracije v monarhiji. Kot labodji spev je tega leta uspela zadnja skupna internacionalna akcija avstrijske socialdemokracije: kampanja za splošno volilno pravico, ki je denimo samo na dunajske ulice privabila 250.000 ljudi (Cattaruzza, 2011).

SOCIALISTIČNI INTERNACIONALNI TRST, MEJNI KAMEN V RAZVOJU EVROPSKIH DRŽAV

Z rusko revolucijo 1905 in sprejetjem ustave v Rusiji, se je rodilo še zadnje idejno slovansko gibanje, neoslavizem. Socialisti so neoslavizem razumeli kot gibanje buržoazije in aristokracije, ki želita ostati zavezani monarhiji. Socializem pa je prihodnost videl v razrednem boju, internacionalizmu in protiimperializmu. Slovansko združevanje bi za socialiste nosilo pomen le še kot rešitev socialnega vprašanja. To je v Rdečem praporu jasno izpostavil Henrik Tuma: »Internacionalni boj delavstva proti internacionalnemu kapitalu vodi preko avtonomije vseh narodov do skupnega stremjenja, in na tem torišču je mogoče, da se slovanski narodi najdejo pri skupnem nastopu.«⁴⁸ S tem je želel povedati, da je delavski boj mogoč le, če je internacionalno organiziran in slovanstvo ima smisel le kot del tovrstne organiziranosti. Henrik Tuma je izpostavil tudi kategorijo jugoslovanstva; po njegovem namreč ni bilo slovanstvo tisto, ki bi zapiralo pot »rastočemu germanizmu«, marveč jugoslovanstvo.⁴⁹ V istem članku je zagovarjal tudi skupni jugoslovanski jezik nasproti ruskemu. Dodal je še: »Po geografski legi in po ekonomičnem razvoju pa tvori skupina avstrijskih in balkanskih Slovanov tekmeča Rusiji na torišču, ki je po geografski svoji legi odležno in nepristopno Rusiji. Avstrijski

46 Edinost, 1. 12. 1905: Za splošno in enako volilno pravico, 1.

47 Od 7. maja 1904 je bil urednik Edinosti Štefan Godina; ideološke spremembe v časopisu zato ne moremo pripisati spremembam uredništva. Velika večina člankov je ostajala nepodpisana, tako da je težko sklepati o spremembi sodelavcev, ki bi lahko vplivali na idejni zasuk časopisa.

48 Rdeči prapor, 20. 6. 1908: Vseslovanski kongres, 2.

49 Kako pomembna je bila za Rdeči prapor jugoslovanska ideja, lahko sklepamo že iz njegovega podnaslova »Glasilo jugoslovanske socialne demokracije.«

Slovani pridejo do združenega dela le na ekonomičnem polju, stremeč k jadranskemu morju in preko Balkana.⁵⁰ S tem je želel opozoriti na strateški pomen, ki ga imajo Jugoslovani s svojo odprto potjo na Jadran, do katerega pa Rusi nimajo dostopa. Po Tumovem mnenju so imeli tudi Čehi »eminentni geografski položaj«, ki »zapira pot nemštvu v dunajsko dolino in odtoč na Balkan«, hkrati pa »vsa bodočnost Češke stremi proti Adriji in proti jugu«.⁵¹ Te ideje Tuma zagovarja tudi v svojem delu *Jugoslovanska ideja in Slovenci* (1907), v katerem se je od marksista revizionističnega tipa premikal proti progresivnemu marksizmu. V delu se je ukvarjal predvsem z nacionalnim vprašanjem ter utemeljeval Slovence kot enakovredne člane potencialne balkanske federacije. Narod je definiral kot zmes med geografskimi in ekonomskimi danostmi. Po njegovem mnenju so imela območja, poseljena z južnimi Slovani, velik ekonomski potencial kot bodoče središče srednjeevropske industrije in trgovine. Nemške industrijske proizvode bi prek Avstrije prepeljali do Trsta, kjer bi imeli odprto pot na Jadran, ali pa preko Budimpešte in Beograda do Soluna ali preko Sofije do Carigrada. Tuma je bil prepričan, da so Italijani že sprevideli ta načrt in so zato poskušali širiti svoj vpliv v Albanijo ter spodbujati izobraževanje inženirjev in trgovcev v Trstu. Posebej močno si je želel, da Trst ne bi pod nobenim pogojem pripadel Italiji, verjel je da bodo imeli Slovenci, če bo Trst ostal del njihove države, svetlo prihodnost. Zavzemal se je tudi za slovensko-italijansko univerzo v Trstu, saj je bil prepričan, da so v Trstu bistveno boljši pogoji za napredek narodne inteligence kot v Ljubljani (Tuma, 1907, 34–45; Tuma, 1997, 195). Čeprav je bil zagovornik jugoslovanske ideje, je Jugoslavijo videl kot eno od enot v okviru širše federacije. Prepričan je bil namreč, da ima avstro-ogrska socialno-ekonomske prednosti pred Balkanom in da bi bilo zato smiselno razmišljati o prihodnosti, v kateri bi se ji jugovzhodna Evropa približala in ji postala enakovredna. Kar koli drugega, npr. priključitev Slovencev balkanskim narodom, se mu je zdelo regresivno. Tako kot je Henrik Tuma na nek način pragmatično videl nacionalno ekonomsko vprašanje, je imel praktični pristop tudi pri vprašanju prihodnosti socializma. Menil je namreč, da mora biti Avstrija tista, ki bo združila južne Slované; ker ima ugodne trgovinske in industrijske pogoje, naj bi bila primernejše okolje za razvoj socializma kot Balkan. Prostor, ki bi obsegal Podonavje, Sudete in Jadran, je bil po njegovem mnenju idealen za razvoj socializma⁵² (Tuma, 1907, 329–300). To pa ne pomeni, da ni poznal razmer na Balkanu: leta 1914 je za sourednika naših zapiskov celo vabil Dimitrija Tucovića, voditelja socialističnega gibanja v Srbiji, saj so ga zanimale »razmere socialne demokracije v Srbiji po zadnji balkanski vojni«, čeprav se je zavedal, da se Srbi za Slovence zanimajo bistveno manj (Tuma, 1994, 535).

50 Rdeči prapor, 20. 6. 1908: Vseslovanski kongres, 2.

51 Rdeči prapor, 20. 6. 1908: Vseslovanski kongres, 2.

52 To predvidevanje ni nič nenavadnega, že po Marxu in Engelsu je veljalo prepričanje, da se bo revolucija začela v nacionalni državi z razvitim kapitalizmom (leta 1847 sta pričakovala, da bo to Anglija, gl. npr. govor Engelsa o Poljski, 29. novembra 1847). Avstrija resda ni bila nacionalna, a na začetku 20. stoletja je bila kapitalizmu (in zato tudi proletariatu) bliže od narodov jugovzhodne Evrope, kjer naj pogoji še ne bi bili zreli za družbeni prevrat. Pozornost vseh vodilnih revolucionarnih duhov je bila usmerjena na evropski zahod.

Tumi se je zdel za socialistični eksperiment posebej primeren Trst, saj je predstavljal Avstrijo v malem. O tem je še po prvi svetovni vojni pisal (6. november 1918) Ivanu Regentu, češ da je Trst zamudil najpomembnejšo priložnost, za kar pa je krivil predvsem italijansko socialdemokracijo: »Neodvisni socialistični Trst bi bil tako rekoč mejni kamen v razvoju evropskih držav« (Tuma, 1994, 400). A ko se je v spominih vračal k svojemu zapuščanju Trsta (kjer je živel in delal v osemdesetih letih 19. stoletja), je zapisal, da slovo od Trsta ni bilo težko, med drugim tudi zaradi pomanjkanja sogovornikov. Večina se jih je namreč ukvarjala z delom v narodnih društvih in si prizadevala za narodnostno obuditev, on pa si je namesto tega želel sogovornikov, s katerimi bi se lahko pogovarjal o socializmu in sociologiji (Tuma, 1997, 185).

Leta 1910 se je z vprašanjem socializma, sploh v Trstu in jugoslovanskem kontekstu, začel ukvarjati publicist in pravnik dr. Karel Slanc, ki je v celjskem Narodnem dnevniku (št. 225–247) objavljал ekonomske, politične in gospodarske analize Slovencev in Jugoslovancev s posebnim poudarkom na jadranskem morju. Leta 1912 jih je, dopolnjene in urejene, v knjižici z naslovom *Avstrijski Jugoslovani in morje* v Gorici natisnil Andrej Gabršček. Predgovor h knjigi je napisal Vladimir Knaflič, Tumov odvetniški pripravnik, ki se je med drugim ukvarjal tudi z jugoslovanstvom in s socializmom. Slednjega je vzel tudi za izhodišče pri opredeljevanju Slančeve knjige, ki jo je označil za »zgodovinski materializem, ki preiskuje zgodovino tako, da se ozira na vse materialne činitelje, ki jo tvorijo« (Slanc, 1912, I). Čeprav Slancu, sicer po svetovnem nazoru prav tako socialistu, ne moremo pripisati doslednega skladanja s historičnim materializmom, lahko vidimo, kako se mu na posameznih točkah skuša približati.

Povod za Slančevo besedilo je bila aneksija Bosne in Hercegovine, ki je povečala število Jugoslovancev znotraj Avstro-Ogrske. Ocenil je, da so Jugoslovani po aneksiji postali »znamenitejši narod« (Slanc, 1912, 86). Posebej si je želel, da bi se znotraj jugoslovanskega zблиževanja povezali Slovenci in Dalmatinci, saj bi na ta način najlažje odpravili »obstoječi provincializem« (Slanc, 1912, 86). Pozival je k močnemu slovanstvu znotraj Avstro-Ogrske, ki jo je, tako kot Tuma, videl kot okvir za razvoj nastajajoče jugoslovanske države. Tudi njemu se je ta okvir zdel pomemben, ker je nudil napredujoče kapitalistično gospodarstvo – samo v takem sistemu pa lahko proletarec postane »merodajni človek«, samo na ta način bo nastopal povsod enako in bo lahko uveljavljal enake dolžnosti in enake pravice (Slanc, 1912, 87). Na tem mestu velja opozoriti na eno od razlik med italijanskimi in slovenskimi socialdemokrati v Trstu. Za razliko od Slovencev, aneksija Bosne in Hercegovine Italijanov ni čisto nič zanimala in enako velja za balkanske vojne leta 1911. Tem dogodkom niso pripisovali nobenega pomena, medtem ko so slovenski socialisti v njih vdeli možnost za alternativne geopolitične scenarije (Cattaruzza, 2011, 163).

Slanc se je zavedal, da je jugoslovansko ozemlje pretežno agrarno in da Jugoslovanom primanjkuje delavstva. Zdelo se mu je, da bi imela največ potenciala zanj Dalmacija in Trst, s posegom tam bi po njegovem mnenju lahko bistveno spremenili ustroj države. Kot Tuma si je tudi Slanc zamišljal, da bi tržaška univerza in nekaj visokih šol v Trstu prinesle blaginjo za celotni narod, tako za delavstvo kot izobražence.

Nič drugega ne zahtevam od naših centralnih vlad, kakor to, da nam dajo v Trstu zraven univerze tudi tehniko, mehanične šole v Dalmaciji in Trstu, realke pa v drugih krajih in vzgajali se bodo delavci, ki bodo ponos države (Slanc, 1912, 93).

Največja napaka Jugoslovanov naj bi bila, da so »tisoč let« zanemarjali razvoj roko-delcev in meščanskega dela:

to nas je zapostavljalo, to pomanjkanje nas je delalo sužnje bolj omikanih narodov, katere je vodil meščan na delo, v svojo šolo in na izčrpanje neomikanih ljudi pri drugih narodih. Čas je, da odpremo vrata realk, tehnike, rudarskih in poljedelskih šol na naši zemlji (Slanc, 1912, 92).

Po Slančevem mnenju pomanjkanje slovanskega delavstva nikjer ni bilo tako usodno in pereče kot prav v Trstu, na obali jadranskega morja.⁵³

Ob našem morju dela tisoče mehanikov v ladjedelnicah; dobro so plačani, a so tujci naš človek opravlja samo težaška dela. – Ves Trst je praktična realka in tehnika – velika trgovska in prometna šola! Lah se počuti dobro v teh pomorskih naših krajih. – Naravnost prekletstvo je za vse Jugoslovanstvo, da njegovi najboljši talenti delajo kot katoliški duhovniki in juristi. Ti ne spravijo gospodarstva naprej, to so še delavci iz feudalne, absolutistične dobe, so za to, da vzdržujejo red med alkoholično, nevedno, za kulija izgojeno maso (Slanc, 1912, 93).

Čeprav je bil socialist, je izražal naklonjenost določenim članom habsburške dinastije, sploh nadvojvodi Maksimilijanu I. Mehiškemu. Zdelo se mu je škoda, da je šel »Maks po smrt v Ameriko. Ta je rad bival ob adrijanskem morju, ta je spoznaval važnost tega morja za državo ter napeljeval prestolonaslednika Rudolfa na to« (Slanc, 1912, 93). Iz tega lahko razberemo romantično/nostalglično navezanost na monarhijo, ki se zdi, četudi se sliši kontradiktorno, močna prav toliko kot navdušenje nad socializmom in jugoslovanstvom.

Karel Slanc je rešitev vseh avstrijskih težav videl v »učvrstitvi slovanskega elementa ob Adriji«. To bi storili tako, da bi nekaj milijonov na leto namenili šolam (predvsem v Trstu), ki bi izobraževale novi dobi primerne delavce, Slované. Prepričan je bil, da bi ti v petdesetih letih vse te milijone v obliki davkov vrnili z obrestmi, hkrati pa bi se Avstrija v svojem primorju na ta način zaščitila pred Italijani (Slanc, 1912, 95).⁵⁴ Na primeru Slanca lahko tudi vidimo, kako samoumeven je za slovenske socialne demokrate v Trstu začel postajati nacionalni vidik, ki je še na začetku stoletja veljal za nezaslišanega.

53 Historiografija je ta problem z distance videla drugače, Cattaruzza (2011, 53) poudarja, da je imel Trst na področju razvoja socialne demokracije ravno to prednost pred Ljubljano, da je bil industrijsko razvit in je premogel kritično maso delavstva.

54 Ob tem velja omeniti še, da niso vsi tržaški socialisti mestu namenili toliko pozornosti kot prej citirani predstavniki. Etbin Kristan je v programski knjižici *Kapitalizem in proletariat*, ki je leta 1901 izšla v Trstu, izhajal iz povsem teoretskih razmislekov o krizi kapitalizma, izginjanju srednjega sloja, izkoriščanju delavcev in neobstoječem narodnem bogastvu v času kapitalizma ter temu ni dodajal prav nobenih lokalnih komponent (Kristan, 1901).

Tudi pri vprašanju socializma se je, kakor pri vprašanju ruske revolucije, nadaljevala polemika med Edinostjo in Rdečim praporom (katerega uredništvo je bilo tedaj že v Ljubljani), ki pa se ji je priključil še Delavski list (Glasilo slovenskih socialistov na Primorskem). Ta je že v uvodni številki leta 1908 načel temo narodnega vprašanja; avtor prispevka Lev Ferdinand Tuma⁵⁵ je pisal o sprehodu po Trstu, na katerem je srečal »narodnega veljaka«, ki mu je z grozo očital »internacionalo«. Tuma v šaljivem tonu opisuje tržaške narodnjake kot može, ki jih je povozil čas in nato razloži, da internacionalno ne more obstajati brez nacionalnega. Poleg ideološke se s tem nakaže tudi jasna generacijska prelomnica: na prizorišče so stopili mladi, izobraženi ljudje, ki posmehljivo, malone s pomilovanjem, gledajo »očete naroda«. Tuma se je naslonil na Otta Bauerja, ki pravi, da bo resnični internacionalizem na višjo raven povzdignil tudi vsak posamični narod in mu omogočil, da »moremo napraviti zaklade naše narodne kulture kot vseobčo last celega naroda.« Nato je citiral še Antona Bebla, ki je že na ustanovitvenem kongresu socialdemokracije povedal, da mora proletariat delovati na narodni in mednarodni ravni.⁵⁶ Vendar pa bi bilo pretirano vsem slovenskim socialdemokratom v Trstu pripisovati dosledno sledenje avstromarksizmu. Po Karlu Rennerju ali Ottu Bauerju naj bi bila nacionalnost le kulturna značilnost, tipična za predpolitične koncepte, pri čemer naj bi bil nacionalizem povezan s samim kapitalizmom: ko naj bi bila vzpostavljena horizontalna razredna solidarnost, bo odveč tudi meščanski nacionalizem. Tega so se bistveno bolj od slovenskih socialdemokratov držali italijanski; saj so Slovenci (Etbín Kristan) že od strankarskega kongresa v Brnu 1899 poudarjali vlogo slovenščine kot jezika zatirane manjšine. V tem smislu bi lahko rekli tudi, da so italijanski socialdemokrati v Trstu dosledneje sledili internacionalizmu, saj nacionalizem zanje, za razliko od Slovencev, ni imel tako močne emancipatorne komponente. Medtem ko so se slovenski socialdemokrati vseskozi ukvarjali z vprašanjem narodnosti, ji italijanski do leta 1912, ko je Angelo Vivante izdal *Iredentismo adriatico*, niso pripisovali velike pozornosti (Cattaruzza, 2011).

Sicer so okviri nesoglasij tržaških časnikov tudi v dvajsetem stoletju ostajali podobni tistim iz devetdesetih let devetnajstega, le da je bil Delavski list (bržkone tudi po zaslugi praktičnih izkušenj in mlajših ter bolj sodobno izobraženih avtorjev) že mnogo bolj politično artikuliran in se je bolje zavedal posledic potencialnih realpolitičnih povezovanj med socialdemokrati in liberalci. Ogradili so se od ideje slovanske vzajemnosti, vključno z neoslavizmom (»Rybář in drugi – nikoli jasno ne nastopijo proti klerikalcem, skrivajo se za 'slogo', kjer je že davno več ni.«⁵⁷). Odpor do liberalizma je postajal čedalje izrazitejši; zavračali so kakršnokoli sodelovanje z njim (imajo ga za nekakšno »ne-ideologijo«, politiko stanja na okopih in defenzive, namesto da bi stopili v ofenzivo za dobrobit ljudi), četudi bi to na volitvah pomenilo zmago katoliškega tabora; ta jim ni bil nič bolj tuj od liberalne-

55 Lev Ferdinand Tuma, nečak Henrika Tume, se je v Trst preselil le leto prej, štel pa je štiriindvajset let. Bil je avtor lucidnih analiz, ki jih preveva sodobni, mednarodni duh. Le nekaj let pozneje je intelektualno udejstvovanje zamenjal za mednarodno kariero v zavarovalništvu, ki ga je vodila od Londona preko Rusije do Švedske.

56 Delavski list, 3. 1. 1908: Nekoliko besed o narodnem vprašanju, 1–2.

57 Delavski list, 24. 7. 1908: Mi in liberalizem, 1.

ga. Zagovarjali so tudi stališče, da »več nego ves klerikalizem je naredil socialni demokraciji kot politični stranki škodo liberalizem na Slovenskem,« saj naj bi bil ta le »polovičarstvo v vseh ozirih«. ⁵⁸

In kot je svoje ideološko besedišče razširjala socialdemokracija, ga je tudi liberalni tabor; z začetkom 20. stoletja lahko v Edinosti spremljamo razvoj gospodarskih tem, ki so dobivale čedalje značilnejšo artikulacijo (npr. »gospodarski razvoj stopa vedno naprej, ustvarja vedno nove in nove potrebe in spreminja nazore o dosedanji upravi«⁵⁹). Sicer pa je gospodarstvo stalo v samem jedru programa neoslavizma, eden njegovih temeljnih ciljev je bila nekakšna vseslovanska trgovsko-obrtna zbornica. Čeprav bi liberalce v krogu Edinosti in privrženice neoslavizma na splošno z današnjim besediščem in ob primerjavi s socialdemokrati lahko površno označili za »ekonomsko liberalne«, pa so ostajali zasidrani v svoj pozicijsko konservativni aktivizem. ⁶⁰

Edinost je kot v času ruske revolucije 1905 jasno zavedala, da si socialdemokracija s svojimi javnimi občili odžira stranke, zato so vztrajno držali ravnotežje med različnimi temami, tako meščanskimi kot delavskimi in zbujali občutek, kakor bi jim bilo enako mar za vse Slovence (Slovane). Za to skrbjo je gotovo tičal tudi ekonomski interes prodaje časopisa. Linijo razrednega boja, ki jo je držal Delavski list, je omilila s slogaštvom in pomenom slovanskega gibanja za delavstvo. Nazoren prikaz tega je poročilo o obisku slovanskih novinarjev v Trstu. Poročevalec Edinosti je poudaril, da je bilo lepo videti galerijo nabito polno z ljudmi delavskega stanu, v parterju pa naj bi z ramo ob rami sedela proletarec in gospod, nad čemer naj bi bili očarani tudi sami gostje. Na kratko so povzeli napitnice in pozdrave gostom, med katerimi je posebej izpostavila hrvaškega pravnika, politika in glasbenika Josipa Mandića, ki je poudaril, da se tržaško delavstvo zaveda slovanskih idej. Čeprav naj bi bil delavski boj po njegovem mnenju izredno zahteven, je obljubil, da bodo v njem vztrajali, saj jim kot »proletarskemu narodu« drugega ne preostane. Zaključil je z besedami: »Podprite nas! Pomislite, da pot do Soluna in Carigrada vede preko Trsta. Pomagajte nam rešiti vprašanje slovanskega delavstva v Trstu in pomagali boste rešiti slovansko vprašanje na tej zemlji!« ⁶¹

ZAKLJUČEK

Trst je zaradi svoje narodnostno mešane sestave prebivalstva vsaj od druge polovice 19. stoletja predstavljal poligon za narodna bojišča in veljal za enega nacionalno najbolj zavednih delov, kjer so živeli Slovenci. Zaradi neposredne bližine »tujega« so bili v javnosti aktivni Slovenci v Trstu tudi bolj nagnjeni k iskanju širših zavezništov, pa naj gre za privrženost rusofiliji, slovanski vzajemnosti ali jugoslovanski ideji. Članek prinaša spoznanja o tem, na kako sumničavo občinstvo so naleteli slovenski socialdemokrati v

58 Delavski list, 24. 7. 1908: Mi in liberalizem, 1.

59 Edinost, 9. 7. 1908: Svetovni kongres trgovskih zbornic v Pragi, 1.

60 Dušan Kermavner je narodnjaške liberalce na čelu s Franom Podgornikom imenoval za »kriptoliberalce« ter opozarjal, da v njihovem liberalizmu ni bilo nikakršnega naprednjaštva (Kermavner, 1963).

61 Edinost, 12. 9. 1908: Slavnost slovanske ideje, 1.

Trstu, ko so v zadnjem desetletju 19. stoletja začeli vstopati v javni prostor. Kamen spotike je bil že od samega začetka internacionalizem. Zanimivo je, kako so se tržaški nosilci vseslovanskega gibanja, ki so si celo življenje prizadevali za nadnacionalno združevanje Slovanov, burno odzvali na socialistični internacionalizem, ki si je prizadeval poseči onkraj obstoječih vzorcev. Hkrati lahko tudi vidimo, da so imeli tržaški socialisti – kljub naklonjenosti do Rusije in jasni privrženosti jugoslovanstvu – zadržke do koncepta vseslovanskega združevanja, na čelu z neoslavizmom, ki se je začel oblikovati po letu 1905. Trst je bilo tudi mesto, kjer se je s časopisom Slovenka jasno pokazala težnja po ženski emancipaciji. Doseči naj bi jo bilo mogoče na dva načina: preko narodne (ženska kot zavedna Slovenka, ki se udeleži v narodnem delu) ali razredne emancipacije (ženska kot zatirana, delavka, ki bo postala enakovredna moškemu preko razrednega boja); in tudi ta dilema je bila kamen spotike med socialdemokrati in liberalci.

Na podlagi obravnavanih virov se je izkazalo, da so bili osrednji zagovorniki obeh nazorov, tako socialističnih kot liberalnih, idejno precej fluidni. Ne le da niti na ožjem tržaškem (kaj šele širšem slovenskem, jugoslovanskem ali avstrijskem) območju niso izoblikovali enotne ideologije, pač pa so tudi sami pogosto spreminjali stališča ali si celo v temelju nasprotovali (kot denimo Karl Slanc, ki se je po eni strani skliceval na historični materializem, po drugi pa opeval vrline cesarja Maksimilijana I.). Primer naklonjenosti slovenskega socialista avstrijskemu carju Maksimilijanu kaže na moč lokalne komponente Trsta. Z izjemo Etbina Kristana se teoretska misel vseh obravnavanih slovenskih socialističnih teoretikov v Trstu vrti prav okoli mesta in njegove vloge v socializmu. Ne glede na internacionalistična prepričanja so lastno mesto videli kot srčiko socialdemokracije; in to ne le v lokalnem pač pa tudi širšem avstrijskem ali jugoslovanskem prostoru.

Raziskava je pokazala, kako je nacionalni liberalizem v socializmu videl konkurenco. Od aktivnega udeleževanja socialne demokracije dalje lahko spremljamo, kako se je tudi liberalna struja radikalizirala in do določene mere prevzela socialistično besedišče. Na tem mestu je zanimiva ocena iz Delavskega lista leta iz 1908, kjer so liberalcem očitali, da naj ne bi imeli lastne ideologije, ampak je njihova agenda le nasprotovanje drugim, pa naj bo to socialna demokracija ali katoliški tabor. Čeprav se ob branju tržaškega časopisja obravnavanega obdobja mestoma zdi, da sta se idejno-politična nazora socialistov in liberalcev stikala in mestoma celo stapljala, je vseskozi prihajalo do nenadnih odtegnitev in obojestranskih zavračanj, ki se vlečejo do današnjih časov. Politične ideje se ne porajajo same iz sebe, ampak se največkrat oblikujejo kot odziv na prisotnost *Drugega*; tako je bilo tudi v Trstu poznega 19. in zgodnjega 20. stoletja.

CLASS STRUGGLE VS. NATIONALISM. EXAMPLE OF TRIESTE 1888–1914

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SUMMARY

Due to the close proximity of the “Other”, Slovene inhabitants of Trieste were inclined to seek broader alliances, whether they were connected to Russophilia, Slavic reciprocity or the Yugoslav idea. It is therefore particularly interesting to observe how they reacted to internationalism, which was in the late 19th century becoming increasingly popular by social democracy. Where do socialism and liberalism stand apart, how does class struggle fight nationalism as an emancipatory movement? This was clearly shown in the Russian Revolution of 1905; no other Slovenian newspaper reported about it with such an intensity as the liberal Edinost and the socialist Rdeči prapor in Trieste. Edinost continued to advocate the Tsar as the personalization of Russia itself, and Rdeči prapor stood firmly on the stand of the people’s uprising. A full-year analysis of the accounts of both newspapers shows how ideologically unmanaged and changing their views were, and at the same time it points out the direction in which both ideas will develop in the 20th century. Answers to some topical questions (e.g. Is the struggle for a woman’s equality a matter of a national or class struggle?) have crystallized over the years, but the relationship between the nation and the class has always remained variable. It is also interesting to observe how socialist theory formed its local variations; the socialists Henrik Tuma and Karel Slanc see the future of socialism in Trieste, as it is supposed to be the perfect town for the beginning of the workers’ movement. However, to a certain extent, they remained faithful to national frameworks and even to the framework of the monarchy. But this can not be said for all social democrats, e.g. Ivan Regent and Etbin Kristan were much more committed to internationalism. The survey also shows how liberalism (nationalism) competed with socialism: the liberal discourse had radicalized and, to a certain extent, even took over the socialist vocabulary. Although it may sometimes seem that the ideological and political views intertwined and, to some extent, even merged, we keep noticing sudden withdrawals and mutual rejections that are being drawn to the present times.

Keywords: socialism, liberalism, nationalism, internationalism, women’s emancipation, Slavism, Trieste

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FROM THE HABSBURG TO THE KARADORĐEVIĆ DYNASTY. THE POSITION OF CROATIAN AND SLOVENIAN NOBILITY IN THE YUGOSLAV STATE

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ABSTRACT

The article compares the position of nobility in Slovenia, Croatia and Slavonia before and after the Great War. The focus is on the transition to the Yugoslav state. The new regime treated the nobility as adversaries in political, social and national respect; noble titles were abolished and landed estates diminished by the land reform. Even though it cherished personal and family ties, the aforementioned nobility did not organise itself in associations, like their counterparts in Austria.

Keywords: Slovenia, Croatia, Slavonia, nobility, 19th and 20th century

DAGLI ASBURGO AI KARADJORDJEVIC. LA POSIZIONE DELLA NOBILTÀ CROATA E SLOVENA NELLO STATO JUGOSLAVO

SINTESI

L'articolo mette a confronto la posizione della nobiltà in Slovenia, Croazia e Slavonia prima e dopo la Grande Guerra. Il tema è incentrato sulla fase di passaggio allo stato jugoslavo. Il nuovo governo considerava i nobili – dal punto di vista politico, sociale e nazionale – come suoi avversari; i titoli nobiliari furono aboliti e i possedimenti terrieri ridotti tramite la riforma agraria. Anche se nutriva legami personali e familiari, la suddetta nobiltà non si organizzò in alcuna associazione, come fece d'altro canto la nobiltà in Austria.

Parole chiave: Slovenia, Croazia, Slavonia, nobiltà, Ottocento, Novecento

INTRODUCTION¹

The transition of nobility from the Habsburg Monarchy to the Yugoslav state has not yet been thoroughly researched. Some data can only be found in the literature dealing with the Yugoslav land reform or individual noble families. Therefore, the aim of this article is to analyse and compare in broad lines the fate of the nobility in Slovenia and Croatia and Slavonia² after 1918.

The end of the First World War brought about major changes: the collapse of big empires and the foundation of new national states, new boundaries in Europe and the world, political sway of the Entente and the emergence of a new world power – the USA. This period was also marked by further development of democratisation, women's and labour movement, just to mention some major trends. In this changed world, there was hardly room for the old elites, or more precisely, for those who did not want to or could not adapt.

GENERAL CONTEXT

The fall of the Habsburg Monarchy was a heavy blow for its nobility since the loss of the sovereign turned it into a limited group unable to fill its ranks with new members. Nobility, which had for centuries been under the Habsburg sovereignty, suddenly found itself in a radically changed position. In each of the new successor states of Austria-Hungary, there were specific circumstances forcing the nobility to cope with them. However, there was a major common denominator concerning the nobility - namely the fact that sooner or later the noble titles were abolished. In the Republic of Austria they were forbidden and their use was sanctioned according to the law of 3 April 1919, which annihilated not just the Habsburg laws but the nobility and its titles as well. Those who did not abide by this law could be fined with 20.000 crowns or sentenced to six months in prison (Wiesflecker, 2010, 209; Walterskirchen, 1999, 35–37; Stekl, 2004, 103–106). Noble titles were abolished also in Czechoslovakia, Poland and Germany. Yet, they were preserved in Hungary under the regime of Miklós Horthy de Nagybánya, and were abolished only after the Second World War (Edelmayer, 2018, 73; Stekl, 2004, 112).

The first, short-termed, Yugoslav state did not regulate the issue of noble titles. The Presidency of the National Council (*Narodno vijeće*) of the State of Slovenes, Croats and Serbs forbade on 22 November 1918 just the use of some forms of address (»visokorodni« and »blagorodni«) in written communication. (Perovšek, 1998, 168–169). Further steps were taken in the newly founded Kingdom of Serbs, Croats

1 This research emerged as part of a project funded by the Croatian Science Foundation Nr. 5974, *The Transition of Croatian Elites from the Habsburg Monarchy to the Yugoslav State*, led by Iskra Iveljić.

2 The Croatian lands developed differently in their territorial administration but also in their social development. They belonged to different parts of the Habsburg Monarchy, civil Croatia and Slavonia to the Hungarian, Istria and Dalmatia to the Austrian part, with a unique Military Border existing until 1881. Because of this, the focus is on the nobility of Croatia and Slavonia.

and Slovenes. Its government decided on 22 December 1918 to extend civil and constitutional rights of the Kingdom of Serbia to the whole territory of the Kingdom of Serbs, Croats and Slovenes, and on 6 January 1919 regent Alexander issued a manifesto that confirmed this decision, adding that „all feudal privileges were abolished“.³ The so called St. Vitus Day Constitution (*Vidovdanski ustav*) of 28 June 1921 stated in the second chapter (called fundamental citizen's rights and obligations), article 4: citizenship is one and the same in the whole Kingdom. All citizens are equal before the law. All citizens enjoy the same protection of the authorities. Nobility, titles or any privileges based on one's birth are not acknowledged (Škrubej, 2010, 301; Preinfalk, 2019, 251–266).

The former Habsburg noblemen, who decided to stay in the new state, lost not just their titles, but their overall elite position as well, since the Yugoslav regime treated them in general as adversaries in political, social and national respect. The new state was a monarchy without its own nobility, it was a kingdom of a totally different kind than a composite and multinational Habsburg Monarchy. One should also bear in mind that the new state was dominantly agrarian, facing landowners with competition and that the land reform targeted big noble landowners. The reform was launched in 1919 yet it was not completed until 1931, thus sharpening the fronts between landowners and peasants.⁴ Even though the land reform encompassed the whole new state, there were substantial differences among individual regions. Whereas in Slovenia local peasants obtained the expropriated land (Granda, 1980, 200–212; Janša Zorn, 1979, 117–126), in Croatia the regime also settled war veterans or their widows and colonists from underdeveloped regions outside of Croatia, making the situation harder for the landowners. The reform eventually diminished the size of big estates, turning forests and vineyards into their most lucrative parts. As a result of the pressure from the West⁵ and the economic depression, the regime took on to completing the land reform in an attempt to preserve the landed estates, especially the ones in Slavonia, which were rich in woodlands. However, by the beginning of 1930s many noble landowners were driven to the verge of existence.

THE NOBILITY IN SLOVENIA

Ever since the late Middle Ages, almost all of the area inhabited by Slovenes was divided into different territories which, some sooner and some later, came under the Habsburg rule. Apart from representing the majority population in Carniola, Slovenes also predominated in southern parts of Carinthia and Styria, as well as in eastern parts of the County of Gorizia. Prekmurje belonged to the Kingdom

3 The original term is „staleški“ (Šišić, 1920, 291, 298).

4 It encompassed all fideikommiss and estates larger than 100 yokes (1 yoke=5754,65 square meters) (Šimončič-Bobetko, 1997a, 130–131).

5 The Thurn und Taxis family filed a suit with the International Tribunal in the Hague and won the case, obtaining a large reparation (Šimončič-Bobetko, 1997a, 71, 74–77).

of Hungary, which after 1526 fell under the Habsburg rule as well. Coastal towns, all (except Trieste) under the Venetian administration from the thirteenth century onwards, had a predominantly Italian population, whereas Slovenes inhabited the hinterlands. Due to this “administrative” separation, a long time had to pass before the idea of a single people would take root among the Slovenes; the national awakening finally made its first humble steps in the second half of the eighteenth century and it did not come into full swing until after 1848.⁶

Although something similar may be said for the nobility that lived in the “Slovenian” territories or provinces, the comparison cannot be drawn without reservations. Rather than develop some kind of national identity, the nobility in the southern Habsburg provinces declared itself as Habsburg nobility or as the nobility of the Holy Roman Empire, or it based its identity on its regional affiliation (with Carniola, Carinthia, Styria, Gorizia, etc.).⁷ This represents a notable difference from some other parts of the Habsburg Monarchy, e.g. Croatia and Bohemia, which were independent kingdoms in the Middle Ages and were as such incorporated into the common Habsburg “state”. As the nobility in these kingdoms could draw from their medieval origins, during the formation of national movements this enabled—at least a certain part of its members—to start declaring themselves nationally (as e.g. Croatian or Czech nobility) as well.

Therefore, whereas one may rightly speak of the Croatian or Czech nobility, the syntagm “Slovenian nobility” is problematic on several levels. The connection between the Slovenes and the nobility has caused controversy ever since the emergence of national tensions in the nineteenth century. A constant feature underlying this kind of discourse, which rose to prominence especially after 1848, is the assertion that the Slovenes had no nobility of their own.⁸ From a strictly legalistic point of view, this is correct. As already mentioned, the Slovenes indeed had no sovereign Slovenian ruler surrounded by a self-declared Slovenian nobility. From the Middle Ages onwards, the territory of what is now Slovenia remained under the Habsburg rule, with the nobility divided into (and identifying itself with) different provinces.

However, it is absolutely incorrect to maintain that the Slovenes had no nobility of their own. A more detailed research into individual noble families in the Slovenian territory revealed a good number of those that could be identified as Slovenian. The only orientation for historians to navigate through the early modern period is, of course, Slovenian family names, and even this reference point may sometimes prove misleading. After being granted the status of nobility, families would often change their names, or they would substitute their original Slovenian names with the newly obtained noble predicates.

6 For a general view of the Slovene history cf. e. g. Štih & Simoniti, 2009.

7 Although the nobility in the southern part of the Habsburg Empire was divided among various provinces, there were no significant differences among them, as their internal development was based on the same principles. Such development was, not least, also supported by the Habsburgs themselves, who united these provinces into the so-called Inner Austria (Štih & Simoniti, 2009, 153–156).

8 Cf. e. g. Apih, 1887, 171–172; cf. also: Štih, 2001, 61–72; Preinfalk, 2004, 507–516.

General findings indicate that the nobility in the territory of present-day Slovenia took on at least an outward German appearance or, in other words, that non-Germans assumed German identity upon ennoblement. While there were many reasons for this, they all shared one thing in common: pragmatism. The fact is that German culture dominated at (imperial, territorial princely, etc.) courts and that the nobility did whatever it could to integrate and homogenise itself, outwardly also by changing originally Slovenian family names.⁹ This was therefore, first and foremost, the mechanism of conforming to the majority.

Yet in spite of the above, one can observe that in the early modern period a high proportion of the nobility, at least in Carniola (and partly also in other Slovenian provinces), originated from the Slovenian milieu. This is attested by not only their names but also the fact that most of the nobility mastered the Slovenian language (Žvanut, 1994, 32–35; Štuhec, 2009, 255–278). Nevertheless, it is impossible to speak of an established Slovenian identity among the nobility in the territory of present-day Slovenia. The few noblemen that supported the Slovenian national awakening, such as Baron Sigmund Zois (1747–1819) and his circle,¹⁰ were most commonly exceptions that proved the rule.

The feelings of national belonging became, also among the nobility, more pronounced in the nineteenth century. It is widely considered that most of the old feudal nobility opted for the German side, even though they insisted on their transnationality and generally refused to take sides in political battles, just as they would take no part in the Slovenian national and cultural awakening.¹¹ One of the few noblemen who was not only very sympathetic to the Slovenian people but who also declared himself as a Slovene was Count Josef Emanuel Barbo-Waxenstein (1825–1879), who advocated for the use of the Slovenian language in Vienna and supported Slovenian cultural institutions.¹² A much more mosaic-like national composition was exhibited by the new noblemen, who had risen from the ranks of the officialdom or the army.



Fig. 1: Josef Emanuel Count Barbo (1825–1879) (private collection of the Barbo-Waxenstein family).

9 For examples of changing of Slovene names into German ones cf. e. g. Vrhovec, 1898, 66, cf. 2; *Slovenski list*, 6. 1. 1900, 5, »Plava kri na Kranjskem«.

10 There is an extensive literature on Sigmund Zois. One of the latest and most thorough: Vidmar, 2010.

11 E. g. Grdina, 2006, 241–256. Compare also: Matić, 2002, *passim*, where it is evident the it was the lower (and younger) nobility that was involved in national struggles.

12 Preinfalk, 2016, 14. Cf. also the introduction by Janko Tavzes to Barbo, 1935.

One's national affiliation or self-determination reflected in many ways, for example, through the selection of a German or Slovenian noble predicate, through the selection of the script used in writing down the family name (Gaj's Latin alphabet, the Bohorič alphabet, or the German orthography), as well as through the selection of the family coat of arms. Despite their differences, however, they all championed the emperor and supported the monarchy—numerous examples reveal that declaring national identity was not necessarily mutually exclusive with loyalty to the monarchy and the Habsburgs.¹³

Leaving aside their national or, better, ethnic origins and the question whether nobles participated (or not) in all aspects of noble life, what the nobility as a whole also shared in common was that over centuries it had been slowly losing its special privileges (thus including its actual power and social influence) and after 1848 went down the path of social degradation and biological erosion. A growing number of male members of the old nobility were becoming more inclined to leading a single life, rendering the biological reproduction of their social stratum impossible. By increasingly marrying representatives of the middle class, noblewomen renounced their social status and assumed that of their spouse. The second half of the nineteenth century presented the nobility with an especially formidable challenge in social, economic, as well as national terms, one that only a few had the knowledge and capacity to overcome.

The economic stagnation of the noble society also reflected in the loss of castles and manors (typical noble residences) or their passing into non-noble hands. Whereas at the beginning of the nineteenth century (and practically until 1848), every non-noble owner of an estate considered it essential to request for the earliest possible elevation to at least the rank of knighthood,¹⁴ the situation was all but completely reversed thereafter: the castles were mainly in the hands of the middle class, even peasants, and if the owners happened to be noble, ownership would change quickly and often, every few years on average.¹⁵

The nineteenth century, and especially its second half, brought the entire noble society of the Habsburg Monarchy into an interesting, even contradictory situation. If on the one hand, one can observe a constant decline in the nobil-

13 For such examples see e. g.: Rugále & Preinfalk, 2010; 2012; Preinfalk, 2017.

14 Thus, the Carniolan Provincial Estates required the rank of knighthood from Johann Paul von Jenkensfeld, when he bought the seigniorship of Mirna in Lower Carniola in 1755, or from the physician Natalis Pagliarucci, when he became the owner of the seigniorship of Khislstein in Kranj (ÖStA, AVF-HKA, Adelsakte, Hofadelsakt von Jenko, Johann Paul, 19. IV. 1762; Hofadelsakt von Pagliarucci, Natalis, 28. III. 1809; see also: Rugále & Preinfalk, 2010, 135–143; Preinfalk, 2013, 73–76). A similar example in Styria was Franz Anton Protasi, who requested the rank of knighthood after he bought the seigniorship of Planina near Sevnica in 1770 (ÖStA, AVFHKA, Adelsakte, Adelsakt von Protasi, Franz Anton, 3. VIII. 1770; StLA, Altes Landrecht, box 28, Prucker(gg)–Prunerstein).

15 See, for example: Smole, 1982, *passim*; Jakič, 1999, *passim*.

ity's significance and power,¹⁶ on the other hand, it is impossible to ignore its numerical growth. As statistical data show, most elevations to nobility in all the centuries under the Habsburgs took place precisely during the rules of the emperors Francis Joseph and Charles. One can even speak of an inflation of noble titles. They were most often conferred on officials and military officers (including their descendants, since nobility was hereditary), who would nevertheless continue to lead a middle-class style of living (Stekl, 2010). Although some of them, as already mentioned, decided to buy castles from impoverished members of the old nobility, the abolition of feudalism after 1848 rendered it impossible for them to become classic (feudal) lords. Besides, most new nobles did not have sufficient property to integrate themselves into highest social sphere. Nevertheless, they tried to emulate all the postulates of nobility, the most important of which was loyalty to the sovereign and the (Catholic) Church. All of these conclusions also apply to the Slovenian territory.

The major turning point in the development of the nobility was 1918, which formally marked its end. The fall of the monarchy spelled the abolition of the last privileges that distinguished the nobility from the rest of the population. From then on, all people—noble and non-noble alike—were formally recognised as equal. This naturally led to the identity crisis in that part of the population that based its identity on belonging to the nobility, whereby tradition played the most decisive role. If the noble identity of a family or an individual was strong and long-lasting enough, no measure of the new government could undermine it. This held especially true for the old, well-established, conditionally speaking, feudal families. The Auersperg or Herberstein family names were still held in high regard and distinction, no matter if they were preceded by count, prince, or some other noble title. By contrast, members of the new nobility established themselves through administrative or military careers. In this social stratum, a strong sense of noble identity could never develop, and it was often lost in subsequent generations.¹⁷

In the Habsburg Monarchy, the nobility as a whole possessed a relatively homogeneous status (even though it was inherently very heterogeneous). After the disin-

16 With his absolutist aspirations, the sovereign had from the end of Middle Ages onwards endeavoured to limit the power of the nobility as much as possible. One of the peaks of this antagonism were the Reformation, in which the nobility took the leading role, and then the Counter-Reformation, where the scales tipped in favour of the sovereign or, rather, the provincial prince. New blows to the nobility were dealt by the reforms of Maria Theresa and Joseph II. The middle class joined the struggle as well, whose growing power and influence was increasingly relegating the nobility to the background. The Revolution of 1848, also called the Bourgeois Revolution, led to the almost complete abolition of privileges based on the medieval feudal order. After that year, the only right that the nobility still enjoyed was the right to use noble titles and coats of arms (see the discussions of Hannes Stekl, collected in the miscellany *Adel und Bürgertum*). During the corporate state period, the nobility had the right to take part in political decision-making within the Provincial Estates, where it sat on the second bench (at some places also on the third), and after 1848 or, rather, 1861, within the Provincial Assembly, where most members of the old feudal nobility formed the great landowners' curia and the members of the new nobility were also elected to other (rural or urban) curiae.

17 On the destiny of new noble families, cf. especially: Rugále & Preinfalk, 2012; Preinfalk, 2017.

tegration of the monarchy, however, the development of the nobility in individual successor states went in different directions. In the late autumn of 1918, the Austrian nobility, including that in the Slovenian territory, which had previously looked to Vienna as its centre, found itself in new state and national frameworks. To obtain a clear picture of the nobility in the territory of present-day Slovenia, one needs to compare it to the nobility that remained in the newly established Republic of German-Austria. The differences are significant and visible. First, in Austria, the national issue was understandably not given much prominence, because the nobility, having for the most part already declared itself as German in the monarchy, did not differ from the majority population in terms of nationality. Much more pronounced were tensions among the social strata. The nobility could not easily accept its abolition, and the majority population, in fear of revisionist attempts, viewed it with distrust. In the desire to carry on with their former way of living, nobles formed themselves into a special corporate organisation, called the Catholic Association of Austrian Nobles (*Vereinigung katholischer Edelleute in Österreich*). Founded before the First World War, the organisation ceased its operations until it was revived in 1922. Its main goal was to enable further existence and activities of the Austrian nobility. Still in 1936, the association counted more than 2500 members, especially from the high nobility. They mainly engaged in charitable pursuits, supporting each other, ensuring scholarships for their peers, as well as promoting genealogical studies on noble families and the Catholic way of life. They preferred to not involve in politics, except indirectly after 1934, when a few noblemen assumed leadership functions in the so-called Austrian corporate state: Kurt von Schuschnigg, Prince Alois Schönburg-Hartenstein, Count Botho Coreth (Stekl, 2004, 106–110; Walterskirchen, 1999, 43–44).

The Austrian nobility rejected both communism and Nazism, but largely embraced Fascist-like corporate ideology (*Austrofascismus*). It emphasised Austrian patriotism and close relations with the Catholic Church. In this spirit, Austria transformed itself in the second half of the 1930s into a corporate state (*Ständestaat*), in which the nobility again started to assume leadership roles. There were even intensive talks with Archduke Otto, whom many regarded as the future Austrian monarch or at least as chancellor. However, these developments were brought to an end in 1938, when Hitler annexed Austria to the Third Reich, dissolved the corporate state, and sent numerous Austrian political actors to concentration camps; among them also Austria's last chancellor, Kurt von Schuschnigg (Stekl, 2004, 118–120; Walterskirchen, 1999, 50–54).

After the end of the First World War and the disintegration of the great monarchy, the nobility experienced not only political decline but also severe financial hardships. Noble status was associated with pursuing a certain lifestyle, including a fine external appearance. It was already before the war that such a lifestyle posed a challenge for the administrative and military nobility, which was (except for industrialists or Jewish bankers) usually not very wealthy. During and after the war, however, the rapidly growing inflation and the looming economic crisis rendered living according to noble rules completely impossible. The Catholic Association of Austrian Nobles appealed to its members to follow the example of German associations and financially support

their impoverished peers. At the same time, it fostered a stronger spirit of the nobility by encouraging its members to meet their daily needs by using the services of noble entrepreneurs. For this purpose, the book series *Wiener genealogisches Taschenbuch* was circulated between 1926 and 1937, containing current genealogical data on noble families of the so-called second society in Austria.¹⁸ For individual family members, the volumes also provided information regarding their professions, making the search easier for other noblemen. In the last volumes of the above-mentioned genealogical collection, this information was expanded with announcements made by noblemen offering their entrepreneurial services: among them were, for example, medical doctors, lawyers, retail merchants, painters, publishers etc. (Wiesflecker, 2010, 223).

A comparison of the situations in Austria and Slovenia reveals quite a number of differences. After the territory of present-day Slovenia became part of the newly established Kingdom of Yugoslavia, the nobility did not organise itself into a special noble corporation. Although its members still mainly socialised among themselves, they did so on personal, informal level. As in Austria, they confined themselves to their estates and formed relatively closed-off circles in Slovenian society. For example, when Count Herward Auersperg, the Lord of the Turjak Castle, died in 1925, his funeral was attended only by noblemen from Carniola and Lower Styria.¹⁹ In a similar vein, only family members and local nobles were invited to celebrate the silver wedding anniversary of Baron and Baroness Wambolt at Hmeljnik in 1930 (Potočnik, 1994, 18).

Founding itself in a spasm, the nobility in the Slovenian territory fell into a state of complete passivity. Its members did not appear in public, let alone held public offices, nor did they engage in politics, culture, or science. They primarily concerned themselves with managing their family estates, which were now threatened by the agrarian reform.

In Yugoslavia, the agrarian reform was a particularly burning issue. Whereas in Austria, noble estates remained more or less untouched (including *fidei comissum*), the situation in the Yugoslav kingdom was much more polarised. Although the agrarian reform already started in 1919, the procedures were long and some (e.g. those related to the Princes of Auersperg) dragged on through nearly the entire interwar period (cf. Granda, 1980, 200–220). Strikingly, it was even in the face of this situation that the nobility failed to close ranks and act as a single injured party, and instead left every single individual to fight for himself or herself.²⁰

18 The “second society”, or “die zweite Gesellschaft”, was a term used to denote the new nobility, hence, the nobility that originated from the administrative, military, industrial, or artistic milieu. This term related to the “first society”, or “die erste Gesellschaft”, which designated the old feudal or high aristocracy (Winkelhofer, 2009, 23).

19 Baron Ludwig Lazarini of Boštanj, who came to the funeral with his wife and son, counted around forty representatives of the relatives and acquaintances from the Auersperg circle, either noble or non-noble owners of manors. (Kosler, Galle...) (ZAL LJU, 340, 3; (cf. Granda, 1980, 200–220) also: Preinfalk, 2005, 136).

20 Count Roberto Barbo-Waxenstein wrote about this in his novel *The White Bullet*. On the nobility’s and estate owners’ failure to organise, cf. Barbo, 1935, 87–88.

Even though the nobility could not lead the same life as it did before 1918, nobles still strove to carry on in its old ways. Habits based on centuries-old traditions could not simply vanish overnight. They still lived in their countryside mansions and/or city palaces, they still visited one another and socialised hunting, which had always been considered an activity of the nobles. Due to tighter financial means, they understandably had to give up extravagances, such as long travels abroad or maintaining several residences (the Auerspergs of Turjak, for example, were compelled to sell their palace in Ljubljana in 1927; Wiesflecker, 2010, 224), but the main features of the noble everyday life remained the same. A glimpse into how these changes unfolded in the territory of present-day Slovenia is provided in the memoirs of Baron Philipp Wambolt (1918–2007), whose family lived at the Hmeljnik Castle until the Second World War. In 1931, Wambolt, a teenager at the time, and his siblings visited the Auerspergs at Turjak for two days. He summed up his memories into a short story, in which he described a few typical scenes, such as family lunch in the dining room decorated with portraits of ancestors, playing in the castle building and telling stories from the family tradition, as well as visiting other close relatives, e.g. the two countesses of Auersperg at the Bokalce Manor (Preinfalk, 2020, 551–563).

Apart from everyday life, educational styles, too, continued to follow the old patterns typical of the aristocracy. As the young Philipp Wambolt recounts, although the children at Turjak and Hmeljnik received similar upbringing, there were significant differences among them. On the one hand, the Wambolts (even more so than the Auerspergs) formed part of the highest circles of nobility, which abided by strict rules of education. Philipp's mother was Countess Harrach and his grandmother Princess Lobkowitz—the families of both women possessed immediate property in the Holy Roman Empire and enjoyed the status of the so-called mediatised families from the Napoleonic times onwards.²¹ Both families were the elite of the elite, and considered proper upbringing since birth as one of the cornerstones of their existence. Hard education was the very element that distinguished the nobility from what it viewed to be the “effeminate” middle class.²²

Although officially abolished, noble titles did not completely fall out of use. Nobles themselves used them in their communication, and their titles were to some extent also recognised by the local community. Thus, for example, letters addressed to nobles were regularly equipped with corresponding noble titles, and parish registers almost always indicated noble titles next to a nobleman's name. The use of noble titles in parish registers was very much dependent on the parish priest in charge. Whereas, for instance, the title count/countess regularly appeared in records on the christenings and weddings of the Auerspergs of Turjak until the Second World War, no indication of noble titles can be found in reference to the Auerspergs of Soteska, although as members of the princely line (princes and princesses) they ranked higher

21 On mediatised families, cf., for example: Preinfalk, 2005, 25–26 (with literature listed therein).

22 On noble education, cf.: Winkelhofer, 2009, 11–33.

on the noble hierarchical scale.²³ When Baron Lazarini had the daughter Marlene in 1936 in Krško, the parish priest omitted the baronial titles; however, when the baron had a son four years later, the priest used appropriate titles for him and his godparents.²⁴

To some extent, noble titles continued to appear in official documents until the period after the Second World War. The records of the confiscation commission for 1945 and 1946 still stated noble titles next to the names of the members of the former (especially high) nobility. Thus, the property was not confiscated from some Herward Auersperg or Robert Barbo, but from Count Auersperg and Count Barbo. The same holds for other noblemen, for example, Baron Codelli, the Barons of Lazarini, etc.²⁵ Quite possibly, the noble titles in these cases were not a gesture of courtesy, but rather a way to justify the confiscation of the noble (i.e. German, feudal, foreign, enemy) property.

The emergence of new nation states, in which the population was more ethnically homogenous than in the multi-ethnic Austro-Hungarian Empire, also gave rise to the question of national belonging among the nobility. This issue was particularly acute in the Slovenian area. On the one hand, the local nobility had never declared itself as Slovenian (either considering itself as German or fostering the cult of supranationalism or internationalism). And on the other hand, the Slovenian political, cultural, historical, and national discourse pushed the nobility out of Slovenian society as foreigners, non-Slovenes who had no place in Slovenian national society or history.²⁶

After the disintegration of the Austro-Hungarian Monarchy, the nobility found different ways to cope with the new situation. Those who did not want to live in the new Slavic state left immediately after the war. This held especially true for the members of the lower nobility who were mostly German-oriented and who had no estates in the Slovenian territory to keep them there. For national reasons, a few members of the old nobility left as well. Unlike his cousins at Turjak, for instance, Count Erwin Auersperg (1889–1973), the Lord of the Manor of Ig, decided to emigrate after he sold his estate already in the summer of 1918. In retrospect, he wrote the following about it: “Due to the overthrow in 1918, I lost the greater part of my property, because after I sold my estate in what is now Yugoslavia—just before the overthrow—I was not quick enough to buy another in the German-speaking territory”.²⁷ Some noble families left later, for reasons mostly to do with complications caused by the agrarian reform. Thus, for instance, Baron Friedrich Rechbach

23 NŠAL, Prepisi matičnih knjig, Turjak, R. 1835–1964, 28, 39, 42; Prepisi matičnih knjig, župnija Soteska, 1835–1964, 114, 116, 120.

24 NŠAL, Prepisi matičnih knjig, župnija Krško, 1916–1964, 3, 125.

25 ZAL LJU, 469, 3, 160/45 (Codelli); 22, 29/46 (Barbo); 21, 1730/45, 1731/45 (Lazarini); 1, 7/45 (Auersperg).

26 For example: Apih, 1887, 171–172; cf. also: Štih, 2001, 61–72; Preinfalk, 2004, 507–516.

27 Erwin Auersperg, Lebenslauf, s. d. (a document in the author's possession): “Durch den Umsturz des Jahres 1918 verlor ich den grössten Teil meines Vermögens, da es mir nicht rasch genug gelungen war, nach Verkauf meines im heutigen Jugoslawien gelegenen Besitzes – knapp vor dem Umsturz – ein anderes Gut in einer deutschsprachigen Gegend zu erwerben.”

sold his Krumperk Castle in 1928 and moved to Austria; his example was soon followed by Baron Michelangelo Zois, who auctioned his Brdo Castle near Kranj in early 1929 and created a new home in Austria as well (Smole, 1982, 247; Preinfalk, 2003, 39).

In contrast, many old noble families that held more or less extensive landed property decided to stay. These were above all members of those families that had been here for more than several hundred years and considered this territory to be their homeland. Some even received Yugoslav citizenship, undoubtedly more for pragmatic reasons than loyalty to the new state (the Counts of Auersperg, the Codellis, a few Herbersteins), whereas others retained their Austrian citizenship (the Princes of Auersperg). The Carinthian family of Thurn-Valsassina chose a particularly unorthodox manoeuvre, with its family branch based in (Yugoslav) Ravne taking Austrian citizenship and the family branch in (Austrian) Bleiburg obtaining Yugoslav citizenship (Preinfalk, 2008, 261).

Further attesting the nobility's accommodation to the new Slovenian reality is that many noble children started to attend Slovenian schools. Karl Auersperg of Turjak (1920–2004) remembered how his older brothers attended the Jesuit high school in Kalksburg near Vienna, whereas he as the youngest child was enrolled in the primary school in Turjak and later to the St. Stanislav's Institution in Šentvid and the secondary school in Ljubljana (Auersperger, 1999, 31). Several years younger Livia Barbo (1927–2018) lived with her mother's family Codelli in Kodeljevo after her parents' divorce and recounted her mother's pragmatic decision, once she reached her school age: "Now that we are staying here, you will just have to attend a Slovenian school", and enrolled her only daughter to St. Ursula's monastery school for girls in Ljubljana.²⁸

To some degree, the nobility that remained in the Slovenian territory therefore acquiesced, at least outwardly, to the new reality, even though some were intimately quite averse, if not downright hostile towards both the new state and the Slovenes in general. The idea promoted by Count Anton Alexander Auersperg (Anastasius Grün) (1806–1876)—namely, that Slovenian culture could only develop by leaning on German culture and that the unification of the South Slavs was inappropriate and unacceptable (Grdina, 2009, 58–65)—was widespread and very persistent among Carniolan Germans. It echoed, for example, in a letter that Heinrich von Schollmayer-Lichtenberg (1860–1930), the Lord of the Manor of Koča Vas near Lož, wrote to Baron Ludwig Lazarini (1849–1930), the Lord of the Manor of Boštanj, in March 1926, precisely fifty years after Auersperg's death. In the letter, Schollmayer-Lichtenberg commented on the Slovenian regesta of documents from the Boštanj archives, which the Slovenian priest and historian Anton Koblar (1854–1928) published already in 1899, and expressed his indignation as follows: "Dean Koblar's publication of the German documents from the Boštanj archives in Slovenian regesta serves no other purpose than indulging the vanity of the Slovenes: this small nation of a million

28 Oral source: Livia Barbo-Waxenstein (1927–2018).

is abandoning the German language, to which it owes everything, and it prefers to conduct science in its own language, making publications accessible to less than a million readers, whereas German is mastered by more than eighty million speakers; however, this gratifies the national chauvinism, which also drove the Slovenes into the arms of the Serbs, who are now bent on erasing the Slovenian language from this world. In their burning desire, the Slovenes have therefore jumped out of the frying pan into the fire, they will vanish in the Balkan culture, and they will need centuries before they rise to the cultural level to which the Germans have elevated them. With such thoughts I can reconcile with anything!”²⁹

Similar anti-Slovenian sentiments were also expressed by Baron Hans Kometer (1850–1925) of Pukštajn near Dravograd. When he paid a visit to Mr and Mrs Jirku at the Hartenštajn Manor near Slovenj Gradec, where they had moved immediately after the First World War, he said among other things: “Now we must stick together. Austrians, I mean. Otherwise we will have the Slovenian lowlife walk all over us.” (Stridsberg, 1971, 92).³⁰

Given the above, the distrust between the nobility and the Slovenes or, rather, the new Yugoslav authorities was still deep-seated. Regardless of being Yugoslav citizens, nobles were regarded as foreigners in the new state, and the government also treated them as such (Wiesflecker, 2010, 204). The situation was slightly different in Gorizia, which belonged to Italy after the First World War. There the former Habsburg nobility quickly accepted the reality and, at least outwardly, expressed their favourable disposition towards the Italian kingdom—also, among other things, by requesting Italy’s recognition of their noble titles. The Friuli line of the Princes of Porcia did so already in 1908 and the rest after 1918 (e.g. Coronini, Attems, Strassoldo, etc.; Wiesflecker, 2010, 205).

Nevertheless, it should be acknowledged that the nobility tried to integrate into the Slovenian milieu. One sign of such affiliation was the use of Slovenised names. Before 1918, using the Slovenian form of one’s personal name (e.g. in obituaries) was to some extent a sign of identifying with the Slovenes. Thus, before 1918, one can hardly find

29 ZAL LJU, 340, 22, a letter of Heinrich v. Schollmayer-Lichtenberg to baron Ludwig Lazarini, 10. 3. 1926: “Dass Dechant Koblar die deutschen Urkunden aus Weissenstein in slovenischen Regesten erschienen liess, ist eine Concession an die Eitelkeit der Slovenen: dieses kleine Millionen-Völkchen meidet die deutsche Sprache, der sie Alles zu verdanken hat und arbeitet wissenschaftlich lieber in ihrer Sprache, wodurch ihre Publikationen kaum einer schwachen Million Lesern zugänglich ist, während über 80 Millionen Menschen die deutsche Sprache beherrschen, aber dem nationalen Chauvinismus ist Genüge geleistet, welcher die Slovenen auch den Serben in die Arme getrieben hat, die nun daran arbeiten, die slovenische Sprache aus der Welt zu schaffen; die Slovenen sind also über eigenes, brennendes Verlangen aus dem Regen in die Traufe gekommen, werden in der Balkan-Kultur untergehen und Jahrhunderte brauchen, um wieder jene Kulturstufe zu erreichen, auf welche sie das Deutschtum gehoben hatte. Solche Gedanken versöhnen mich mit Manchem!”

30 Gusti Stridsberg (1892–1978) was the Lady of the Hartenštajn Manor near Slovenj Gradec. As a daughter of Ferdinand Mayer, a director and an imperial councillor, she spent her childhood in Vienna. During the First World War, she married Bernhard Jirku, a physician of Czech descent, and after 1918 moved to the Hartenštajn Manor. There she kept company with other lords and ladies of manors from Carinthia and Styria who remained in the Yugoslav state after 1918.

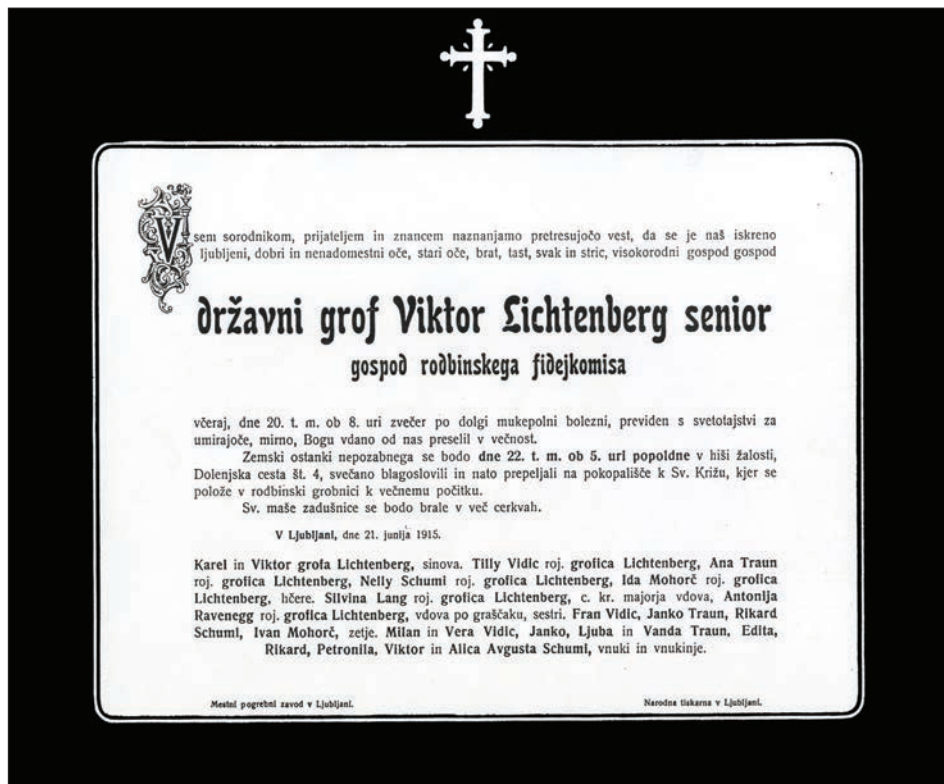


Fig. 2: Slovenian noble obituary from 1915 (private collection of the Barbo-Waxenstein family).

any noble obituary in the Slovenian language (unlike Hungarian, Czech, and Croatian). The only exception was the new nobility with a prominent Slovenian orientation (e.g. the families Bleiweis, Šuklje, etc.), whereas only a few old families decided to do so. One such example was the family of Count Viktor Lichtenberg, which published both German and Slovenian obituaries for its deceased members—in 1907 for Viktor's son Franc, in 1910 for his wife Frančiška (née Belč), and in 1915 for Viktor himself. After 1918, Slovenian noble obituaries were no longer an exception, but rather a rule: while it continued to publish German obituaries, the nobility always issued Slovenian versions as well, indicating all personal names in Slovenian form (ZAL LJU, 340, 27–36; ARS AS, 1084).

Whereas the nobility's national identity was of marginal importance in the inter-war period, it became increasingly prominent after the end of the Second World War. Although the new administration did not recognise the former nobility as a separate category of population (except that, as already mentioned, it consistently attached noble titles to their names), it nevertheless declared all of them as Germans or persons

of German nationality, and on this basis confiscated their property and expelled them from Yugoslavia. In complaints filed against these decisions, the injured parties either invoked their Austrian rather than German nationality or simply maintained that they were Slovenes. The sister of Count Erwin Auersperg, the Lord of the Manor of Ig, Countess Elsa Auersperg, who was evicted in 1918, thus wrote: "I am a Yugoslav citizen of German nationality from the family of Auersperg, an old family line that has lived in Carniola or, rather, Slovenia for 600 years" (ZAL LJU, 469, 1 31/45). Similar arguments were also used by Marie Cocron, née Polz von Ruttersheim: "I am not a German citizen, nor a German in the sense as perceived by AVNOJ [...] I am an Austrian citizen [...]" (ZAL LJU, 469, 3, 145/45) and Countess Pachta, Marie Felicitas née von Pongratz from Polzela, who invoked her Austrian citizenship and Slovenian ethnicity: "Nor am I a German by nationality but a Slovene [...] my parents and grandparents, too, were of Slovenian and Croatian descent, respectively" (ZAL LJU, 469, 21, 1754/45). None of their complainants were successful, and they were all forced to leave the homeland of their ancestors.

Today, there is hardly any nobility left in Slovenia or, in other words, there is absolutely no trace of the former noble identity to be detected among its rare representatives. Whereas members of the high or old nobility (still from the times of the Holy Roman Empire) amount to a mere handful, many members of younger noble families from the nineteenth century (the Austrian nobility) felt ashamed of their noble status in the new Yugoslav state and deliberately pushed it to oblivion. For this reason, their descendants no longer foster noble identity today, albeit aware of it. Compared to other successor states of the Austro-Hungarian Empire, Slovenia seems to have been most thoroughly purged of its former nobility.

THE NOBILITY IN CROATIA AND SLAVONIA

Civil Croatia and Slavonia was a part of Hungary, yet it had its autonomy. The traditional autonomy³¹ originated at the beginning of the 11th century when Croatian Kingdom entered the union with the Kingdom of Hungary. Even though this autonomy was often differently interpreted from the Croatian and the Hungarian side, ranging from *regna socia* (allied kingdoms) to *partes adnexae* (annexed parts i.e. countries) or even *partes subiectae* (subordinate parts), the Croatian viceroy (the *Ban*) and the Croatian Diet (*Sabor*) were its major warrants. After the onset of dualism in 1867, modern Croatian autonomy within the lands of St. Stephen's Crown was guaranteed by the Croatian-Hungarian Settlement of 1868.³²

The nobility in Croatia and Slavonia was until 1848 a dominant part of *natio politica* enjoying privileges and rights such as tax exemption, representation at the Sabor and the counties (*županije*, territorial-administrative units), which were *uni-*

31 The traditional autonomy, the so called municipal rights, did not encompass Slavonia.

32 The Croatian government and Sabor were since 1868 in charge of internal affairs, justice, religion and education.

versitas nobilium, guaranteeing the representation of lesser and regional nobility. The social and ethnic structure of Croatian and Slavonian nobility differed; whereas the latter could boast of big landed estates and high percentage of magnates (barons, counts and one princely family), in civil Croatia lesser nobility with small estates prevailed. In contrast to Croatia, the nobility in Slavonia was to a large extent of non-Croatian origin. These differences stemmed from the geographical characteristics of Slavonia with a lot of fertile land, but also from its specific history. It had been a part of the Ottoman Empire until the end of the 17th century, and after its liberation, the Vienna centre could sell or donate large estates to wealthy and influential nobility of various ethnic origin.

In the 19th century nobility was faced with two important processes: national integration and modernisation. After the revolution of 1848/49 nobility was deprived of its traditional privileges and a portion of its land farmed by peasants, as was the case in the whole Habsburg Monarchy. Even though there were some noblemen who accepted liberal ideas and the necessity of modernisation, majority of them was rather conservative, accepting only inevitable changes.

By the late 19th century the position of nobility changed further due to the rise of the middle class, especially businessmen, who sometimes bought landed estates. A part of the middle-class elite was ennobled and it imitated elements of noblemen's culture (hunting, riding, maintaining stables and dog studs, luxurious palaces, private education, loyal household servants, the life as country gentlemen at least during the so called *Sommerfrische*). At the same time the differentiation among the ranks of noblemen themselves occurred. New members of aristocracy were recruited from non-noble meritocracy or from members of lesser nobility who rose through administrative functions, military career or economic activities. Among the latter were also some Jews, among all categories the Serbs.³³ The advance of mass politics, aimed at lower layers of society, presented a new blow to the influence of the old elite. However, until 1918 nobility still constituted political, economic and cultural elite. Its elite layer – the magnates, enjoyed even after 1848–49 the right to be personally represented at the Croatian Sabor, regardless of the elections, just as was the case in Hungary.

The beginning of the Croatian national movement in the 1830s posed a major challenge to multicultural and supranational aristocracy. It eventually divided the nobility along national and political lines, in pro-Croatian, pro-Austrian and pro-Hungarian nobility. The first two options were often combined, especially during dualistic era, when Hungary was seen as a major political enemy by majority of Croatian politicians (Gross, 1978–1979, 123–149). Contrary to the Bohemian lands and Hungary, Croatian nobility did not found its own party or emerge as the

33 Examples of new aristocracy are: nobleman Nikola Tomašić, influential politician and the Ban (1910–1912); Antun Mihalović, nobleman coming from a Serbian Orthodox family that converted to Catholicism in 1763. Mihalović was the last Croatian Ban (1917–1919). Examples of meritocracy: barons Turković and barons Gutmann, mentioned later in the text.

leader of the national movement³⁴ and modernisation. However, aristocracy still cherished its multicultural side, and the economic difficulties it faced made its way of life to one of the pillars of its identity in modern times. It should also be stressed that despite their differences, noblemen were still connected through family ties, economic interests, identity and tradition throughout the whole Monarchy and beyond it.

The transition to the new Yugoslav state faced the nobility with many challenges: violence, the problem of citizenship, the partition of its estates to several new states, the land reform, the agrarian character of the new state, in one word with the loss of its elite position. Nobility developed different strategies of survival, depending on its social and economic status, political and national orientation, but often on quite personal choices. The major difference lay between old and new aristocracy and between aristocracy and lesser noblemen. The latter had been pauperised much before 1918, barely making both ends meet on their small holdings, or more often, moving to towns and living a middle-class existence. They were less cosmopolitan and multicultural than aristocracy and their networks were thus less influential and usually limited to Croatia or the neighbouring lands (e.g. Bosnia and Herzegovina). In one word, they were even before 1918 left with only their coat of arms and title, and after the War they were deprived of them as well. This made them eager to adapt, a prominent example is Janko Bedeković Kobilički, the chief of the Zagreb police (1925–1926, 1929–1937), notorious for his repressive methods (Janjatović, 2002, 265; Dobrivojević, 2006, 122). On the other hand, aristocrats had much to fight for: their big estates, habitus, supranational networks, elite position, their whole way of life. Not few of them were faced with post-war violence; their estates



Fig. 3: Stubički Golubovec, western drawing-room, photographed by barons Steeb in the interwar period, Kajkaviana, Donja Stubica (Collection of Kajkavian archival material).

34 Some noblemen participated in the national movement from its very beginning, but the social structure of the leading group, with middle-class members playing a vital role, was more heterogeneous than in Hungary.

and property including relevant art collections³⁵ had been looted or their castles and manors set afire by local peasants or the Green Cadres,³⁶ eager to offer a new socio-political order in the countryside. In late October and November 1918, their activities became indistinguishable from a wave of violence against supporters of the old regime (officials, landlords...) and „the others“ - the Jews. These disturbances were particularly severe in Croatia, Slavonia, Galicia and western Slovakia (Beneš, 2017; Banac, 1992). Most vulnerable were noble landlords of foreign origin or the ones enjoying the reputation of the „enemy of the people“, but there were fatal incidents when members of nobility were physically attacked or murdered out of vengeance or sheer brutality.³⁷ Situation in Slavonia was better, since there were estates owned by the Serbs and the Orthodox Church, and the coming of the Serbian army improved the situation even if there were violent incidents after its arrival. Some aristocrats had land in several new states, with different regimes. For example, besides their land in the Kingdom of Serbs, Croats and Slovenes, the counts Drašković had estates in Austria and Hungary,³⁸ the princes Odescalchi in Czechoslovakia and the counts Khuen-Héderváry in Hungary. Many noblemen had bonds of foreign companies and banks, or even worse, the state bonds of Austria-Hungary, which made them financially vulnerable.

However, even aristocrats were in somewhat different positions pursuing thus different strategies. In general, the nobility of domestic origin or the one enjoying the reputation of being pro-Croatian or pro-Yugoslav before 1918 fared better. Noblemen who cherished widespread social connections, cooperated politically and economically with the middle class, supported patriotic and national associations and institutions, and who had non-noble family ties and good relationship to the local community were still respected. They were often even addressed as noblemen. As expected, new aristocracy i.e. meritocracy, was much more adaptable than the old one. Prominent examples are the Turkovići and the Gutmanns. The Turković family, originally middle-class merchants who bought a big landed estate Kutjevo in 1882, were ennobled as barons (with the predicate Kutjevački)

35 In March 1919, peasants set afire the castle in Bajnski Dvori near Varaždin, in order to prevent the return of the owner Samuel Festetics, who had fled to Austria. A valuable art collection, including the works by Rembrandt, was destroyed. In 1921, Festetics, the Austrian citizen, asked the Austrian Foreign Office for help, since Bajnski Dvori were expropriated without any reparation, guaranteed by the Treaty of Saint Germain (Kolar, 2003–2004, 20–21).

36 The castle Novi Dvori near Klanjec in Hrvatsko Zagorje was on 1 November 1918 attacked by peasants. Men were followed by women, who loaded looted goods onto cars or into baskets. The raid lasted until 4 November, resulting in 6 dead peasants and the damage of a million crowns (Šimončić-Bobetko, 1997a, 177).

37 Baroness Marija Adamović was murdered in Slatinski Drenovac by a soldier returning from Russia. The victim was known for her charity work.

38 Count Ivan Drašković participated in the delegation from Baranja (Baranya) which required its union with the Kingdom of Serbs, Croats and Slovenes. Drašković was therefore imprisoned in Hungary. His motive was by no means a Yugoslav orientation, but an attempt to prevent that his estates end up in different states.

in 1912 (Iveljić, in print). They modernised their estate, but were struck by the economic crisis, the agrarian competition in the new state and the land reform. They tried to make ends meet by founding a private bank in 1919, but during the depression the bank became insolvent, because 80% of its financial means was loaned to the Turković brothers, who were unable to settle their debts since Kutjevo was in the process of land reform (Lajnert, 2016, 223). Because of their Yugoslav orientation the Turkovići enjoyed the support of the regime. They managed to change ownership of parts of their landed property, circumventing the land reform ordinances. When the authorities finally learned about it, they were not able to do much, because of the complex and unclear property relations on the Kutjevo estate (Šimončić-Bobetko, 1997b). After the Second World War the estate still had 5.077 yokes of vineyards, orchards, meadows and arable land, which were confiscated by the new regime (Šimončić-Bobetko, 1997b, 427). If the Turkovići enjoyed the support of Yugoslav authorities, the Gutmanns did well even without it. They were middle-class entrepreneurs ennobled in 1869 („de Gelse“) who became barons (with the additional predicate „de Belišće“) in 1904. They bought a big landed estate in Slavonia from the Hillebrand von Prandau family, turning it into a huge timber industry complex in Belišće, with a workers' colony and its own railway (Volner, 2019). As Hungarian Jews they were disliked by the local community and the Yugoslav regime, yet they were cunning businessmen who used various means to protect their interests. By proving that the owners were of Czech and not of Hungarian origin and by moving the seat of their company from Vienna to Belišće, they avoided the nationalisation of their industry and railway. They used clientelistic and political ties to the Radical Party to protect their landed estate, and they transferred the ownership of a part of their land to joint stock companies under their control.³⁹

In general, aristocrats considered to be of Yugoslav orientation were treated better by the regime, even in the process of land reform. The examples are Count Miroslav Kulmer the Younger and Count Josip Bombelles. The former came from a pro-Austrian and rather conservative family of Carinthian origin. As an aristocrat connected to domestic capital, who modernised his estate, Kulmer became in 1906 a member of the Croat-Serb Coalition.⁴⁰ After the Great War he joined the pro-regime Democratic Party, and in 1930 he became vice-governor of the National Bank of the Kingdom of Yugoslavia, acquiring nicknames “citizen count” and “peasant count” (Iveljić, 2020). In the wartime Ustaša state he became the member of the Croatian State Sabor. His is an example of an aristocrat adapting to various regimes. Count Josip Bombelles presents an even more astonishing

39 Among those who helped them were noblemen like Antun Mihalović, whose daughter was married to Milan Antić, the minister of the Karađorđević Court (*ministar Dvora*) (Šimončić-Bobetko, 1997b, 297–299; Boban, 1974, 30).

40 He was the president of the First Croatian Savings bank (*Prva hrvatska štedionica*) and of the Croatian-Slavonian Agricultural Society (*Hrvatsko-slavonsko gospodarsko društvo*) (Kukić, 2013).



Fig. 4: Villa Nemo in Crikvenica, built in 1921 by baron Pavao Rauch (photo by Tea Rosić).

case. He was a descendant of a distinguished aristocratic family from Portugal, with one of his ancestors being Francis Joseph's private educator, and his father, Marko the Younger, was a hunting companion of the Archduke Francis Ferdinand. Marko the Younger shared the Archduke's hatred of the Hungarian and Serbian political elites, acting as a liaison between the Archduke and his circle, and Croatian politicians (Rahten, 2008, 155). Josip Bombelles was described in a post-war official report⁴¹ as an enthusiastic Yugoslav, yet his loyalty and treason were dangerously interwoven, for in the interwar period he was uncovered as a triple agent who met a tragic end in the Ustaša jail (Boban, 1974, 87, 130). On the opposite pole were aristocrats such as Baron Pavao Rauch, a former Ban (1908–1910), a tough conservative of anti-Serbian and anti-Yugoslav orientation. His landed estates in the Podravina region were among the first to be targeted by the land reform, and it was clear that the regime intentionally made things harder for Rauch. His own brother Geza enjoyed a more favourable treatment because he had not been so politically exposed (Iveljić, 2020; Iveljić, 2014).

41 HDA 78, Zemaljska vlada, Predsjedništvo, 6–14, No 18705/1921, box 1166.

Some aristocrats of non-Croatian origin refused to adapt and opted for non-Yugoslav (most often Austrian or Hungarian) citizenship,⁴² hoping to be compensated for their property according to the Treaty of Saint Germain. Some gave up the fight later, sold their property and went abroad (Kolar-Dimitrijević, 1995). There were sometimes different strategies even in the same gender and family. The Werian lineage of the Windisch-Graetz opted for Yugoslav citizenship, whereas the main lineage in Czechoslovakia opposed such an opportunistic attitude towards the new regime (Wakounig & Stekl, 1992). In an attempt to preserve his way of life Count Rudolf Normann-Ehrenfels bought in 1919 the estate of his brother Gustav, who left the country. Unfortunately, Rudolf's strategy turned fatal in the long run, since his daughter Maria Anna and her husband Lothar von Berks ended up in a work-camp in Valpovo in 1945, where Lothar died. The surviving family members went to Rothenthurn in Austria (Najcer Sabljak, 2012, 45, 122; Šimončić-Bobetko, 1997a, 202).

Aristocracy that remained in the Yugoslav state kept fighting for their castles and manors and estates, for their way of life. They were often still patrons of churches on their estates, and especially women were engaged in charity projects. They tried to preserve their wide-spread networks and aristocratic endogamy. The latter was difficult to maintain, since it had already been eroded in the late 19th century,⁴³ and it was more often abided by women than by men, which is understandable since noble women married to non-noblemen would formally lose their status (Iveljić, 2016). Aristocrats were desperate to keep up appearances, and with the weakening of their political and economic power, their way of life and culture became primary means of group identification inwards and outwards. Traditional aristocratic way of life characterised by tradition, history, honour, title and rank, genealogy, ceremonies, symbols, education, culture and art (Iveljić, 2018a) was important. Yet, the tradition was reinterpreted in a way that diminished the traits of nobility as a social group, putting an emphasis on its moral values. The nobility did not rely on social component and definition any more, but on culture and personal qualities. The new viewpoint stressed that its elite position was a result of personal qualities and refinement acquired and enticed through the long tradition of holding important functions, of its code of honour and the catalogue of virtues. Its education and supranational networks, important positions it held in all spheres from the military to economics, enabled it to have a wide perspective and be socially responsible, to care for the greater

42 The citizenship was regulated by the peace treaties of Saint Germain and Trianon, the Treaty of Rapallo of 1920 and the law (*Zakon o državljanstvu*) of the Kingdom of Serbs, Croats and Slovenes of 1928. It was automatically obtained by individuals who had domicile status in any of the territories of Austria-Hungary prior to 1 January 1910. After that date they had to have a special permission of the State of Slovenes Croats and Serbs. Optants were among others individuals with domicile status in Austria-Hungary but differing from the majority of inhabitants according to race and language. They had to opt within 6 months (Metelko-Zgombić, 2011, 835–837).

43 Among Austrian aristocracy, especially the side lineages, the marriage out of love was on rise since the mid 19th century (Stekl, 2010, 962).



Fig. 5: Illustration from the hunting diary of count Stjepan Erdödy depicting his trip to Bihac in 1909 (HDA, Fond 712 Erdödy, Lovački dnevnik [Hunting diary], vol. 4).



good. In that respect noblemen were unique, differing from other „selfish“ groups and individuals fighting solely for their particular interests. Furthermore, through experience and knowledge accumulated by many generations of their ancestors, they were used to coping with crises and problems. Aristocrats saw themselves as the ones who could connect all social layers from peasants and workers to the clergy and the middle class. Their tradition was re-interpereted as dynamic, far from consisting just of privileges and charts, titles and odd ceremonies. However, it seems that aristocracy in Croatia and Slavonia did not publicly advocate new ideas that would define a role for the nobility in the modern era, such as the ideas of Prince Karl Anton Rohan on one side, and Count Richard Coudenhove-Kalergi on the other. Bohemian aristocrat Rohan represented post-Habsburg noblemen, aware that imperial nostalgia was out of place, yet utterly opposed to democratisation. They were intrigued by the fascist ideology that reinterpreted conservative values and energy combining them with corporatism. Rohan and his followers hoped for some kind of European union which would promote German interests, jeopardised by the Czechoslovakian state (Glassheim, 2005). On the other pole was the ideology of Count Richard Coudenhove-Kalergi who was also eager to recast the role of the nobility in a liberal post-imperial order. He envisioned a hybrid nobility, truly modern aristocracy, that would emerge through

a natural breeding process he called social eugenics, which would combine traits of various previous types of nobility – urban and rural, conservative and liberal, political and intellectual, old and new (Glassheim, 2005). He envisioned a united Europe, but contrary to Rohan, the one based upon progress and cosmopolitanism (Coudenhove-Kalergi, 1938). Even though this topic needs to be thoroughly researched, it can be concluded that aristocrats in Croatia and Slavonia must have known of these ideas. It is certain of Rohan's ideology, since some of them were through family ties related to the members of Rohan's circle.⁴⁴

Another topic that needs to be further researched is the participation of nobility in relevant institutions and associations. So far it may be concluded that noblemen were less visible in the public than before, probably also because they were trying to keep a low profile. This may be the reason why, like their counterparts in Slovenia but unlike the ones in Austria, they did not found a noblemen's organisation. Even though there were similarities between the Hungarian and Croatian nobility prior to 1918, their transition into new states was totally different. The Hungarian nobility was able to preserve not just its estates, but even its titles, which guaranteed them a unique position in Central Europe. The status of Hungarian nobility was challenged only briefly during Béla Kun's regime in 1919, keen on nationalising landed estates bigger than 100 hectares (Raptis, 2019, 204–206). However, admiral Miklós Horthy de Nagybánya defeated the revolutionary forces and became the regent of the Hungarian Kingdom. His conservative regime lasted until 1944, preserving until then the position of Hungarian nobility.⁴⁵

Despite major problems (land reform, economic depression, ...) many noblemen were able to retain their status as landowners, yet on a smaller scale than before 1918. However, the communist regime established after the end of the Second World War put an end to this. Many noble families, deprived of their land, castles and manors, town palaces, their collections of art works, weapons, books and sometimes even family photographs, decided upon moving to the West, mostly to Austria, where they were near to their former homeland. Some families stayed after 1945, and a couple of them even managed to live in their manors, the most prominent example is probably the Hellenbach family living in their castle near Marija Bistrica in Hrvatsko Zagorje.⁴⁶ Many of those who had left still had connections with their old homeland, like barons Steeb, who regularly paid visits to Stubički Golubovec, and were still fluent in the local

44 Prince Alfons Clary-Aldringen was a prominent follower of Rohan. His wife was Countess Lidwina (Ludwina) Anna Maria Eltz, whose sister Maria Anna married Count Karl Heinrich Khuen-Belassi. Alfons's uncle, Manfred Alexander Robert, was married to Countess Franciska Pejačević Virovitička (de Verőcze) (Iveljić, 2018b).

45 Horthy was educated at the naval academy in Rijeka/Fiume. As the last commander of the Austro-Hungarian navy he was charged in October 1918 with the transfer of the Austro-Hungarian fleet to the new State of Slovenes, Croats and Serbs.

46 The Kaučičs (originally a Slovene family from Trieste) were able to keep the manor Gorica, and the Praunspersgers their Podolje. Some members of the families Drašković and Kulmer, the Jelačićs, the Pejačevićs, etc. stayed in Croatia.

Kajkavian dialect. No wonder that the bells of the local church rang to mark the deaths of family members (Steeb, 2007, 125–134).

CONCLUSION

This short survey draws a comparison between nobility in Slovenia, and Croatia and Slavonia before and after the Great War. The major differences before 1918 lay in belonging to different halves of Austria-Hungary, in Croatian political autonomy and the existence of domestic nobility and in the earlier onset of the Croatian national movement which attracted a part of the nobility right from the start. Similarities included multiculturalism, the characteristic way of life, aristocratic habitus and loyalty to the sovereign. However, the collapse of the Habsburg Monarchy faced all the aforementioned nobility with the demanding transition into the Yugoslav state, during which it developed similar strategies of survival. However, noblemen in Slovenia, Croatia and Slavonia did not found their associations, like their counterparts in Austria, and they were far less present in the public than before the War. Yet, they cherished personal ties to their extended family and other noble families. In general, noblemen were treated by the new regime as adversaries, especially the ones of foreign origin or enjoying the reputation of „enemies of the people“. The latter were from the late 1918 until the beginning of 1919 often faced with violent outbreaks on their estates. Furthermore, nobility lost its sovereign, its titles, and the Yugoslav land reform deprived the aristocracy of a big portion of its landed estates. As a rule lesser nobility was forced to adapt, since it was pauperised much before 1918, but the aristocracy tried to keep up appearances and to preserve its way of life. However, even among its ranks there were different strategies. A part of aristocrats opted for non-Yugoslav citizenship and settled outside of the Yugoslav state, and some chose to do so later, in the 1920s. Yet, a part of old and new aristocrats tried to adapt to the new circumstances, some of them even cherishing good relations with the new regime and thus enjoying a better treatment. Therefore, in spite of all difficulties, a substantial part of noblemen were able to retain their status as landowners until the end of the Second World War.

OD HABSBURŽANOV DO KARAĐORĐEVIĆEV.
POLOŽAJ HRVAŠKEGA IN SLOVENSKEGA PLEMSTVA V
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POVZETEK

Avtorja analizirata prehodno obdobje, ki ga je doživljalo plemstvo v Sloveniji, na Hrvaškem in v Slavoniji v novo jugoslovansko državo po koncu prve svetovne vojne. Navkljub nekaterim večjim medsebojnim razlikam pred letom 1918, so se pripadniki omenjenega plemstva po razpadu habsburške monarhije znašli v podobnem položaju. Ogroženi so bili sami temelji plemiške družbe, saj je nova oblast imela plemiče za nasprotnike (zlasti tiste tujega porekla in tiste, ki se jih je držal sloves „sovražnikov ljudstva“), odpravila je plemiške nazive in s pomočjo agrarne reforme, ki se je začela leta 1919, občutno zmanjšala njihovo zemljiško posest. Obubožano nižje plemstvo in pa člani novega plemstva, meritokracije, so se precej lažje prilagodili novim družbenim in političnim razmeram. Stara, visoka aristokracija, ki je še vedno imela v lasti obsežnejšo posest, pa si je obupano prizadevala, da bi obdržala stari način življenja, posest, gradove in dvorce. Čeprav so gojili vezi znotraj lastne razširjene družine in stike z ostalimi plemiškimi družinami, se plemstvo v Sloveniji, na Hrvaškem in v Slavoniji med seboj ni povežalo. Ni ustanovilo nobenega stanovskega združenja, kot je to storilo npr. plemstvo v Avstriji, veliko manj se je pojavljalo v javnosti kot pred vojno. Kljub temu pa je mnogim od njih uspelo, da so vse do konca druge svetovne vojne obdržali vsaj del svoje nekdanje posesti.

Ključne besede: Slovenija, Hrvaška, Slavonija, plemstvo, 19. in 20. stoletje

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ODSTAVITEV ZADNJEGA SLOVENSKEGA ŠKOFA V JULIJSKI KRAJINI – FRANČIŠKA BORGIE SEDEJA

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IZVLEČEK

Na podlagi dokumentov iz novo odprtih arhivov v Vatikanu avtor predstavlja ozadje organiziranega pritiska in nazadnje izsiljenega odstopa zadnjega slovenskega škofa v Julijski krajini, Frančiška Borgie Sedeja. Dokumentacija osvetljuje ozadje dogajanja pri katerem so ključno vlogo igrali »višji interesi Cerkve« (»per causa di supremi interessi della Chiesa«), ki so nazadnje botrovali izsiljenemu odstopu (odstavitvi) goriškega nadškofa. Ob tem je jasno razvidna vloga papeževega posebnega odposlanca, apostolskega vizitatorja, škofa Luce Pasetta, ki je v Julijsko krajino prvič prišel decembra 1930 in za državnega tajnika, kardinala Pacellija pripravil izjemno natančno in izčrpno vizitacijsko poročilo o položaju Cerkve v Julijski krajini in še posebej o položaju slovenske in hrvaške duhovščine ter še posebej nadškofu Sedeju. V tem poročilu, ki ga avtor tudi predstavlja v članku, je razvidno vizitatorjevo dožemanje položaja, njegov odnos do nadškofa Sedeja in do tržaškega škofa Fogarja, poročilo pa je očitno imelo v Vatikanu tudi dolgoročne učinke na predstave o delovanju slovenske in hrvaške duhovščine v Julijski krajini. Ob drugem prihodu vizitatorja v Julijsko krajino, oktobra 1931, je vizitator s pooblastili Pija XI. od nadškofa Sedeja zahteval in izsilil odstop.

Ključne besede: Julijska krajina, Vatikan, slovenska in hrvaška manjšina, nadškof Frančišek Borgia Sedej, Luca Pasetto, kardinal Eugenio Pacelli

LA DEPOSIZIONE DELL'ULTIMO VESCOVO SLOVENO DELLA VENEZIA GIULIA – FRANCESCO BORGIA SEDEJ

SINTESI

Sulla scorta dei documenti visionati a seguito della recente apertura al pubblico degli Archivi vaticani, l'autore del presente contributo espone il quadro entro cui si sviluppò un clima di pressione organizzata che sfociò tra l'altro nelle dimissioni forzate dell'ultimo vescovo sloveno della Venezia Giulia, Francesco Borgia Sedej. La documentazione raccolta getta luce su vicende occorse in ampia parte «per causa di supremi interessi della Chiesa», che culminarono nelle dimissioni forzate (ovvero nella destituzione) dell'arcivescovo di Gorizia. A margine emerge con chiarezza il ruolo svolto a tal riguar-

do dall'inviato speciale del Pontefice, il visitatore apostolico mons. Luca Pasetto, che giunse per la prima volta nella Venezia Giulia nel dicembre 1930 predisponendo per il cardinale Pacelli, allora segretario di Stato, una dettagliata e minuziosa relazione sullo stato della Chiesa nella Venezia Giulia, con particolare riferimento alla posizione del clero sloveno e croato, e ancor più dell'arcivescovo Sedej. Da tale relazione, anch'essa oggetto di disamina nel presente contributo, si evince la visione del visitatore apostolico rispetto alla posizione dell'arcivescovo Sedej e del vescovo di Trieste, Fogar; nonché il suo rapporto nei loro confronti, tanto che in Vaticano questo documento ebbe evidenti ripercussioni anche a lungo termine sul modo di intendere l'operato del clero sloveno e croato della Venezia Giulia. Al suo ritorno nella Venezia Giulia, nell'ottobre 1931, il visitatore apostolico richiese in virtù dell'autorizzazione conferitagli da Pio XI le dimissioni dell'arcivescovo Sedej, forzandolo a lasciare l'incarico.

Parole chiave: Venezia Giulia, Vaticano, minoranza slovena e croata, arcivescovo Francesco Borgia Sedej, Luca Pasetto, cardinale Eugenio Pacelli

UVOD¹

V prispevku osvetljujemo ozadje odstopa zadnjega slovenskega nadškofa v Gorici Frančiška Borgie Sedeja na temelju pred kratkim dostopnih dokumentov Vatikanske državne pisarne in vatikanskega državnega tajnika kardinala Eugenia Pacellija, poznejšega Pija XI.

Prispevek, na podlagi teh novih dokumentov, opozarja na dejstvo, da so bili v Vatikanski državni pisarna (državni tajnik in od 1929 kardinal, Eugenio Pacelli), Kongregaciji za izredne zadeve (Sacra Congregazione degli affari ecclesiastici straordinari), (njen tajnik je bil v letih 1929–1937 mons. Giuseppe Pizzardo), kakor tudi Pij XI. osebno, intenzivno vpleteni v dogajanje na relaciji med režimom in manjšino na ozemlju Julijske krajine in s tem tudi v odstavitev zadnjega slovenskega škofa v Julijski krajini – Frančiška Borgie Sedeja.

Kot je razvidno iz dokumentov je cerkveni vrh v Vatikanu bil izjemno natančno obveščen o dogajanju v pokrajini, ki ji je bil namenjena presenetljivo velika pozornost – večja kot bi od manjšinskega vprašanja prav za prav pričakovali.

Iz dokumentacije Vatikanske državne pisarne je danes tudi jasno razvidno, da je bil vrh Katoliške cerkve v Julijski krajini, ne le natančno seznanjen, temveč je bil tudi ključni akter pri sprejemanju dokončnih ukrepov. Tudi tistih, do manjšine odkrito raznarodovalnih. In tak je bil primer tudi pri »torpediranju«² zadnjega visokega slovenskega cerkvenega dostojanstvenika v Julijski krajini, nadškofa Sedeja, ki je bil upokojen z intrigo iz Vatikana. Še več, vse niti v zgodbi njegove odstavitve so potekale neposredno iz vatikanskega vrha.

Tam danes lahko med dokumenti najdemo npr. vse spomenice slovenske in hrvaške duhovščine naslovljene na Pija XI., vsa pisma posameznih duhovnikov naslovljena nanj, »odstopno« in zadnje pismo nadškofa Sedeja papežu Piju XI., natančna poročila tajnih vizitatorjev o položaju v Julijski krajini (Luca Pasetto, Gaetano Malchiodi, Carlo Raffaello Rossi, itd.), sprotne pisma in poročila administratorja goriške nadškofije Giovannija Sirottija, videmskega nadškofa Giuseppa Nogare, goriškega nadškofa Carla Margottija, itd., pa tudi natančna poročila, ki jih je v tej zvezi kardinalu Pacelliju pošiljal papeški nuncij v Kraljevini Jugoslaviji Ermenegildo Pelegrinetti, in vrsto druge dokumentacije. Preseneča tudi veliko število poročil kvestorjev iz Trsta in Gorice, ki kažejo na to kako je fašistična oblast sprotno in natančno obveščala Vatikan o vsem kar se je dogajalo znotraj Cerkve v Julijski krajini, posebej o dejanski ali domnevni iredentistični dejavnosti slovenskih in hrvaških duhovnikov.

1 Pričujoči sestavek je nastal na podlagi raziskav v okviru dela programske skupine P6-0272, ki jo financira Javna agencija za raziskovalno dejavnost Republike Slovenije (ARRS).

2 »Un vescovo silurato« je bil termin, ki se je v tistih časih uporabljal v cerkvenih krogih. (Prim. PANG, BA, 377).

POLOŽAJ V JULIJSKI KRAJINI V ZAČETKU TRIDESETIH LET

V tem času je bila zaradi obsodb na prvem tržaškem procesu septembra 1930, k vprašanju slovenske in hrvaške manjšine v Italiji usmerjena jugoslovanska, evropska in svetovna javnost. Tržaški proces je na eni strani do konca zaostрил občutek ogroženosti slovenske in hrvaške manjšine v Julijski krajini, na drugi strani pa evropsko in svetovno antifašistično javnost opozoril na obstoj in na spopad manjšine z režimom. Za primorske krščanske socialce je bila leta 1930 pomembna tudi zamenjava na škofijskem sedežu v Ljubljani. Kot bomo videli, je bil Rožman vedno pripravljen pomagati manjšini. Ne nazadnje je Rožmanovo zavzemanje za pravice manjšine vplivalo tudi na odnos med njim in Pijem XI., saj ga je Rožman s svojim vztrajnim opozarjanjem na položaj manjšine v eni od avdienc tudi hudo razjezil.³ Škofa Rožmana najdemo pogosto označenega kot irendentista in nacionalista tudi v dokumentih italijanske tajne policije.⁴

TAJNO DELOVANJE

V zvezi z aktivnostmi duhovščine pri oblikovanju organizacijske strukture Tajne krščanskosocialne organizacije moramo najprej omeniti dokument iz leta 1930, ki ga je italijanska policija januarja 1930 našla pri nečaku goriškega nadškofa Sedeja, pri duhovniku Cirilu Sedeju (PANG, BA, 12).⁵ Po uvodnem poročilu o učinkih represije fašističnega režima nad institucijami slovenske in hrvaške manjšine v Julijski krajini tudi ta dokument napoveduje nekatere organizacijske oblike, ki so bile pozneje uresničene v praksi. Glede na obstoječi načrt so bile pozneje izpeljane pravzaprav s presenetljivo natančnostjo:⁶

V vsaki vasi je potreben človek, ki bo ves svoj vpliv in dejavnost posvetil naši stvari [...] bo torej zaupnik za določen okoliš in bo odgovoren pred Bogom, pred narodom in prijatelji. Dobival bo naloge, ki jih bo moral takoj in brezpogojno

3 Intervencijo pri Piju XI. nam, po pričevanju škofa Rožmana, podaja tudi njegov biograf Jakob Kolarič, ki takrat sicer ni vedel za natančen datum avdience a vsebinsko v bistvenem potrjuje pričevanje Engelberta Besednjaka (Kolarič, 1970, 127–130).

4 Prim. ASME, AP, Jugoslavija 1930–1941, 1936, mapa 98, fasc. 2, Poročilo o Sedejevi družini z dne 11. decembra 1936. Organizacija je bila ustanovljena leta 1936 kot emigrantska organizacija krščanskosocialnega političnega tabora. Njen predsednik je postal njen predsednik dr. Ivo Česnik, Fran Saleški Finžgar pa njen dejanski voditelj.

5 Dokument je v rimskem centralnem arhivu našla zgodovinarica Milica Kacin Wohinz. (O tem glej: Kacin-Wohinz, 1990, 140.)

6 Zanimivo je dejstvo, da je prišla italijanska tajna policija v neposredno bližino organizacije prav po takih nesrečnih naključjih, kot je bila najdba dokumenta, ki ga je izgubil Ciril Sedej. Policiji sicer ni uspelo razkriti ožjega vodstva organizacije, niti z vrinjenci niti z vohuni, ki so neprestano zasledovali vidnejše in pomembnejše vodilne osebnosti organizacije. Težko je reči, ali gre to dejstvo pripisati sposobnosti konspirativnega delovanja duhovščine, delovanju na »meji legalnosti« ali nesposobnosti italijanske tajne policije. Nenazadnje je ta na drugi strani v veliki meri razkrila TIGR, liberalno in po pozneje komunistično organizacijo med Slovenci v Julijski krajini.

izvršiti, ne da bi o tem s komerkoli govoril. Te pa so: 1. Pošiljati slovenskim časopisom v Jugoslavijo natančen popis demografskega gibanja, emigracije in imigracije, nasilja raznarodovalnih organizacij, naročnikov slovenskega tiska, verskih renegatov in podobno. 2. Vzdrževati in spodbujati javno mnenje proti raznarodovanju mladine, proti nasilnemu vključevanju v fašistične organizacije Balilla, dopolavoro, otroške vrtce itd. [...] Njegovo delo bo neodvisno, v vsaki vasi naj si najde zaupnika, ki bo deloval po njegovih navodilih [...].⁷

Italijanski poročevalec, uradnik goriške kvesture je ob zaplembi dokumenta v svojem poročilu zapisal, da bi, v kolikor bi v resnici prišlo do takega organiziranja, »postavili množico drugorodnih kmetov odkrito proti državi, še posebej, če bi tako gibanje podpiral kler, ki je sovražen vsemu, kar je italijanskega« (Kacin-Wohinz, 1990, 141).

Policijsko poročilo se je takoj znašlo na mizi državnega tajnika, kardinala Pacellija in Pija XI.⁸ Za to je poskrbel vizitator škof Luca Pasetto, njemu je poročilo namreč posredoval prefekt Mario Modesti ob vizitaciji Pasetta v goriški nadškofiji.⁹

NASTOP REŽIMA PROTI SLOVENSKI IN HRVAŠKI DUHOVŠČINI

Konec leta 1930 in v začetku leta 1931 je prišlo do poostrenega policijskega pritiska na slovensko in hrvaško duhovščino v Julijski krajini. Razvoj dogodkov po sprejemu konkordata lahko spremljamo na podlagi vrste natančnih poročil organizacije Besednjaku na Dunaj:

Ob Božiču 1931 se je začel usklajen napad na organizacijo in duhovščino. Konfiniran je bil Černigoj, ki je bil voditelj naših ustanov v ajdovskem okraju, zaplenjen Mohorjev koledar, stalni časopisni napadi... Potem aretacija 8 duhovnikov in njih konfinacija (Klobučar, Abram,¹⁰ Kunšič, dekan Pipan, Breitenberger, Štrancar, Ciril Sedej in župnik Kos iz Biljane), gre pa najbrž šele za prvo skupino... (PANG, BA, 58).

7 Prim. ASV AES – Archivio Segreto Vaticano (ASV), fond Affari ecclesiastici straordinari (AES), Italia (III e IV periodo), Italia Pos. 856–857, fasc. 552, Poročilo apostolske vizitacije v Julijski krajini 28. december 1930–22. marec 1931, Priloga k poročilu Luce Pasetta).

8 ASV AES, Italia (III e IV periodo), Italia Pos. 856–857, fasc. 552, Poročilo apostolske vizitacije v Julijski krajini 28. december 1930–22. marec 1931.

9 Prim. ASV AES – Archivio Segreto Vaticano (ASV), fond Affari ecclesiastici straordinari (AES), Italia (III e IV periodo), Italia Pos. 856–857, fasc. 552, Poročilo apostolske vizitacije v Julijski krajini 28. december 1930–22. marec 1931, dok. št. 27.

10 Duhovnik Josip Abram je bil vedno strogo zastražen. Dvakrat so ga namreč (že leta 1923 in 1925) prijeli pri ilegalnem prestopanju italijansko-jugoslovanske meje. Kot predsednik Planinskega društva Tolmin (v času, ko je bil župnik v Mostu na Soči) je dobro poznal gorske poti. (ACDS, CPC, mapa 8, Abram Giuseppe, Poročilo goriške prefekture na Notranje ministrstvo v Rim z dne 23. oktobra 1928).

Kot razberemo iz poročil Tajne krščanskosocialne organizacije, je Janko Kralj v zvezi s preganjanjem duhovščine o posameznih incidentih redno in natančno informiral nadškofa Sedeja. Ta da »se je držal izvrstno, poročal stalno v Vatikan in tako je uspelo, da se je grozeča nevarnost ublažila...« (PANG, BA, 58).

V tistem času so bile Sedejeve zasluge za ublažitev pritiskov na slovensko in hrvaško duhovščino gotovo velike, zaradi česar je postajal njegov položaj vse bolj izpostavljen in zato negotov. V svoji držbi je postajal Sedej tudi vse bolj odločen; kot takega ga v mnogih poročilih organizacije opisujejo različni avtorji. Npr. ob dogodkih decembra 1930 v Gorici:

Na Travniku so lazaristi priredili misijon. Škvadrasti so vdrli v cerkev, prerezali električne žice in misijonar je 1/4 ure govoril v temi, v nabito polni cerkvi, goriški kvestor je šel k nadškofu in mu svetoval, naj zaradi miru (in demonstracij) da ukiniti pridige. Nadškof je poslušal kvestorja do konca, potem je vprašal: »Ste končali? Da!

Glejte, jaz sem na tem mestu mnogo dlje kot vi in tudi bolje poznam položaj. Če sami niste sposobni vzdrževati zakonitega reda, zapustite položaj, očitno je, da niste primerni za to mesto. Vi meni ne boste delili lekcij, ker niste nič drugega kot navaden izvršilni organ oblasti. Pozvonil je slugi in rekel: Pospremite gospoda do vrat. - Brez roke ga je odslovil...¹¹

V zvezi z opisanim dogodkom je nadškof Sedej poslal ostro pismo goriškemu kvestorju Mariu Modestiju, pritožil pa se je tudi v Vatikan (prim. Klinec, 1979, 74–75). Sedejevo poročilo o dogodkih se je ohranilo v pismu, ki ga je nadškof poslal vatikanskemu državnemu tajništvu dne 23. decembra 1930 (Klinec, 1979, 75–76).

NASTOP ZAGREBSKEGA NADŠKOFA ANTUNA BAUERJA MARCA 1931

Ob dogodkih konec leta 1930 in v začetku leta 1931 sta se Engelbert Besednjak in Josip Bitežnik, v dogovoru z organizacijo v Julijski krajini, obrnila po pomoč tudi na predsednika jugoslovanske škofovske konference, zagrebskega nadškofa Antuna Bauerja.¹² Tudi v organizaciji v Julijski krajini so bili z zamisljivo zadovoljni: »Akcija glede molitve za našo izgubljeno manjšino nam je dala novega upanja. Če bi se jo le dalo uresničiti...«, je Besednjaku tozadevno pisal iz Gorice Polde Kemperle (PANG, BA, 52).

Za 19. marec 1931 je zagrebški nadškof in predsednik jugoslovanske škofovske konference Antun Bauer res razglasil javne molitve za preganjano manjšino

11 *Ha finito? Sì! Io sono qui piu tempo di lei e conosco meglio la situazione, se lei non puo mantenere l'ordine, lasci il posto, e' una prova tangibile, che non e adatto ad occupare questa carica. Lei non mi dara delle lezioni, perche lei non e' altro che organo esecutivo delle leggi. [...] Accompagni il signore fuori* (PANG, BA, 50).

12 Na podlagi izjave italijanskega poslanika v Beogradu je tudi dr. Milica Kacin Wohinz točno ugotovila, da so na »ostrino Bauerjevega pisma vplivali Besednjak in drugi primorski duhovniki v emigraciji, ki da delujejo antiitalijansko in antifašistično...« (Kacin-Wohinz, 1990, 176).

v Julijski krajini (prim. Mikuž, 1965, 390). Bauerjeva akcija je (vsaj glede odmevnosti), kot je razvidno iz korespondence, presegla pričakovanja njenih idejnih avtorjev. O njej je pisala večina pomembnejših evropskih časopisov. Na mnoge liste, tudi na liberalne in protestantske, sta sama naslovila ostre članke in o poslanici so pisali v Italiji, Nemčiji, Švici, na Poljskem itd.¹³ V dopisih uredništvom sta priložnost uporabila za seznanjanje evropske javnosti tudi z vsemi drugimi krivicami, ki jih je fašistična Italija prizadejala manjšini vse od zasedbe Julijske krajine. Poročilo za časopis "Germania" sta npr. sestavila že 14. marca 1931, torej že nekaj dni pred Bauerjevim javnim nastopom.¹⁴ Poveljnik fašistične milice v Trstu je o njej poročal Notranjemu ministrstvu: »*Poudariti je treba, da je bilo pastirsko pismo zagrebškega nadškofa msgr. Bauerja, v katerem je pozval jugoslovansko duhovščino na javne molitve v znak protesta proti domnevemu nasilju nad Slovenci* (orig. pretesa oppressione degli sloveni) *v provinciah Julijske krajine, sprejeto od duhovščine in prebivalstva z veliko naklonjenostjo...*«¹⁵

Kakor je razbrati iz dokumentov, pa je na drugi strani Pij XI. akcijo tako zagrebškemu nadškofu kakor primorski duhovščini močno zameril. Pomenila je prvi radikalnejši mednarodni javni nastop proti pasivnosti Vatikanu do preganjanja manjšine v Cerkvi Julijske krajine. Imela pa je nasproten učinek od pričakovanega. V Vatikanu je povzročila veliko jezo. Italijanskemu poslaniku v Varšavi naj bi državni tajnik, kardinal Eugenio Pacelli celo zatrdil, da v Vatikanu zaradi Bauerjevega nastopa ne bodo več upoštevali nobenih pritožb iz Julijske krajine (Kacin-Wohinz, 1990, 178).

Poleti istega leta (junija in julija 1931) je prišlo (po vzorcu, ki je bil v času med obema vojnama značilen za nasprotje med radikalno desnico in katoliško desnico v večini evropskih držav) tudi v Italiji do spora med Vatikanom in fašistično vlado ob vprašanju vpliva na mladino oziroma ob vprašanju razmejitve pristojnosti Katoliške akcije in fašističnih mladinskih organizacij. Nasprotje je doseglo vrhunec, ko je bila dne 29. junija 1931 izdana papeška enciklika o Katoliški akciji, sicer bolj poznana po uvodnem stavku »*Non abbiamo bisogno...*«, ki je predstavljala kritiko vse bolj odločnega in radikalnega prevzemanja oziroma monopoliziranja državne oziroma režimske vloge pri vzgoji mladine (Fermi, 1966, 257).

NORMAE GORIŠKEGA NADŠKOFA SEDEJA SEPTEMBRA 1931

V istem času se je nadškof Sedej odločil izdati »norme«, ki so predstavljale kritiko obravnave nacionalnega vprašanja v konkordatu, saj so verouk v maternem jeziku jasno razglasile za »naravno in božje pravo«, in so predstavljale utrditev

13 PANG, BA, 199, Osutek Besednjakovega poročila z naslovom »*Odjek Bauerovoga pisma u evropskoj javnosti*«.

14 Članek je potem dne 23. marca 1931 izšel v časopisu »Germania« z naslovom »*Der Agramer Hirtenbrief*« (PANG, BA, 503).

15 ACDS, NAW, T-586, mikrofilm 102, dok. 027397, Poročilo poveljnika fašistične milice v Trstu Notranjemu ministrstvu z dne 25. marca 1931.

»nacionalnega principa« prav v vprašanju, ki je ob trudu fašistične diplomacije pri pogajanjih iz konkordata izpadlo. Lahko bi rekli, da je uspelo Sedeju v zadnjem trenutku prinesiti »skozi okno nekaj, kar je bilo vrženo ven skozi vrata«. Nadškof Sedej je torej krizo v odnosih med Vatikanom in fašističnim režimom očitno izkoristil za »kritiko konkordata«. Kot bi bile Sedejeve odredbe o verouku v maternem jeziku (Normae), ki so bile sprejete na škofovski konferenci dne 14. julija 1931 (v latinščini so bile uradno objavljene dne 4. septembra 1931), objavljene ravno še ob pravem času. Kriza v odnosu med Cerkvijo in državo v fašistični Italiji namreč ni trajala dolgo; očitno je obstajala še dolga vrsta aktualnih političnih vprašanj, ki so bila za Vatikan bolj pomembna od spora v zvezi s pristojnostmi Katoliške akcije oziroma režimskih mladinskih organizacij. Še v istem mesecu je prišlo do pomiritve oziroma do t. i. »drugega konkordata« in po ponovni ureditvi odnosov med Vatikanom in fašistično vlado je bil politični trenutek že povsem drugačen. Po »drugem konkordatu« (spor so zgladili s sporazumom, ki je bil podpisan dne 2. septembra 1931) se je Sedej znašel v nasprotju tako s fašistično vlado (kar je bil že ves čas) kakor z novimi, bolj odločnimi smernicami Vatikana. Zdi se, da je svoje možnosti za zaščito manjšine v resnici zelo dobro izkoristil. Celo življenjske, saj je dva meseca za tem umrl. Vendar se je pred tem v Julijski krajini dogodilo še marsikaj.

Zelo verjetno je, da drži trditev dr. Iva Juvančiča, da je ob sklepanju t. i. »drugega konkordata« Mussolini omenjal tudi nujnost rešitve »goriškega problema«. V Julijski krajini se je poleg tega spet zgodilo nekaj, kar je pomenilo za fašistično politiko velik korak nazaj - tako v primerjavi z »uspehi šolske politike« kakor v odnosu do »dosežkov fašistične politike« ob pogajanjih pri sklepanju lateranske pogodbe (Juvančič, 1974, 106).

V tem pogledu je izšel Sedej iz spopada s fašistično vlado kot moralni in dejanski zmagovalec. Iz Vatikana pa je kmalu sledil udarec, ki ga Sedej ni pričakoval.¹⁶ Vendar moramo v zvezi s Sedejevim odstopom v luči do sedaj povedanega seči nekoliko nazaj.

ODSTAVITEV NADŠKOFA SEDEJA

Leta 1923, ko je organizirano kampanjo za Sedejevo odstavitev vodil videmski prefekt Piero Pisenti, je Mussolini osebno sugeriral pravosodnemu ministru Roccu, »da ne kaže vztrajati pri Sv. sedežu, tudi zato ne, ker "odstranitev" bi bila po drugi strani politično nevarna, kajti Sedeja ljubi skoro vse prebivalstvo nadškofije, ki je v treh četrтинah slovansko...«¹⁷ Tudi spomenica fašističnih sekretarjev Julijske krajine z dne 11. junija 1927 izrecno omenja »problem«, ki naj bi ga za oblasti predstavljal goriški nadškof Sedej. Ob stikih ali poročilih fašističnih sekretarjev novih provinc z Ducejem se je praviloma (tj. skoraj vedno) govorilo

¹⁶ O Sedejevem samorazumevanju vloge goriškega nadškofa glej Kralj, 1988, 96–117.

¹⁷ Pismo Mussolinija ministru Alfredu Roccu z dne 25. marca 1925 (navedeno po: Kacin-Wohinz, 1990, 182).

tudi o slovenskih in hrvaških duhovnikih (v obliki nekakšne rubrike »Attività dello clero slavo in Provincia« (prim. Mattiussi, 1992, 83). Avgusta 1929 je pred kratkim imenovan sekretar fašistične stranke na Goriškem Pino Godina v poročilu generalnemu sekretarju fašistične stranke (PNF) Augustu Turatiju (na njegovo predhodno osebno zahtevo) o aktivnosti slovenske duhovščine v provinci zapisal:

*Dokler bo na čelu goriške nadškofije msgr. Frančišek Borgia Sedej; dokler se ne bo odločno nastopilo proti iredentistični dejavnosti slovenskih duhovnikov in dokler se ne razreši vprašanje goriškega semenišča, bodo asimilacijske dejavnosti med tujerodci, ki jih izvaja šola, mladinske organizacija Ballila, Fašistična ženska zveza itd. nevtralizirane. Kot take bodo prinašale zgolj skromne inčasne rezultate...*¹⁸

Vsekakor je minister za pravosodje, Alfredo Rocco že avgusta 1930 prek italijanskega ambasadorja pri Sv. sedežu, De Vecchia di Val Cismona zahteval spremembe oziroma ukrepe v smeri »reševanja zapletenih razmer na Goriškem«. Vatikanski državni tajnik Eugenio Pacelli je obljubil, da bo »nadškofu Sedeju takoj pisal v smislu vladnih želja« (Matta, 1983, 49). Očitno so med fašistično vlado in vatikansko diplomacijo potekali pogovori (dogovori) o položaju na Goriškem.

APOSTOLSKI VIZITATOR, ŠKOF LUCA PASETTO V JULIJSKI KRAJINI

Konec decembra 1930 je v Julijsko krajino prvič prišel papežev posebni odposlanec apostolski vizitator, škof Luca Pasetto (PANG, BA, 53). Z manjšinskimi vprašanji naj bi že imel izkušnje, saj je zelo podobna vprašanja preiskoval že v Španiji oziroma Kataloniji (PANG, BA, 58). Iz Julijske krajine so o tem poročali Besednjaku na Dunaj:

Giornale del Friuli je zahteval in napovedoval strožje ukrepe proti slov. svečeništvu kot so »diffide«. ¹⁹ Popoldne je zborovala konfinacijska komisija:

18 *“Finché a capo dell’Archivescovado di Gorizia vi sarà mons. Francesco Borgia Sedej; finché non si sarà provveduto ad arginare energicamente l’opera irredentistica dei preti sloveni e non si potrà provvedere a risolvere la questione del seminario teologico di Gorizia, l’azione di assimilazione degli allogliotti a mezzo della scuola e dell’O. N. B., dell’O. N. D., dei Fasci Femminili, ecc. verrà sempre neutralizzata e non darà che scarsi e non duraturi risultati...”* (Matta, 1983, 45).

19 Zakon o javni varnosti, ki je bil sprejet leta 1926, predvideval “preventivno” kaznovanje oziroma policijsko ukrepanje proti posameznikom, nasprotnikom fašizma, ki jim konkretne krivde niso mogli dokazati. In sicer: 1. diffida = svarilo (izrečeno z namenom, da posameznik preneha z določenim obnašanjem ali dejavnostjo); 2. ammonizione = opomin (ki je sledil “diffidi” in ki je pomenil, da kaznovani ni smel zapustiti bivališča brez vednosti policije, ni se smel zadrževati v javnih prostorih (npr. v gostilnah), zanj pa je od sončnega zahoda do vzhoda veljala policijska ura, ko je moral biti doma); 3. konfinacija = prisilna izselitev na otoke ali druge samotne kraje pod policijskim nadzorom.

prefekt se je baje uprl konfinacijam duhovnikov.²⁰ Isti dan je prišel v Gorico uradno javljen vizitator. [...] S prihodom vizitatorja je nastopila doba pričakovanja. Za zdaj o strogih policijskih ukrepih ni niti govora, ker je Vatikan reklamiral to snov za paritetno komisijo.²¹

Kmalu pa se je začel položaj zapletati. Vizitatorjeve izjave so prinašale prva slaba znamenja:

Vizitator je škof, fr. Luca Ermenagildo Pasetto, kapucin (Roma 25, Via Sardegna 40), okoli 60-leten mož, molčeč, že z izkušnjami v manjšinskem vprašanju, ker je v podobnih rečeh preiskoval razmere Katalonske manjšine pod Primožem de Rivero in Madjarske manjšine v Romuniji; iz Padove doma, mož upravniske smeri, praktičen, tuj teoriji in načelom o naravnem pravu. Prišel je semkaj malo poučen, zelo se je čudil našemu etnografskemu zemljevidu, ki kaže narodnostno mejo čisto na zapadu Gorice in Hrvate »da un mare al altro«.²² Sestavili smo brž prvo spomenico, ki mu jo je vročil mons. Valentinčič (te nimam pri roki, a jo še pošljem). Tedaj je vzkliknil: »ora vedo, che il problema e piu complicato«.²³ Ko sem bil pri njem, sem prosil, naj sv. Stolica v jasni, določni, splošno obvezni obliki razloži načela o naravnih pravicah nar. manjšin. Odrezal je: »la S. S. non puo pronunciarsi sulle questioni politiche.«²⁴ (PANG, BA, 58).

Tudi v drugih izjavah vizitatorja Luce Pasetta je bilo marsikaj nejasnega in sumljivega, kar člani organizacije niso spregledali:

Zastopnikom naše manjšine je pravil, da je Sedej »autokratičen«, »vescovo di tipo austriaco« [škof avstrijskega tipa, op. E. P.], s katerim se da težko delati. Nato je začel namigovati, da mora dr. Sedej dobiti koadjutorja. Mi se ideji koadjutorja nismo upirali. Mislili smo, da se pri tej priliki reši lahko tudi vprašanje poštenega in pravičnega nasledstva... (PANG, BA, 340).

Krščanski socialci so se na papeževega odposlanca obrnili z veliko vnemo in pričakovanji, očitno pa je to organizaciji bolj škodilo kot koristilo, saj jih je

20 Goriški prefekt Sergio Dompieri je bil v zelo dobrih odnosih z Besednjakom (Besednjaku in Bitežniku je pomagal tudi pri emigriranju iz Italije), pa tudi z nadškofom Sedejem. Milica Wohinz navaja prav njegov odnos do Slovencev kot enega pomembnejših razlogov za njegovo poznejšo odstavitev z mesta goriškega prefekta (prim. Kacin-Wohinz, 1990, 142).

21 Po določbah konkordata je o vseh spornih vprašanjih oziroma incidentih med cerkvenimi in posvetnimi oblastmi odločala štirčlanska mešana komisija (PANG, BA, 58).

22 "Od morja do morja..."

23 "Zdaj vidim, da je problem bolj zapleten..."

24 "Sv. sedež se ne sme opredeljevati do političnih vprašanj..."

vizitator (kakor je pozneje zapisal Božo Milanović) vse skupaj »vodil za nos«.²⁵ Očitno je vizitator hitro ugotovil, da ima opravka s sposobnimi in dobro organiziranimi ljudmi, ki se zavedajo svojih legitimnih pravic in tudi dobro vedo, kaj hočejo. Iz vtisov prvega obiska papeževega odposlanca sicer ni bilo mogoče potegniti nobenih konkretnih zaključkov, vse pa je kazalo, da se pripravljajo nevarne spremembe:

Apostolski vizitator je bil v Gorici od 3.–19. decembra 1930. Sedaj je v Trstu, potem pa gre še v Poreč. [...] Predložili smo mu vrsto spomenic, nekatere prilagam "ad informandum".[...] Od lajikov sva bila osebno pri njem Stojan (Stojan Brajša, op. E. P.) in jaz. Zahteval sem encikliko o nacionalizmu - odbil, da je to politično vprašanje. Zahtevala sva avtentično interpelacijo čl. 22 konkordata od sv. Stolice - noče slišati - naj potrpimo. [...] Posebno pozornost zasluži člen 22. - Ahilova peta; morda dobita vidva [Engelbert Besednjak in Jože Bitežnik, ki sta tedaj delovala na Dunaju, op. E. P.] kakega slovečega kanonista, ki bi ga raztolmačil. Tudi nadškofova pozicija se spet maje. Vizitator je izjavil: Tropo vecchio, autocrata.²⁶ Gigi [škof Alojzij Fogar, op. E. P.] se trdno drži in ga silno obdeluje; a je Lah [vizitator je Italijan, op. E. P.].²⁷

Tudi vizitator je nekoliko nevešč lokalnih specifik,²⁸ na pritožbe Boža Milanovića nad domnevno preskromnim angažiranjem Vatikana v obrambi manjšinskih pravic, odgovoril: »Vsak italijanski duhovnik lahko razume, v kako težkem položaju je Sv. stolica, samo vi, ki ste ščavo, tega ne razumete...«.²⁹

Krščanskim socialcem se je mudilo, saj so iz več smeri prihajala zloslutna znamenja. Tudi informator organizacije v Zagrebu, Vlado Sironić, ki je moral imeti dobre zveze pri zagrebški nadškofiji, saj je tam prihajal tudi do zaupnih informacij iz Vatikana, je v tistem času poročal, da naj bi iz informacij na nadškofiji izhajalo, da »se je Vatikan odločil »preučiti goriško vprašanje«.³⁰ Nadškof Sedej pa je ob tem še naprej ostajal brez koadjutorja.

Iz Vatikana so poslali izjemno natančnega in za analizo položaja manjšin zelo

25 PANG, BA, 72, Poročilo Boža Milanovića Engelbertu Besednjaku z dne 4. novembra 1931.

26 "Je prestar, je avtokrat..."

27 PANG, BA, 144, Pismo Janka Kralja Engelbertu Besednjaku in Jožetu Bitežniku z dne 3. januarja 1931.

28 Vizitator, ki je imel dolge sestanke s predstavniki italijanske duhovščine v Julijski krajini, se je očitno povsem nevede navzel rabe zaničljivega imena za Slovence in Hrvate. Veliko vlogo je imel pri tem prav poznejši administrator goriške nadškofije, italijanski nacionalist in prorožimski duhovnik Giovanni Sirotti, ki se je kot Passetov gostitelj zelo potrudil vplivati nanj in je vizitatorja več dni gostil (PANG, BA, 340).

29 PANG, BA, 53, Pismo z dne 13. februarja 1931, Izjava apostolskega vizitatorja Luca Pasetta Božu Milanoviću v Trstu, januarja 1931.

30 PANG, BA, 98, Pismo Vlada Sironića Jožetu Bitežniku iz Zagreba z dne 27. novembra 1931.

usposobljenega vizitatorja.³¹ To lahko razberemo tudi iz obsežnega poročila Luce Pasetta, ki se je, poleg Komisije za izredne zadeve, znašlo tudi na mizi državnega tajnika kardinala Pacellija. V Julijski krajini je ostal skoraj tri mesece (od 28. decembra do 22. marca 1931) in pripravil 60 strani obsegajoče, zelo podrobno poročilo o položaju slovenske in hrvaške duhovščine v Julijski krajini.

POROČILO VIZITATORJA PIJU XI. O RAZMERAH V GORIŠKI NADŠKOFIJI

Poročilo vizitatorje je bilo izjemno pregledno in natančno, za kar se je Luci Pasettu tudi Pij XI. posebej zahvalil.³² Za nadškofa Sedeja, škofa Fogarja, za slovensko duhovščino, slovensko manjšino je bilo poročilo uničujoče. Na podlagi obsežnega opisa položaja v Julijski krajini, ki je segalo od opisa ukrepov režima, do gospodarskega položaja v pokrajini, lahko rečemo, da so bile sposobnosti Luce Pasetta, da se vživi v razmere v Julijski krajini, občudovanja vredne. Med drugim pravi npr.:

*Oblasti ne dopuščajo slovanskega jezika: v šolah so ga prepovedale; sploh ne dovolijo, da bi ga v prvem razredu uporabljali za poučevanje verouka pri otrocih. Izključili so ga iz javnih razglasov, iz napisov in simbolov ter z vseh krajev javnega zbiranja. Izključujejo ga celo z vsiljevanjem imen novorojencem in družinskih priimkov ter zahtevajo, da osebna imena niso imena slovanskih svetnikov in da se priimki po posebni ureditvi pretvorijo v italijansko obliko. [...] Oblasti so celo vstopile v cerkev z vsemi sredstvi - vključno z nasiljem - , da bi preprečile pridiganje, bogoslužje, pesmi in molitve v slovanskem jeziku.*³³

Odpor duhovščine opisuje kot rezultat stoletnega procesa, ko je bila Cerkev zraščena z narodno zavestjo - kot pravi - »od časov sv. Cirila in Metoda«. Enako naj bi čutila tudi »slovanska duhovščina«, česar se režim dobro zaveda:

Vladne oblasti se znašajo nad klerom in ga preganjajo z vsemi sredstvi – v tisku, s sramotilnimi kampanjami, vohunjenjem, ovajanjem, preiskavami, zasliševanji, izrekanjem glob, svarili, opomini, nasilnimi dejanji in pregnanstvom. Za vsako dejanje dušnih pastirjev in celo za vsako dejanje v zasebnem življenju obstaja sum, da je protiitalijansko in se ga kot takega tolmači.

31 ASV AES, Italia (III e IV periodo, Italia Pos. 856–857, fasc. 552, Poročilo apostolske vizitacije v Julijski krajini 28. december 1930–22. marec 1931. Poročilo ima 62 strani.

32 ASV AES – Archivio Segreto Vaticano (ASV), fond Affari ecclesiastici straordinari (AES), Italia (III e IV periodo), Italia Pos. 856–857, fasc. 552, dok. št. 62. Pismo kardinala Eugeia Pacellija Luci Pasettu z dne 17. oktobra 1931.

33 Prim. ASV AES – Archivio Segreto Vaticano (ASV), fond Affari ecclesiastici straordinari (AES), Italia (III e IV periodo), Italia Pos. 856–857, fasc. 552, Poročilo apostolske vizitacije v Julijski krajini 28. december 1930–22. marec 1931, dok. št. 26.

*Enako obravnavajo tiste pripadnike ljudstva, ki izkazujejo večjo navezanost na duhovščino. To je žalosten nabor nasilnih dejanj, ki dokazujejo, da duhovščini s pritiskom na slovanske manjšine ni prizaneseno nič, od moralnega zatiranja do fizičnega nasilja.*³⁴

Vizitator tudi dobro opiše rezultate raznarodovanja:

Namesto zatiranih slovanskih šol obstajajo italijanske šole, v katerih verouk učijo posvetni učitelji, ki skoraj nikoli nimajo potrebnega znanja in so neuki krščanskega življenja.

Namesto slovanskih kulturnih in katoliških društev so aktivni balile, predstavniki avantgarde, skvadristi in fašistična milica.

Namesto slovanskega združništva je prisotna revščina.

Želijo si, da bi namesto slovanskega jezika že obstajal italijanski jezik, pri čemer ne upoštevajo, da je za takšno zamenjavo potrebno vsaj stoletje.

*Namesto slovanske duhovščine, ki je bodisi pregnana ali izseljena (v konfinu), želijo postaviti duhovnike, ki ne znajo jezika ljudstva. Medtem pa mladina brez verske izobrazbe postaja lahek plen tajnih organizacij, povezanih z Orjunim komunističnim terorizmom.*³⁵

Pasetto tudi vsebinsko dobro opiše upor »Slovanov« asimilacijskim pritiskom države. Ločuje ga na dve struji:

Nacionalizem Slovanov se odraža v dveh oblikah: nasilni in umirjeni. Na čelu nasilne smeri odseka Orjune so orjunaši, ki propagirajo terorizem in so med najbolj srboritimi Slovani ter snujejo zločinske podvige – atentate z eksplozijami granat, požigi, konflikti s policijo in umori. [...] Umirjena veja pa brez vsakršnega kriminalnega dejanja postopa urejeno s čuječnimi in marljivimi prizadevanji. Dovolj je, da preberemo statut...³⁶ [Luca Pasetto misli na statut, tajne krščanskosocialne organizacije, ki ga je pomotoma izgubil nečak nadškofa Sedeja – Ciril Sedej in se je nazadnje znašel na mizi Pija XI.]

Poročilo pa je bilo uničujoče za nadškofa Sedeja. V poglavju »Podroben opis stanja v Goriški nadškofiji« namreč med drugim o Sedeju beremo:

34 ASV AES – Archivio Segreto Vaticano (ASV), fond Affari ecclesiastici straordinari (AES), Italia (III e IV periodo), Italia Pos. 856–857, fasc. 552, Poročilo apostolske vizitacije v Julijski krajini 28. december 1930–22. marec 1931, dok. št. 26, str. 29.

35 ASV AES – Archivio Segreto Vaticano (ASV), fond Affari ecclesiastici straordinari (AES), Italia (III e IV periodo), Italia Pos. 856–857, fasc. 552, Poročilo apostolske vizitacije v Julijski krajini 28. december 1930–22. marec 1931, dok. št. 26, str. 29..

36 ASV AES – Archivio Segreto Vaticano (ASV), fond Affari ecclesiastici straordinari (AES), Italia (III e IV periodo), Italia Pos. 856–857, fasc. 552, Poročilo apostolske vizitacije v Julijski krajini 28. december 1930–22. marec 1931, dok. št. 26, str. 27.

*Nadškof. Njegova ekscelenca Mons. Frančišek Borgia Sedej, po rojstvu Slovenec, ki je živel pod Avstrijo, nadvse pošten in pobožen, človek široke in trdne kulture, si pod avstrijskim talarjem prizadeva za najbolj izvirno slovanstvo, torej povsem protiitalijanski človek.*³⁷

Vizitator opisuje intrige režima proti nadškofu in v zaključku dodaja oceno, ki se je znašla na mizi Pija XI.:

*Nadškofu (fašistične oblasti, op. E. P.) nagajajo mu na vse možne načine, da bi ga utrudili in ga pripravili do tega, da bi zapustil svoje mesto. Vendar ostaja nadškof - kljub temu, da zelo trpi - vztrajno priklenjen na svoj škofovski sedež in niti najmanj ne odstopa od svojega načina ravnanja, v katerega slepo zaupa ter izjavlja, da ne bo popustil, razen če za to dobi izrecen ukaz od Svetega sedeža (sic!). Položaj je precej nevaren. Upanja na izboljšanje ni (podčrtal E. P.), tako zaradi običajne naraščajoče nenaklonjenosti državnih oblasti kot zaradi nadškofove nefleksibilnosti. Stanje je prejšnji mesec še poslabšalo škofovsko pismo zagrebškega škofa monsignorja Bauerja.*³⁸

To javno pismo zagrebškega nadškofa Antuna Bauerja v katerem je obsodil preganjanje Cerkve v Julijski krajini naj bi, po besedah administratorja »povsem spodkopalo položaj nadškofa Sedeja«.³⁹

V resnici je nadškofov položaj najbolj spodkopalo poročilo Luce Pasetta. Končna odločitev o Sedeju je bila sprejeta prav na podlagi poročila – in odločitev je prišla iz najvišjega mesta v Vatikanu, v znani maniri – »Roma locuta causa finita«.

DRUGI PRIHOD VIZITATORJA LUCE PASETTA OKTOBRA 1931 - POSLEDICE

Vizitator Luca Pasetto pa je prišel oktobra 1931 nenadoma še drugič v Julijsko krajino. Dobro je ob njegovem drugem obisku predvideval Besednjak v pismu Janku Kralju, da se bo tokrat v najširšem smislu pokazala uspešnost oziroma neuspešnost njihove dotedanje politike:

37 Prim. ASV AES – Archivio Segreto Vaticano (ASV), fond Affari ecclesiastici straordinari (AES), Italia (III e IV periodo), Italia Pos. 856–857, fasc. 552, Poročilo apostolske vizitacije v Julijski krajini 28. december 1930–22. marec 1931, dok. št. 26.

38 Prim. ASV AES – Archivio Segreto Vaticano (ASV), fond Affari ecclesiastici straordinari (AES), Italia (III e IV periodo), Italia Pos. 856–857, fasc. 552, Poročilo apostolske vizitacije v Julijski krajini 28. december 1930–22. marec 1931, dok. št. 30.

39 ASV AES – Archivio Segreto Vaticano (ASV), fond Affari ecclesiastici straordinari (AES), Italia (III e IV periodo), Italia Pos. 856–857, fasc. 552, Poročilo apostolske vizitacije v Julijski krajini 28. december 1930–22. marec 1931, dok. št. 30.

Tako čakam že dolgo popis tvojega potovanja v Rim in važnih razgovorov, ki si jih imel z osebnostmi v Vatikanu, ter poročilo o delovanju apostolskega vizitatorja Luca Pasetta v Gorici. [...] Mož deluje po nalogu Rima in zato je njegov nastop značilen za presojo vatikanske politike v našem vprašanju. Iz njegovih besed in dejanj spoznamo, kako je vplivalo na vodstvo rimske Cerkve Bauerjevo pismo in vse, kar je njemu sledilo. (PANG, BA, 143)

Nastop nadškofa Bauerja in druge propagandne aktivnosti krščanskih soci-alcov so bile nedvomno odmevne poteze, toda v Vatikanu so, kot smo videli, v resnici sprožile popolno averzijo do slovenske in hrvaške duhovščine v Julijski krajini. Tudi usoda nadškofa Sedeja je bila že zapечатena. Pasetto je tokrat prišel v vlogi eksekutorja. Namen drugega obiska vizitatorja Luca Pasetta v Julijski krajini je bil očitno en sam - prisiliti nadškofa Sedeja k odstopu. Vizitatorju se je ob tem očitno tudi zelo mudilo.

Ko je Sedej nazadnje uvidel namene vizitatorja, se je odstopu najprej odločno uprl. V enem od poročil organizacije lahko o tem preberemo: »Ko je apostolski vizitator videl, da se Sedej noče vdati, se je razsrdil. »Nadškof se mora odločiti ali za koadjutorja ali pa za odstop!« so bile besede, ki jih je rekel, če se ne motim, drju Janku Kralju.« (PANG, BA, 340)

Povsem natančno najbrž nikoli ne bomo izvedeli, kako je nazadnje Luci Pasettu uspelo nadškofa Sedeja prepričati k odstopu, saj Sedej nikomur ni zaupal, kaj se je v resnici zgodilo. V enem od poročil Janka Kralja lahko preberemo:

Očividno na pritisk Luce Pasetta, ki je bil tedaj v Gorici, je vložil prošnjo za odstop - na papeža, ne da bi kdo kaj o tem zaslutil. Dne 28. 10. (na drž. praznik) je kard. Rossi izdal dekret, da je papež njegovo prošnjo sprejel. Dva dni pozneje je dekret prispel v Gorico, en dan so ga - tako mi je nadškof povedal - zadržali na prefekturi, ga odprli in prečitali, ter sporočili v Rim... (PANG, BA, 328).

Iz poročil krščanskosocialne organizacije je razbrati tudi, da so bile obljube vizitatorja, ki jih je ta izrekal v papeževem imenu, za Sedejev pristanek na odstop ključnega pomena. Naslednik naj bi bil po njegovih zagotovilih do Slovencev in Hrvatov pravičen. V istem poročilu Janka Kralja preberemo:

Dne 31. 10. zvečer sem bil pri nadškofu, ki mi je še podpisal dovoljenje za novi cerkveni molitvenik in rekurz župn. Štrancarja na mešano komisijo v Rim. Pri tej priliki sem ga prosil, naj kaj poskrbi glede naslednika in naj piše papežu krepko pismo. Najprej se je upiral, češ, da bo to povedal, če ga vprašajo, potem pa se je omajal in mi naročil, naj poskrbim za sla v Rim. Povedal sem mu tudi, da nihče ne verjame, da je prostovoljno odstopil, in da bo ljudstvo izgubilo zaupanje v Vatikan - »jaz ne smem govoriti in nisem govoril - ljudje sklepajo sami!

Povedal mi je, da mu je Luca zagotovil »secodno le precise direttive dell S. Padre«,⁴⁰ da bo naslednik pravičen in popolnoma vešč slovenščine. (To zagotovilo je glede koadjutorja dal junija mons. Valentinčiču in meni.) - Dne 2. 11. sem se vrnil k nadškofu z gradivom za pismo papežu. Napisal je tudi priporočilo za Filča [Teofila Simčiča, op. E. P.] in pri tem je na vizitki črtal »princeps« rekoč: »sic transit gloria mundi! Vidite, kaj napravijo s starim človekom!« Bil je zelo potr in mi tožil, da ne more več lahko čitati. (PANG, BA, 328)

Nesporno dejstvo ostaja, da je bil nadškof Sedej siljen in končno (23. oktobra) prisiljen k odstopu. Tega menja je bil Besednjak in tako je menila tudi vsa duhovščina Julijske krajine:

Po mojem mnenju je dr. Sedej sam najbolje vedel, ali je odstopil prostovoljno ali proti svoji volji. Če je tožil, da so ga »vrgli« in »prevarili«, pomeni, da je bil k odstopu prisiljen in da se mu je zgodila težka krivica. O tem ni med duhovščino Julijske krajine nobenega dvoma, ljudje, ki poznajo razmere od blizu, so si vsi na jasnem, da je bil Sedej namenoma in premišljeno od Vatikana žrtvovan. To se je videlo že na prvi hip. Ko so se po odstopu javili pri nadškofu prvi duhovniki, ni mogel sivolasi vladika od žalosti skoro govoriti in malo je manjkalo, da ni bruhnal v glasen jok. (PANG, BA, 340)

Sedej se je namreč očitno dobro zavedal svoje starosti in političnih pritiskov. V pismu prijatelju je nadškof Sedej dne 14. oktobra 1930 zapisal npr.: »Kdaj mislijo moji duhovniki in verniki obhajati mojo 25-letnico mi ni znano. Sicer ne vem, če jo še doživim in če bom še škof goriški?« (prim. Sedej, 1971, 56).

Je mogoče domnevati, da se nadškof Sedej, ki je znal v odločilnem (političnem) trenutku izdati tako pomemben dokument, kakor so bile "norme", ne bi zavedal, kaj se bo v goriški nadškofiji zgodilo po njegovi smrti ali prisilnem odstopu? Še manj verjetno je, da bi bil do tega vprašanja ravnodušen, saj se je dobro zavedal svoje starosti. Kot je Engelbertu Besednjaku o tem sporočil škof Jeglič:

Dragi doktor! Ravnokar sem dobil Vaš list. Naj koj odgovorim. Nadškofu Sedeju sem v zadevi resignacije in naslednika že trikrat pisal. V avgustu in septembru je bil v Žabnici in je povedal g. prof. Ehrlichu, da misli na resignacijo. V oktobru mi je pa ob svojem godu pisal, da je slab, da ni za drugo, kakor za pokoj ali za grob. V današnjem »Slovincu« je notica o tem. Tako je stanje. Jaz ne bi mogel več pisati. Moram vendar biti obziren. Ne zamerite! (PANG, BA, 74)

40 "Po natančnih direktivah svetega očeta..."

Vtise ob sprejemu pri nadškofu Sedeju v dneh tik pred njegovo smrtjo je v poročilu Besednjaku opisal Janko Kralj:

Dan za tem 3. 11. mi je prebral in izročil pismo na papeža, prepisal nimam, a sem si koj zabeležil po spominu: V uvodu se mu zahvaljuje, da ga je odvezal službe in mu podelil naslov egidskega škofa. Potem pravi: »ko se po 25 letnem delu poslavljam od goriške nadškofije in čutim, tudi od pozemskega življenja, se na vratih večnosti vpričo Boga obračam do Vaše Svetosti z milo prošnjo, da se usmili tega dobrega in Cerkvi zvestega slovenskega ljudstva, ki se po civilnih oblastvih že dolga leta krivično in nečloveško preganja, in da imej V. S. [Vaša Svetost, op. E. P.] pred očmi te stotisoče neumrljivih duš, ko bo izvolila naslednika nadškof. stolice. Naslednik bodi »homo pius et iustus«, ki bo kar je naraven pogoj, ne samo znal jezik slov. ljudstva, ki tvori večino nadškofije, marveč bo tudi to ljudstvo in njegov jezik pristrčno ljubil, ter značajno in neustrašno branil njegove naravne pravice pred nečloveškim preganjanjem, kar bo v slavo sv. Cerkve in v zveličanje mnogih. To je zadnja moja želja, ko polagam nadškofijo pred noge Vaše Svetosti«.

To pismo je datirano 5. XI. Ko mi je pismo prebral, je rekel:

»Zdaj vam povem žalostno novico. Velika nesreča je zadela nadškofijo. Sirotič [Giovanni Sirotti, op. E. P.] je imenovan za upravitelja«. Jaz sem obstal in kar nisem mogel verjeti. N. [nadškof, op. E. P.] je bil strašno pobit in skoro jokaje je, ko sem mu pravil o koprskih dogodivščinah [o raznarodovalni politiki Sirottija v koprskem semenišču, op. E. P.], vzdihnil: »prevarili so me«. Več ni spravil iz sebe.

Iz vsega, kar vem, sem prepričan, da ga je Luca premamil, da je podpisal prošnjo z obljubo, da bo naslednik pravičen in vešč slovenščine. Nadškof mi je še naročil: »naj dr. Simčič [za sla je bil določen Teofil Simčič, op. E. P.] pove krd. Rossiju, da je to imenovanje velika nesreča, da sem jaz to rekel! Treba je povedati resnico!« Potem mi je izročil skupno prošnjo episkopata na notr. ministra, naj dovoli en slov. in en hrv. verski list. Spomenico smo sestavili mi, podpisali so vsi trije škofje 15. 10. Vložili smo jo 5. 11. Sploh je nadškof letos zelo rad sprejemal naše inicijative in je bilo z njim lažje sodelovati kot prejšnje čase. Dan za tem je legel, spet vstal, zadnji teden se mu je že meglilo, včasih je še škofoval, danes pop. pa je umrl. Potem, kar mi je zaupal, lahko rečem, da mu je počilo srce v strašnem razočaranju nad Vatikanom, njemu, ki je bil najzvestejši njegov služabnik... (PANG, BA, 328).

Sedejevo pismo Piju XI. se sicer nahaja v Vatikanu. Velja ga navesti v celoti:

V Gorici dne 3. novembra 1931

Preblaženi Oče!

Za posebno dobrosrčnost in naklonjenost, s katero je Vaša Svetost nadvse ponižnega spodaj podpisanega blagovolila razbremeniti vodenja goriške nadškofije, izrekam prisrčno in najvdanejšo zahvalo; z obljubo, da bo kakor doslej vsak dan toliko bolj vneto molil za zdravje Vaše Preblaženosti.

Hkrati se Vaši Svetosti tudi oddolžim z največjo zahvalo, ker mi je blagovolila podeliti naziv nadškofa Aegine in dala poseben blagoslov ob moji slabosti.

Ob tej priložnosti si drznem tako v svojem kot v imenu Slovencev te nadškofije ponižno prositi, da bi moj naslednik bil ne samo več slovenskega jezika, temveč tudi da bi kot dober pastir in oče, poln ljubezni, brez vneme za politične stranke dvigal njihovo duhovno blaginjo in da bi marljivo branil njihove pravice v cerkvi tudi pred političnimi voditelji.

Dobri in ponižni Slovenci ter Hrvati v Istri so namreč zelo zatirani od trenutnega političnega vodstva, saj vendar nimajo nobene narodne šole, niti enega političnega ali verskega lista, niti jim ni dovoljeno razdeljevati ali brati nabožnih knjig in katekizmov, pisanih v domačem jeziku; na drugi strani pa so njihovi otroci, ko obiskujejo osnovne šole, prisiljeni poslušati italijanske nagovore, z njihovimi duhovniki in učitelji pa se grdo ravna, tako da se jim zaradi najmanjše stvari, včasih tudi izmišljene, »ne zaupa« in se jih pošlje v izgnanstvo (konfinacijo).

Zato sami, od vseh zapuščeni, z zaupnim srcem svoje oči obračajo k Vaši Svetosti in pričakujejo olajšanje in pravičnost. Kleče pred nogami Vaše Svetosti in jih poljubljajoč v najgloblji pokorščini in hvaležnosti sebe priznava za najvdanejšega sina.

*+ Frančišek B. Sedej, nadškof Aeginski*⁴¹

Na to pismo je Sedej prejel odgovor z dne 13. novembra 1931 v katerem mu kardinal Pacelli zagotavlja, da je sv. Oče »sprejel njegove želje z očetovsko dobrohotnostjo«. Kot take naj bi bile tudi upoštevane in uslišane.

Teofilu Simčiču, ki je odnesel pismo v Vatikan, je nadškof Sedej posebej naročil, naj kardinalu Rossiju sporoči, da »bi Vatikan ne mogel imenovati manj primerne osebe za apostolskega administratorja, ter da je to imenovanje v popolnem nasprotju z dano mu obljubo, da bo Sv. sedež imenoval moža, ki bo znal braniti pravice slovenske manjšine v Cerkvi.« (Simčič, 1976, 64). Toda kardinal je sla grobo zavrnil z besedami: »Queste sono considerazioni che lei puo tenere per se!«⁴²

41 ASV AES, Italia (III e IV periodo), Italia Pos. 856–857, fasc. 474, dok. 40.

42 "To so nasveti, ki jih lahko obdržite zase..." (Simčič, 1988, 62).

O Pasettovi vlogi v Julijski krajini pa je v poročilu Besednjaku (že po odstopu Sedeja) Janko Kralj povedal tudi:

Mons. Pasetto« je oborožen s papeževo polnomočjo to skuhal. [...] Januarja je Luca bil v Kopru; tu ga je Sirotti pogostil, ga naložil v avto, peljal v Poreč k škofu, ga informiral, da je vse v redu, nikakih sitnosti z oblastmi in ga tako omrežil, da Luca v reški škofiji ni zaslišal nikogar, čeprav mu je Božo [Božo Milanović, op. E. P.] po Lojzetu [Alojziju Fogarju, op. E. P.] predložil listo duhovnikov, ki imajo pritožbe. Videč, da S. [Sirotti, op. E. P.] krasno izhaja z najhujšimi koprskimi fašisti, ga je Luca spoznal za sposobnega za misijo na Goriškem... (PANG, BA, 328).

V Besednjakovem arhivu obstaja sicer še ena informacija, ki govori o dokumentu, do katerega naj bi prišli ljudje iz krščanskosocialne organizacije v Vatikanu:

Izvedeli smo, da je bilo med vlado in Vatikanom že prej dogovorjeno, ne le glede Sedejevega odstopa, temveč tudi glede imenovanja Sirottija za škofa v Gorici. Morda bomo z našimi iniciativami tu in tam [na eni in drugi strani rapalske meje, op. E. P.] uspeli to preprečiti [preprečiti imenovanje Sirottija za nadškofa v Gorici, op. E. P.] a biti moramo pesimisti... (PANG, BA, 78).

Krščanskosocialna organizacija se je po Sedejevem prisilnem odstopu odločila za širšo propagandno akcijo, ki naj bi opozorila jugoslovansko in mednarodno javnost na odnos Pija XI. in Vatikana do manjšine v Julijski krajini. Vendar je prišlo v Kraljevini Jugoslaviji hitro do nasprotovanja v uredništvih hrvaških in slovenskih katoliških glasil. Slovenski in hrvaški katoliški tisk je s tem posredno celo podpiral interese in namene fašističnih oblasti, ki so skušale odstavitev Sedeja prikazati kot vprašanje starosti, bolezni itd. Odstop naj bi bil (po zagotovilih največjega ljubljanskega katoliškega dnevnika »Slovenec«) tudi povsem prostovoljen (prim. Slovenec, 3. novembra 1931). Tudi vest o Sirottijevem prihodu na mesto administratorja nadškofije v Gorici je časopis prinesel kot drobno in suhoparno notičko (prim. Slovenec, 6. novembra 1931). Ob tem je Besednjak zapisal:

Teza o prostovoljnem odstopu drja Sedeja se širi radi tega, da bi se zabrisala politična važnost te žalostne zadeve. Da je šlo pri odstranitvi drja Sedeja za izrazito politično akcijo priznavajo čisto odkrito italijanski vladni listi (PANG, BA, 340).

PISMO EUGENIA PACELLIJA APOSTOLSKEMU NUNCIJU V BEOGRADU ERMENEGILDU PELLEGRINETTIJU

Da je šlo za spletko v imenu »višjih interesov Cerkve« je očitno predvideval tudi Ermenegildo Pellegrinetti, pronicljivi papeški nuncij v Beogradu. Na državnega tajnika Pacellija se je namreč obrnil s prošnjo za razlago vzrokov Sedejevega odstopa. V več dopisih je poročal iz Beograda o odmevih na Sedejev odstop:

Politični katoliški nacionalistični časopis Slovenec, je objavil članek o odstopu goriškega nadškofa. [...] Duhovniki, ki so emigrirali iz Julijske krajine imajo pri tem časopisu velik vpliv. Časopis v članku, katerega prevod prilagam, je razbrati ideje in tendence, ki so vodile že v objavo famozne okrožnice nadškofa Bauerja [Molitvi za manjšino v Julijski krajini, op. E. P.].⁴³

V naslednjem pismu kardinalu Pacelliju je poslal prevod članka iz beograjskega dnevnika Politika. V komentarju je zapisal:

Pošiljam prevod članka o odstopu goriškega nadškofa Sedeja, ki je bil objavljan v dnevniku Politika, najbolj razširjenem dnevniku v Jugoslaviji. [...] Člankar v ostrem napadu na Sv. sedež trdi, da je bil odstop izsiljen, da bi se zadovoljilo fašistične preganjalce manjšine in njenega škofa. [...] Člankar je katolik, ki ga najbrž poznam a v tem trenutku še ne morem tega trditi z gotovostjo [to je dejansko bil Engelbert Besednjak, kar je Pellegrinetti hitro ugotovil, op. E. P.].⁴⁴

Nazadnje je nuncij diskretno povprašal tudi o dejanski razlogih za Sedejev odstop. To je naredil na prav poseben način, ki nam osvetljuje odnose med akterji tedanje vatikanske diplomacije:

Osebnost bi me sicer zares zanimalo (da bom imel material za odgovor ali za naročilo odgovora), če je bil odstop Sedeja zares spontan in je bil posledica starosti oziroma drugih osebnih motivov, ali pa je bil postopek posledica prisile, sprejet zaradi višjih interesov Cerkve (sic!).⁴⁵

Iz državne pisarne je prišlo zagotovilo vatikanskega državnega tajnika kardinala Eugenia Pacellija:

43 ASV AES, Italia (III e IV periodo), Italia Pos. 856–857, fasc. 552, dok. 32.

44 ASV AES, Italia (III e IV periodo), Italia Pos. 856–857, fasc. 552, dok. 32.

45 ASV-AES, Italia (III e IV periodo), Italia Pos. 856–857, fasc. 552, dok. 35.

*Odstop je bil spontan, zaradi starosti, bolezni in zaradi težav pri upravljanju škofije: sprejet z veliko zahvale sv. Očetu, ker je prošnjo za odstop sprejel. Prilagam tozadevno zahvalno pismo nadškofa Sedeja sv. Očetu.*⁴⁶

Kardinal Pacelli je odgovoru dejansko priložil Sedejevo odstopno pismo. Glede na povedano – najbrž ni kaj dodati.

ZAKLJUČEK

Do danes torej tudi v vatikanskih dokumentih ne najdemo konkretnega dokaza o tem, ali je bil Sedejev odstop posledica osebne zahteve Mussolinija. V končni posledici in glede na celoten razvoj dogodkov pa tak dokaz pravzaprav tudi ni tako zelo pomemben.

Zamenjava na nadškofijskem mestu v Gorici je pomenila, da duhovnikov v goriški nadškofiji zdaj ne bo nihče več ščutil. Zato je bila zamenjava tudi nujna. Po zatišju v letu 1932 je leta 1933 in 1934 sledil val policijskih ukrepov proti duhovščini – prava čistka.

Iz dokumentov goriške prefekture je razvidno, da je bilo v seznamu duhovnikov, ki so bili predvideni za policijski nadzor, zaslišanja ali izgon iz province, samo v času od avgusta 1933 do junija 1934, kar 31 slovenskih duhovnikov (samo iz goriške nadškofije). Že samo teh 31 duhovnikov je predstavljalo več kot 10% celotnega članstva Zbora svečenikov sv. Pavla, tj. več kot 10 % vse slovenske in hrvaške duhovščine v Julijski krajini v enem samem letu.

V cerkveni hierarhiji v Julijski krajini je ostal Slovencem in Hrvatom odločno naklonjen samo še tržaški škof Alojzij Fogar, po rodu Furlan. In zdaj se je lahko začel napad nanj – tudi iz sosednjih škofij.

46 ASV-AES, Italia (III e IV periodo), Italia Pos. 856–857, fasc. 552, dok. 45.

REMOVAL OF THE LAST SLOVENE ARCHBISHOP IN VENEZIA GIULIA –
FRANČIŠEK BORGIA SEDEJ

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ABSTRACT

On the basis of documents from the newly opened Vatican archives, this paper presents the background of a campaign of pressure that led to the forced resignation of the last Slovenian bishop in Venezia Giulia, Frančišek Borgia Sedej. This documentation sheds light on the background of the events instigated by „higher interests of the Church“ („per causa di supremi interessi della Chiesa“), which eventually culminated in the forced resignation (removal) of the Archbishop of Gorizia. What is readily apparent in these events is the role of the special papal envoy, apostolic visitor Bishop Luca Pasetto, who first arrived in Venezia Giulia in December 1930 and prepared for the Secretary of State, Cardinal Pacelli, an extremely detailed and comprehensive visitation report on the situation within the Church in Venezia Giulia and, in particular, on that of the Slovene and Croatian clergy and principally Archbishop Sedej. This report, presented in this article, shows the visitor's perception of the situation, his attitude towards Archbishop Sedej and the Bishop of Trieste, Alojzij Fogar. The report appears to have had a long-term impact on how the Vatican perceived the activities of the Slovene and Croatian clergy in Venezia Giulia. On his second arrival in Venezia Giulia in October 1931, the visitor, on the direct authority from Pope Pius XI, demanded and forced the resignation of Archbishop Sedej. After his resignation, the worst happened: the title of apostolic administrator of the Archdiocese of Gorizia was conferred upon the Italian nationalist, supporter of Italianisation and the fascist regime, Giovanni Sirotti. This paper presents the reaction of the Yugoslav press to the resignation of the Archbishop and the appointment of Giovanni Sirotti as administrator. It also focuses on the reports of the Papal Nuncio in Belgrade, Ermenegildo Pellegrinetti, a high-ranking diplomat, who was active within a broad network of trustees in the Kingdom of Yugoslavia between the two world wars and was also a leading expert on the ecclesiastical and political situation in Yugoslavia.

Keywords: Venezia Giulia, Vatican, Slovene and Croatian Minorities, Archbishop Frančišek Borgia Sedej, Luca Pasetto, Cardinal Eugenio Pacelli

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- PANG, BA** – Pokrajinski arhiv v Novi Gorici (PANG), Besednjakov arhiv (BA), dok. 52.
- PANG, BA** – Pokrajinski arhiv v Novi Gorici (PANG), Besednjakov arhiv (BA), dok. 53. Pismo z dne 13. februarja 1931. Izjava apostolskega vizitatorja Luca Pasetta Božu Milanoviću v Trstu, januarja 1931.

- PANG, BA** – Pokrajinski arhiv v Novi Gorici (PANG), Besednjakov arhiv (BA), dok. 58.
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Poročilo Boža Milanovića Engelbertu Besednjaku z dne 4. novembra 1931.
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EXCHANGING THE “PROGRESSIVE EXPERIENCES” IN A TRANSNATIONAL PERSPECTIVE: NATIONALITY, ECONOMY AND FEDERALISM IN YUGOSLAVIA AND CZECHOSLOVAKIA IN THE 1960S

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ABSTRACT

This paper focuses on the transnational aspects of the exchanges of experiences (in nationality policies, economy, and federalization) between the Yugoslav and Czechoslovak intellectual elites. By drawing parallels between the two cases, a striking resemblance can be seen. While Slovak intellectual elites used Yugoslavia as a role model to solve the Czechoslovak national question, the latter also served as one of the models for the economic reform of Ota Šik and for the federal transformation of the Czechoslovak state under Zdeněk Mlynář's watch.

Keywords: Yugoslavia, Czechoslovakia, National question, Socialism, Federalism

SCAMBIARE “L'ESPERIENZA PROGRESSISTA” NELLA PROSPETTIVA TRANSNAZIONALE: NAZIONALITÀ, ECONOMIA E FEDERALISMO IN JUGOSLAVIA E CECOSLOVACCHIA NEGLI ANNI SESSANTA

SINTESI

Il presente contributo è incentrato sugli aspetti transnazionali degli scambi intorno alle esperienze (nella politica nazionale, nell'economia e nella federalizzazione) tra le élite intellettuali jugoslave e cecoslovacche. Tracciando dei parallelismi tra i due casi, ci si rende conto di notevoli assomiglianze. Difatti l'élite intellettuale slovacca utilizzava la Jugoslavia come modello per risolvere la questione nazionale cecoslovacca, inoltre la Jugoslavia era considerata come modello per la riforma economica di Ota Šik e la trasformazione in chiave federalistica dello stato cecoslovacco sotto Zdeněk Mlynář'.

Parole chiave: Jugoslavia, Cecoslovacchia, questione nazionale, socialismo, federalismo

INTRODUCTION¹

Czechoslovakia and the Kingdom of Serbs, Croats, and Slovenes (after 1929 Kingdom of Yugoslavia) were established in 1918 on the ruins of old Europe. During the interwar period both states tried to solve the national question, by relying on a denial of national specifics and with the construction of new larger national identifications.² As it was noted by a Slovak historian Vladimír Bakoš, the founding father of Czechoslovakia, Tomáš Garrigue Masaryk, “did not consider the Slovak question as a question of distinct Slovak [national] identity” (Bakoš, 1999, 61). Hence, Slovaks were considered as a branch of a single Czechoslovak nation that spoke the Czechoslovak language, as it was written in the constitution (Bakke, 1999, 179–239). Similarly, King Aleksandar Karađorđević had the idea of “integral Yugoslavism,” which recognized only one Yugoslav nation, consisted of three “tribes” [pleme]: Serbs, Croats, and Slovenes (Dugandžija, 1985, 30). Although integral Yugoslavism (Nielsen, 2014; Troch, 2015) had many different versions, all of them expected Slovenes to gradually abandon their cultural and linguistic specificity (Dolenc, 2010, 98–99), like Slovaks in Masaryk’s Czechoslovakia.

Both states also experienced a similar faith during the WWII. Their neighbors took and annexed the territories they wanted, while a Nazi puppet state was created in Slovakia as well as in Croatia. Another similarity can be seen in an authentic popular support towards the communist regime in both countries. However, there were also differences in the number of war casualties and economic consequences, which hit Yugoslavia harder (Judt, 2005, 18–22). The main difference, which also dictated the post-WWII developments, lies in the success of the Yugoslav communists to carry out a socialist revolution and to take power during the war (Vodušek Starič, 2006), and in connection to this in their legitimization of power at home and abroad. Whereas Czechoslovakia after 1948 remained in the Soviet sphere, Yugoslavia had not, a fact that makes the 1960s an insightful point to examine these two multinational states. What a parallel reading of sources suggests is an exchange between elites concerned with the intersection of nationality, economy and federalism, a theme of obvious relevance for multi-ethnic states as well as for diverse political communities.

The historical comparisons between the both countries have been in focus of many Slovenian and Czech historians in the last twenty years. Although, most of them focused on the period of the Austro-Hungarian Empire or the interwar period (Sovilj, 2016; Klabjan, 2007; Kregar, 2007; Gašparič et al., 2010). On the post-WWII period, some interesting works were published by Czech historians

1 I am grateful to the reviewers for their comments and corrections that improved this manuscript. I would like to thank Pavel Kolář, Oskar Mulej and Andrej Milivojević for reading and commenting the first version of this paper. Many thanks also to Boris Mosković for his help.

2 I am using identification and not identity. For distinction see: Brubaker, 2004.

on the youth working brigades (Sovilj, 2008), cultural cooperation prior to the Tito-Stalin split (Sovilj, 2012), and the aftermath of those relations focusing specially on the Yugoslav emigres in Czechoslovakia (Vojtěchovský, 2012). Only some historians focused on the 1960s in connection with the history of tourism (Tchoukarine, 2015) or urban studies (Kladnik, 2010). On the fateful year of 1968, the research of diplomatic and political relations between the both countries were in the focus of some historians from the territory of former Yugoslavia (Jakovina, 2011; Dimić, 2005) and Czech historians as well (Pelikán, 2008a; 2008b). This article is building on the existing research, focusing on the three fields (nationality, federalism, and economy) of special importance to the multi-national states, in order to research the intellectual and practical exchange of “progressive experiences” between two socialist societies (and beyond) in a transnational perspective (Ther, 2009, 205). The research clearly suggests that the Yugoslav or the Czechoslovak national history “is a result of transnational exchanges” (Conrad, 2009, 53).

THE YUGOSLAV REFORMS IN THE 1960s: THE CHAMBER OF NATIONALITIES

In Yugoslavia a nation-building process took place from 1945 until the early 1960s (Grandits, 2008), which was accelerated after the 1948 Tito-Stalin split for the sake of unity. Although socialist Yugoslavism was not clearly defined in the 1950s, it was promoted in different fields: culture (1956 debate about the Yugoslav criterium), language policies (1954 Novi Sad agreement regarding the Serbo-Croatian language), censuses (in 1953 a category of a “Yugoslav – nationally undetermined” appeared), public discourse, and in the 1953 constitutional changes (Ivešić, 2016).

In the first half of the 1960s, the Yugoslav national identification was abandoned, although this was not a preordained outcome at the time, as in the case of the Czechoslovak socialist identification. Firstly, there was a great opposition against Yugoslavism, manifested in the 1961–62 debate between Dobrica Ćosić and Dušan Pirjevec (Gabrič, 1995, 45–47; Miller, 2007, 95–98; Shoup, 1968, 197–198). Secondly, the conflict between the “conservative” and “liberal” current regarding the Yugoslav economic difficulties, lead at the beginning to the isolation of Edvard Kardelj, chief ideologist of the League of Communists of Yugoslavia (*Savez komunista Jugoslavije* – LCY) and the leading expert on the national question. When Kardelj was “saved” from isolation by Slovenian communists, this experience manifested in Kardelj’s personal shift; he moved away from the idea of a Yugoslav socialist nation towards the defense of the republics. In the latter the fear of losing national rights stimulated nationalism (Haug, 2012, 181–182). Socialist Yugoslavism, as a national identification, was finally abandoned first in the 1963 constitutional debate and for good in Tito’s speech at the VIII. Congress of LCY in 1964 (Haug, 2012, 181; Rusinow, 1977, 167).

Out of many Yugoslav reforms from the 1960s, the reform of the Federal Assembly (*Savezna skupština*) with the Chamber of Nationalities (*Vijeće naroda*), is most relevant from the perspective of the Czechoslovak case. The Chamber played an outsized role in nationality issues and gave a new dimension to Yugoslav federalism. The Chamber of Nationalities appeared already in the 1946 constitution as a chamber protector of the national equality, with vast powers inside the Yugoslav federal system, which was copied from the Stalin's 1936 constitution (The Constitution of the USSR, 1936). Nevertheless, after the 1948 Tito-Stalin split, the Chamber of Nationalities was abolished as a separate chamber under the 1953 Constitutional law. It operated from that point on as a semi-autonomous part of the Federal Council without power or authority. Edvard Kardelj, main writer of the constitutional law, elaborated that the guarantees for national equality could be found in the roots of the Yugoslav self-management system and that the Chamber was hence, no longer needed (Ivešić, 2016, 54–56; Režek, 1998, 153).

The 1963 Constitution reversed these changes. However, the Chamber of Nationalities remained dysfunctional since it was obligated to meet only when the constitution changed (Haug, 2012, 182). In January 1966, Bosnian communists were very unhappy with the distribution of loans for the underdeveloped regions, which resulted in a petition initiative for a meeting of the Chamber of Nationalities. The session needed to be petitioned by the majority, 10 MPs, or if the initiative came from the Assembly's president (The Constitution of the Socialist Federal Republic of Yugoslavia, 1963, article 190). Hence, a precedent occurred, which echoed loudly, not only in the Federal Assembly but also inside LCY (Vjesnik, 29. 12. 1965; Oslobođenje, 29. 1. 1966). All claims, that existed before 1966 that the Chamber was not working because there were no problems, became suspicious; it was evident that there was a need for an operational Chamber of Nationalities and that maybe the need existed also before the 1963 constitution. The Chamber needed to be reformed on the national-territorial principle.

The first constitutional amendments (I.–VI.) were passed in April 1967, changing the authority of the Chamber of Nationalities. From then on, it was mandatory for the Chamber to discuss the proposal of the societal plan, the state's budget, and proposals for federal laws. With the initiative of five of its members or the initiative of the Federal Assembly's president, it could discuss all matters that were important for the equality of republics and provinces and the equality of nations and nationalities. Each republic had ten delegates, while each province could appoint five (Haug, 2012, 203; Žagar, 2010, 236).

Despite the amendments, the position of the national minorities inside the Chamber remained vague, as well as the Chamber's principle that was based on a political-territorial principle and not a national one. Around half a million Hungarians had only two delegates in the Chamber, while around one million Albanians had less than five, which meant that none of the two largest minorities were able to petition on their initiative the Chamber's session.³

3 AJ-507, XXIII A, box 2, folder 1/2, Sednica KMMO 25. 4. 1967, 132 and 139.

In the next wave of amendments in 1968, the Chamber was also defined as the first chamber of the Federal People's Assembly. With its 140 members (20 from each republic and ten from each province) the Chamber became the largest in the Assembly, having 20 members more than the Federal Council (Haug, 2012, 204–205; Žagar, 2010, 236). Hence, since 1968 the national principle prevailed inside the Yugoslav Federal People's Assembly. This led toward the enforcement of the “old” national identifications, which filled the vacuum that was left after the abandonment of the Yugoslav melting pot. Therefore, it is no coincidence that several national revivals gain momentum in the 1960s (Slovenian, Croatian, Montenegrin and Muslim in Bosnia and Herzegovina).

YUGOSLAV TRANSNATIONAL PROGRESSIVE EXPERIENCES

In the federal LCY Central Committee's (*Centralni komitet* – CC) Commission for Interethnic and Interrepublican Relations (*Komisija za međunacionalne i međurepubličke odnose* – KMMO)⁴ records, from the second half of the 1960s, Czechoslovakia was mentioned several times as a country where political dispute regarding interethnic relations was worse than in Yugoslavia. Although this “worse” was never specified. This showed the Yugoslav communists that even in a more developed country the conflict of an interethnic character remained.⁵

The Yugoslav leadership became actively interested in Czechoslovakia already in 1965 when LCY launched their economic reform. By the end of 1965, a Yugoslav study group was sent to Czechoslovakia, where they visited the CC of the Czechoslovak Communist Party (*Komunistická strana Československa* – KSČ), factories, and several institutions. They were mostly interested in the economic reform which started one year before the Yugoslav. The delegation was overwhelmed with Czechoslovakia since the population had “more intellectuals than peasants”, as it was stated by Ivan Lač, the president of the CC LCY's Commission for Information, who lead the delegation. Both sides agreed that they would continue to “exchange experiences and to get to know each other's viewpoints and achievements” (*Komunist*, 18. 2. 1966).

At the highest level, a more intense relationship started in 1967, when Oldřich Černík, at the time vice-president of the Czechoslovak government, visited Yugoslavia in late May, and after the Czechoslovak president Antonín Novotný visited Yugoslavia in September 1967. Although the Czechoslovak leadership was known by their skepticism toward the non-aligned movement and the self-management system, the Yugoslav analysts predicted that the reason behind these visits was

4 The Federal KMMO was established in 1965. KMMO was a special Commission of the LCY's CC and it was not regarded as a special LCY's body. It was as all other commissions were, a “subsidiary” body that was needed for the sake of contributing to the larger understanding and research of a given topic.

5 AJ-507, XXIII A, box 1, folder 8, Sednica KMMO 10. 11. 1966, 21; Ibid., box 2, folder 2, Sednica KMMO 25. 4. 1967, 107.

the Czechoslovak interest for Yugoslav solutions. Especially they were interested in self-management and the role of the Party and the Socialist Alliance of the Working People (resembled to the National Front in Czechoslovakia) inside of the state and the socialist system (Dimić, 2005, 209–213). The contacts also existed on the lower levels, in diplomacy, and as it will be seen later, the scientific-expert fields (history, sociology, and law). The contacts remained strong also during the Prague spring, when Yugoslav leadership endorsed the Czechoslovak reforms, also with Tito's visit in August 1968, just days before the intervention of the Warsaw Pact (Pelikán, 2008a; 2008b).

Other countries in which Yugoslav leadership had interest included Italy, Switzerland and Belgium. Italy was of interest to Yugoslav communists, since Italy had a special investment bank for the underdeveloped regions, which could serve as a model for Yugoslavia. Also, the core of the problem – the underdeveloped South – gave room for comparison, providing several parallels but also differences.⁶ Switzerland was interesting because of a very effective bilingual administration for the Italian-speaking group in the southern cantons of Switzerland, which could also be used in Yugoslavia for minorities.⁷ Belgium was mentioned several times during the KMMO meetings, because of the Walloon-Flemish conflict, which was in the eyes of the Yugoslav communists a conflict of (non)equal and democratic relations between the two groups.⁸

On the other end of the spectrum were non-European countries interested in Yugoslavia's solutions. In the federal KMMO's material, it is often mentioned that Yugoslavia needed to show the correct way to develop interethnic relations for the emerged countries in Africa and Asia. Yugoslav weakness (the national question) was seen here as an advantage, the Yugoslav leadership understood the developed post-colonial world and the national question, which helped them in supporting the right side and not making mistakes.⁹

THE RE-EMERGENCE OF THE SLOVAKS

The Czechoslovak historically specific tragedy of 1938–1945 is well known (Rychlík, 2012, 153–200), even the period of the second Czecho-Slovak Republic (Ward, 2013, 161–201). For this paper couple of facts are important: the establishment of a Slovak Communist Party (*Komunistická strana Slovenska* – KSS) in 1939, the 1944 Slovak National Uprising organized by an anti-fascist National Front where communists and their allies dominated, and the establishment of the Slovak National Council in 1944 (Myant, 2008, 41–46).

6 AJ-507, XXIII A, box 2, folder 1/2, Sednica KMMO 25. 4. 1967, 62; AJ-507, XXIII A, box 1, folder 9, Sednica KMMO 2. 12. 1966, 88.

7 AJ-507, A-CK SKJ; VIII, II/2-b, box K-17, folder 212, Sednica KMMO 5. 6. 1965, 20.

8 AJ-507, A-CK SKJ; VIII, II/2-b, box K-17, folder 214, Sednica KMMO 8. 4. 1966, 77.

9 AJ-507, XXIII A, box 10, folder 10, Sednica KMMO 16. 12. 1966, 88.

Negotiations between the Edvard Beneš's government in London and Moscow's Czechoslovak communist leadership (lead by Klement Gottwald) took place in Moscow, in March 1945. During the talks, passionate arguments were put forward when they discussed the composition of the government and the Czechoslovak relations. Georgie Dimitrov, in charge of the Comintern, argued for a symmetrical agreement, in which Czechs and Slovaks would have their separate governments and one federal government. Due to the tactics used by Stalin, some concessions had to be made on the communist side in order not to scare Beneš's followers. Hence, Gottwald persuaded Slovak Communists to take one step back and agree that the final decision upon the formation of the State would be given into the hands of the people, which would elect Czech and Slovak representatives to the parliament. The new government, with a strong but not full domination of communists, took office in Košice in April 1945 (Myant, 2008, 46–50). Nevertheless, the Košice program “adumbrated a program of national equality, with the Slovak Republic to enjoy full right of autonomy in the liberated Republic” (Bosák, 1991, 77).

As in other countries that turned socialist at least until 1948 (Mevius, 2005; Sygkelos, 2011), the Czechoslovak communists started to speak the language of “the nation”. The expulsion of ethnic Germans from Czechoslovakia was a good opportunity. Gottwald (Czechoslovak PM after 1946) could not help himself not to use Czech historical memory and the anti-German stand in his speeches. In one of them, he used the example of the 1620 defeat at the White Mountain stating: “You must prepare for the final retribution of White Mountain [...] We will expel for good all descendants of the alien nobility” (Mevius, 2005, 115). However, it must be stated that this “alien nobility” came to Bohemia in late Middle Ages.

A significant shift also happened in the policy towards Slovakia after the power was seized by the KSČ with a *coup d'état* in 1948. KSS was dissolved as an independent party and became part of KSČ, while the Slovak CC was fully subordinated to the CC KSČ. This shift was upgraded with the new constitution, which changed the “Slovak veto.” Since 1946 the status of Slovakia could have been enacted only if the majority of elected Slovak MPs were present, but with the 1948 constitution the overall three-fifths majority was enough for the acceptance of amendments. Furthermore, central leadership also had a right to abolish Slovak organs if that would be necessary. The subordination inside of the communist ranks went so far that Slovak communists could not appoint even the editors of their newspapers (Leff, 1988, 100–101, 107).

However, the centralized rule was supported among many Slovak communists, especially those that shared the power in Prague. Those that opposed these policies, like Vlado Clementis, Gustáv Husák and Ladislav Novomeský (the last two were also the leaders of the 1944 national uprising), were accused of Slovak bourgeois nationalism in the early 1950s and were either executed or imprisoned for several years. Even if the Slovaks remained a separate na-

tion, any agitation for a “distinct Slovak political identity was ruled out.” Edita Bosák, historian specialized in Central and Eastern Europe, argued that “this was a far more ruthless subjugation of Slovaks to the Czechs than anything under the much-criticized [interwar] republic” (Bosák, 1991, 78). In Yugoslavia, no such subjugation existed.

In the first post-war years, the communist intellectuals argued that the Czech “national character” needed a revision – the re-orientation from the “Central Europe” towards Eastern, Slavic, and socialist world (Abrams, 2005). When power was monopolized in 1948 a revision of the national history was done to legitimize the regime (Kopeček, 2001).

However, during the late 1950s and 1960s some Czech and Slovak intellectuals were preoccupied – as Michal Kopeček noticed – by the notion to “restructure the Czechoslovakist idea into a ‘national political society’ project based on autonomous development of two distinct nations connected, however, by the principles of the Czechoslovak statehood and socialist patriotism” (Kopeček, 2012, 131). This attitude changed in the 1960s when socialist patriotism and Czechoslovak statehood would produce a new socialist Czechoslovak nation. This presumption was anemic and shortly renounced since it was based on the theory that Slovaks would leave their national sentiments in favor of socialist patriotism (Kemp, 1999, 124–125; Kopeček, 2012, 129–135; Leff, 1988, 146).

The agenda of a socialist Czechoslovak nation was embodied in the actions taken by Antonín Novotný, who became the Czechoslovak Communist Party general secretary after Gottwald’s death in 1953 and was after 1957 also Czechoslovak president. Slovaks identified Novotný with the 1960 constitution, which weakened Slovak institutions even further, as it was argued by Krejčí and Machonin: “The Board of Commissioners [executive body of the Slovak National Council, *Zbor povereníkov* in Slovak] was abolished, and the Slovak National Council was turned into the local branch of the state National Assembly. It also lost control over the regional Councils. The three regional Councils in Slovakia (those for Western, Central and Eastern Slovakia) became more important than the central administration in Bratislava” (Krejčí & Machonin, 1998, 46). In the eyes of the Slovaks, Novotný was also considered as the main apologist of the socialist Czechoslovak nation. After the new constitution was passed in 1960 Novotný reportedly stated at the meeting with the Slovak National Council: “We were one nation and will be again” (Brown, 2008, 473)!

As in the case of Yugoslavia, where the pressure for socialist Yugoslavism received response from those who defended their national rights (most eagerly Slovenes in the late 1950s and early 1960s), so was the case with the Slovaks against socialist Czechoslovakism and the centralized regime ruining Slovak institutions that were won during the 1944/1945 period. This defense was supported by the bad economic situation and slow de-Stalinization (Leff, 1988, 119).

THE REVIVAL OF THE SLOVAK NATIONAL CONSCIOUSNESS

Regarding the gradual Slovak national revival, the year 1963 tends to be seen as a turning point. Firstly, a generational shift occurred inside the KSS. Hardliners, Karol Bacílek and Pavol David, were expelled, and the new leader of the Party became Aleksander Dubček. Between them, there was more than twenty-year age gap. Dubček, born in 1921, spent most of his childhood in the Soviet Union and returned to Czechoslovakia only in 1938. During the WWII Dubček was an active member of the anti-fascist resistance and was gaining career positions step by step after the war. In the 1950s he also finished a five-year study at the Moscow Political College. Hence, he was an educated reliable cadre. After this change at the top, Slovak representatives started to promote Slovak national identification carefully, hence, opposing the narrative of *zbližovanie* (convergence) coming from the Prague center. In 1963, a big celebration was organized to commemorate the 100-year anniversary of the most important Slovak cultural institution, *Matica slovenská*. In 1964, Slovaks celebrated 20-years of the National Uprising (Brown, 2008, 474), and a year later the Slovaks commemorated the 150th anniversary of the birth of Ľudovít Štúr, the leader of the Slovak national revival in the mid-19th century (Krejčí & Machonin, 1998, 46).

Secondly, de-Stalinization was realizing with the rehabilitation of victims of the Stalinist purges from the beginning of the 1950s. The so-called Barnabite Commission was established in April 1963 to research the accusations of the Slovak bourgeois nationalism from the early 1950s (McDermott & Pinerová, 2015, 115). The accusations were found to be unjust and Husák was sent free.

Finally, the response to the shameful status of Slovakia started to be visible in the intellectual circles, but also from below, from the masses. In 1963, Slovak historian Miloš Gosirovský submitted his article titled, "On Some Questions Concerning Czech-Slovak Relations in the Policy of the Communist Party of Czechoslovakia," to be published in a magazine called *Nová mysl* (*New Mind*) and caused something of a sensation seen in the Čosić-Pirjevec exchange in Yugoslavia. Although the latter was public, Gosirovský's article was until 1968 not published, however, widely read as a samizdat (Rychlík, 2012, 439). The article was also sent to the Czechoslovak and Slovak CC. In the article, Gosirovský advocated for the federal solution of the Slovak status. Slovaks, Gosirovský argued, were the only Slavic nation, and the only one in the socialist camp, that did not have their national organizations within their compact ethnic territory (Rychlík, 2012, 438–439). Hence, he advocated for the return of the Košice program, which he called the "Magna Carta of the Slovak nation" (Brown, 2010, 110).

Gosirovský's text was an important stimulation for the response from below. Unsigned Slovak communists wrote a letter on 18th of June 1963 to the CC KSČ asking what happened to the Košice program and why the Slovak nation did not have "political, economic and cultural rights to which it was entitled." A day later the Soviet consulate in Bratislava received a letter asking them for help in the

establishment of equality between Czechs and Slovaks, which was envisioned already in the Košice program. The letter even included Dimitrov's symmetrical idea of the representational organs as a justification for the federation. Another letter was sent in October 1963 to Dubček by Slovak employees in the state apparatus and KSS. They asked Dubček, why the national question was settled in the West but not in the East and why Slovaks were going for work in the Czech lands where they were creating income for Czechs. Interestingly, they called for decentralization of the administration in the economy by using the example of the Soviet Union and Yugoslavia (Brown, 2010, 106–115).

YUGOSLAVIA AS AN EXAMPLE FOR CZECHOSLOVAKIA

It was in this precise period, 1964–1966, that the Czechoslovak communists started to get interested in the Yugoslav state and socialist system. The Czechoslovak economy was, during the first half of the 1960s, in a significant crisis. The economic reform that was prepared in 1964, was based on the theoretical analysis and in some parts from the outside influence of the Polish model and Yugoslav experiences. Even in the years that followed, “the Yugoslav concepts of self-management preceded all the Czechoslovak examinations and served as an impulse to many of them” (Kusin, 2002, 90). Or, as Skilling pointed out, “The Soviet system was no longer treated as the only viable model and its defects during the Stalinist period were sharply criticized. Even more startling, the Yugoslav pattern was openly and sympathetically studied” (Skilling, 1976, 146). At least from 1961 onwards, unofficial discussions existed among a group of Communist intellectuals (Klement Lukeš, Eduard Novák, Jaroslav Opat, Jiří Pelikán, etc.) about the possibilities to use some of the Yugoslav self-management system solutions. The Party punished them with a degradation of their working place and in some cases expulsion from the Party since they tried to “imitate the Yugoslav model” (Kusin, 2002, 115). In 1968, those expelled were admitted back to the Party for a short time. After the Prague spring this group of intellectuals cooperated in the circle surrounding the journal *Listy* – published in Rome by the Czechoslovak socialist opposition and edited by Jiří Pelikán (Formanová et al., 1999).

This enthusiasm for the Yugoslav system can also be seen in the works written by two legal scholars Michal Lakatoš (Lakatoš, 1966, 102–104) and Zdeněk Mlynář (Mlynář, 1964, 147–150). As Skilling noticed, both “expressed considerable sympathy with the Yugoslav multi-chamber system as an appropriate way of guaranteeing adequate group representation” (Skilling, 1976, 148). Mlynář's enthusiasm regarding Yugoslavia can also be visible in the fact that he wrote a preface to the Czech version of Edvard Kardelj's book (Kardelj, 1966).

However, Mlynář was not always so open toward the Yugoslav socialism. He finished his Law degree in Moscow in 1956, where he was Mikhail Gorbachev's classmate and a Ph. D. in the late 1950s in Prague on the political doctrine of

Niccolò Machiavelli. At that time, Mlynář was attacking Czechoslovak Marxist revisionists and all that had unorthodox views (Dufková & Rákosník, 2014, 97). He was also critical toward the Yugoslav revisionism in the light of the 1958 new LCY program, “which allegedly strove to emancipate the state from the Communist Party whereas Mlynář believed that the role of the masses and the Party vis-à-vis the state should be reinforced” (Kusin, 2002, 106–107). Years after the Prague spring, Mlynář admitted that by criticizing the Yugoslav regime he was only standing on the KSČ’s line. He had sympathies for the Yugoslav regime when he read Kardelj’s analysis of the 1956 Hungarian revolution and decided to learn Serbo-Croatian (Mlynář, 1985, 47, 70).

Slovak intellectuals were also very much interested in Yugoslav solutions. In 1965, during the meeting of the CC LCY’s KMMO, Koča Jončič, a legal expert specializing in national minorities and a collaborator of the Institute of Social Sciences (Institut društvenih nauka – IDN), pointed out that they had some contact with Slovaks:

We have for two years now a tendency among, I presume, progressive people from Slovakia, which in their struggle for a different regulation [of the status] of Slovakia inside Czechoslovakia – are often using our solutions or are leaning on our solutions. We have discussed this and decided that we will not allow being a cover, but we must be careful not to disable the usage of progressive experiences.¹⁰

Many contacts with Slovaks took place through the Institute of Social Sciences in Belgrade, where sociologists and historians were regular visiting fellows.¹¹ Among them, Jaroslav Opat mentioned above (punished by the Czechoslovak Party in 1961 for trying to imitate the Yugoslav model) researched self-management system for the whole of September 1967 as an IDN’s visiting fellow.¹²

PREPARING REFORMS AND THE PRAGUE SPRING

The period 1964–1966 was significant also for another reason; it was the period when the reforming communists believed, as it was noted by the Czech historian Vítězslav Sommer, “that it was necessary to formulate socialist policy on the solid ground of scientific research” (Sommer, 2016, 185). The foundations for the Prague spring’s reforms (democratization, federalization and economic reform) were rooted in the mid-1960s, with the work of the four research teams established under the roof of the Czechoslovak Academy of Sciences: economic

10 AJ-507, A-CK SKJ; VIII, II/2-b-, box K-17, folder 212, Sednica KMMO 5. 6. 1965, p. 33.

11 In the IDN’s internal newspaper called *Informacije* [Information] (after 1967 *Informativni bilten*) from 1966 to 1968 one can find numerous visiting fellows from Slovakia but also from the Czech lands. *Informacije* was an IDN’s periodical publication that was issued four times per year. It consists of articles, reports from conferences, IDN researchers’ activities and reports about visiting fellows.

12 Informativni bilten Instituta društvenih nauka, year 1967, no. 3, p. 62.

research team lead by Ota Šik, modernization team dealing with the scientific and technical revolution lead by Radovan Richta, sociological lead by Pavel Machonin, and the political research group for the development of the political system and democracy in socialist society lead by Zdeněk Mlynář (Dufková & Rákosník, 2014, 94). However, there were also other research groups (military, history) that were active (Sommer, 2016, 186–87), but their results not so important. Šik, Richta, and Mlynář were also some of the leading writers of the KSČ Action program in April 1968 (Mlynář, 1985, 107). For this paper, with the focus on nationality, economy and federalism, Šik's and Mlynář's case need more elaboration.

Ota Šik

Ota Šik spent most of his time during WWII in a concentration camp at Mauthausen, where he also met Novotný. This acquaintance helped him in the years that followed. He was teaching economy at different universities and became a correspondent member of the Czechoslovak Academy of Sciences in the early 1960s. In 1962 he became a member of the CC KSČ and the director of the Economic Institute at the Academy's guidance. At first, Šik worked in the CC on the ideological questions and was transferred to economic problems in 1964, when he also started preparing the above-mentioned economic reform (Zeman, 1969, 91).

Šik's reform could be shortly summarized with his articulation as a third way between socialism and capitalism (Šik, 1972). His vision was a regulated market system where companies would control the production. Nevertheless, as Skilling argued, "these measures did not, of course, mean the abandonment of central planning, still less of socialism, but sought to combine planning and other indirect central controls of the economy with a greater development of the market relations, including the use of profit as an incentive" (Skilling, 1976, 59). With a more significant role of the workers' councils in the factories, many elements of the Yugoslav self-management system can be traced in the reform. As mentioned above, the Yugoslav system served as one of the possible role models. This was especially visible on the eve of the Prague spring, when hundreds of working councils emerged, and by some estimations more than 80 % of workers participated in the elections (Samary, 2019, 181).

Šik was not successful since the reform hit a wall constructed by the old system. Against the reform were the conservative Party apparatchiks that did not want to lose control over the economy, while the reform was supported by economists on the lower levels, managers that wanted to operate more freely and some members of the state apparatus which realized that there was no other option for the ill economy. Nevertheless, Šik understood well that without the changes in the political system, his reform could not be fully implemented (Skilling, 1976, 62–63). Hence, Šik played a very active role in changing the political climate.

During the KSČ's Party Congress in 1967, Šik called upon the political changes – to fight against conservatives. However, there was no support to his proposal, but in many ways Šik's initiative was a starting point of a gradual change that happened by the end of 1967, when public and internal dissatisfaction merged. The public was outraged by the brutal suppression of the Strahov student protests in October 1967, while at the same time a clash inside the KSČ's CC became visible. During the CC's October meeting, Dubček raged against the documents prepared for the plenum, since they were different than those that were approved by the Presidium. He also opened the question of the bad Czech-Slovak relations. Novotný defended himself with sharp criticism of Slovak nationalism. In return, this angered other Slovaks in the CC as well as some other Czech members, since the situation resembled to the early 1950s Husák purge. CC's was split in half, while those opposing Novotný also criticized the fact of him being the general secretary of the Party and the state's president. After the plenum, Novotný visited the Soviet Union. Since he did not talk with Brezhnev there, he invited the Soviet leader to Prague. Hooping to strengthen his position the opposite happened. Brezhnev met with several CC members but not with the whole CC. Not giving his support, a road towards the attacks on Novotný was opened (Nikodym, 2013, 48; Skilling, 1976, 156).

Brezhnev elaborated his decision after he returned home. Novotný's double function remembered him of Stalin (the concentration of power), while he was also shocked by the inadequate treatment of the Slovak question:

Novotný himself is to blame for the legally ambiguous status of Slovakia; no one knows whether it is a federal republic and it has no capital city. In short, for years he had been sweeping the entire issue under the carpet. What is more, at the plenary session he accused Dubček of nationalism. Dubček is a totally honest person, but the situation angered him, and other Slovak participants were infuriated as well, and all this produced an undesirable atmosphere (Brown, 2008, 468).

As for Šik, it seems that he saw in the Slovak leadership an ally that he needed to put through his economic reform. Since he was critical toward the Slovak question already in 1963 (powerlessness of the Slovak national organs to oversee the Slovak economy)¹³ he did not have problems with merging his reform with the one on federalism. Now, the time was right for Šik to start an attack on Novotný.

During the December 1967 CC KSČ plenum, Šik openly attacked Novotný for his concentration of power and demanded his resignation as the KSČ's general secretary. This finally happened in January 1968 when Dubček took Novotný's position (Skilling, 1976, 169–177). Later, Šik was appointed the minister of economy and as the government's vice-president. He was also the author of the economic part of the April 1968 KSČ's Action program. During the Warsaw Pact invasion, Šik was on holidays in Pula in Croatia. At the Adriatic coast, the

13 In 1968 Slovak National Council controlled only 0.2 percent of the Slovakia's GDP (Brown, 2010, 104, 286).

Czechoslovak minister of the foreign affairs Jiří Hájek and Dubček's wife with their children were also spending their holidays (Jakovina, 2011). Thus, one can conclude that the Soviet invasion was not anticipated. Nevertheless, Šik remained in Croatia until October 1968 and then moved to Switzerland, never returning to his homeland again.

Zděnek Mlynář

Mlynář's research team was the last that started working out of four groups mentioned. His team was organized only in 1967 by the Czechoslovak Academy and placed under the roof of the Institute of State and Law. Their task was to prepare their recommendations for the reform of the political system, which would be presented only at the next KSČ congress in 1970 (Stokes, 1996, 122; Voříšek, 2009, 218).

From March until September 1967, the team had four meetings, enough to decide to create a reform (Dufková & Rákosník, 2014, 103). Nevertheless, this reform had nothing to do with the liberal democracy as it was known in the West. As it will be argued later, the democratization process was meant only for the reformation of the National Front.

Regarding federalism, the crucial meeting came in March 1968 in Smolenice in Slovakia. Although prior to the meeting Mlynář had not yet included the federal idea into his recommendations for the reform, he was struck by the papers presented and quickly realized that he downplayed the importance of the federation advocated by the Slovaks. This should not be a surprise, since a public opinion poll from April 1968 showed that only half of the Czech population agreed with the federal idea, compared with 80 % in Slovakia (Piekalkiewicz, 1972, 110–111). The meeting in Smolenice was also attended by Gustav Husák, now fully rehabilitated also by the Party. As Brown summarized it, presenters argued in their papers that

liberalization and federalization were logically interconnected. Federalization, therefore, warranted serious consideration and inclusion in wider discussions of democratization. [...] By the end of the second day [of the meeting], Mlynář had adopted [overnight] the view that a new constitutional arrangement of Czech-Slovak relations – a federation – belonged among the core tasks of the contemporary reform movement and had to be pursued in earnest (Brown, 2008, 477–478).

DEMOCRATIZATION AND FEDERALIZATION

In this way, the democratization and federalization, but also the economic reform, became the critical components of the reforms. A couple of days after the Smolenice meeting, on 15th of March 1968, the Slovak National Council issued a proclamation for a federation, for which they received 550 letters of support in the next three months (Brown, 2009, 139, 146). When in April 1968 the KSČ Action

program was written by several authors (among them Šik, Richta, and Mlynář), central reforms (democratization, federalization and economic reform) were included on the findings of the above-mentioned research groups.¹⁴ Although, there were also doubtful views regarding the federalization inside of the group that wrote the program (Skilling, 2000, 58).

The Action program envisioned a democratization process, which would, however, be limited under the umbrella of the National Front. Divergent views could be gathered and articulated, but there would be no other political parties outside of the Front. This limitation was explicit also in the Mlynář's text from May 1968, where his usage of the terms “pluralist system” and “pluralist society” can be misleading to some,¹⁵ since the reform would assert the political hegemony of the Party. Even in his later years, Mlynář was admitting that the reform of 1968 “implied censorship, suppression of open political opposition and personal repressions against radical intellectuals” (Voříšek, 2009, 244). It would have been a closed, limited, and controlled reform, without the smell of a revolution. As Tito told Dubček in August 1968, when he visited Prague, democracy should not be allowed for those that were against socialism (Dimić, 2005, 231). However, some intellectuals (including the public) wanted more, and they thought that the reform wing of the Party would not let them down.¹⁶

There were bigger problems with the federalization of the state, since no concrete plans existed, “unless we count ad hoc recommendations and Mlynář's wild idea of a corporativist parliament with five chambers of May 1968” (Voříšek, 2009, 244). Voříšek's (maybe exaggerated) label of Mlynář's “wild idea” can be explained by the fact that since no plans existed, Mlynář looked for ideas in the Yugoslav parliamentary system, which – as was already elaborated – he knew very well. The Yugoslav constitution from 1963 defined five chambers¹⁷ of the Federal People's Assembly, plus the Chamber of Nationalities making six chambers in total (The Constitution of the SFRY, 1963, article 165).

One thing was clear from the start, Slovaks wanted a federation based on the principle of symmetry. The latter was explained for the public in April 1968 by a Slovak philosopher Július Strinka:

We can speak about symmetry at that time when both state-forming nations are, in the full sense of the word, independent and able, this means that each nation is in and of itself master on its own territory, and in accord with this is, naturally, also fully equipped with appropriate power organs and institutions, legislative,

14 OSA, 300-8-3-1951OSA, The Czechoslovak Action Program', 26 April 1968.

15 See Mlynar's text Towards a Democratic Political organization of Society in: Stokes, 1996, 123–125.

16 As an example, see the famous Two Thousand Words text by Ludvík Vaculík in: Stokes, 1996, 126–130.

17 The Federal Chamber, the Economic Chamber, the Chamber of Education and Culture, the Chamber of Social Welfare and Health, and the Organizational-Political Chamber.

administrative, judicial, cultural, etc. The organs of one nation are, simply put, the mirror image of organs of the second nation, in this they are in a relationship of symmetry (Brown, 2009, 145).

Also, in the case of the symmetry principle, only Yugoslavia could have served as a role model. In the Soviet Union, the Russian Federation lacked their national organs, while there was no special Russian Communist Party beside the one of the Bolsheviks. On the contrary, in Yugoslavia, each republic had their organs, while federal organs also existed and, since 1948, all republics had their own independent Communist Party within the federal one, perfect example of the symmetry principle.

A special committee was formed in spring 1968 whose goal was to prepare the new constitution. Gustav Husák, since April 1968 also vice-president of the Czechoslovak government, had a leading role inside the committee as the loudest advocator for a federation (Rychlík, 2012, 477; Skilling, 1976, 280). However, problems occurred at the beginning of summer 1968, when an initiative for a third federal unit came from the representatives of Moravia and Silesia, two Czech historical regions, which were different from Bohemia in geography, history, and the economy as it was argued. They wanted a referendum. However, Slovaks refused to hear anything other than a dual-federal state, since only the latter was able to solve the national question, while an additional entity would be a continuation of the Czech *majorizácie* now in the ratio 2:1 (Brown, 2008, 488–489; Pithart, 1990, 67).

Although the Committee for the constitutional changes decided already in July 1968 that the “Czechoslovak federation would be founded on parallel Slovak and Czech national-state entities, with sovereignty originating from the two national republics” (Brown, 2009, 147), the pressure for a third entity remained present.

In October 1968, just days before the new constitutional law was accepted, the representatives of Moravia and Silesia wrote a petition to the Czechoslovak president Ludvík Svoboda, who replaced Novotný at this position in late March 1968. The letter proposed a third unit of the federation or alternatively recommended that the Moravia-Silesia unit could become an autonomous province of the Czech Republic. The Moravian representatives claimed that this would not be unusual, since also in the Socialist Republic of Serbia, there were two autonomous provinces of Vojvodina and Kosovo-Metohija, a dramatic instance of using a Yugoslav solution to their demands. They also submitted 71.000 signatures that were “spontaneously” collected (Žatkuliak, 1996, 301).

In July 1968 the constitutional committee had a tough choice between three proposals of how the new Federal Assembly would have been constructed. There were two opposite proposals, however both were based on a unicameral Assembly, one arguing for the seats to be apportioned on the basis of national parity, rather than proportionally (proposed by the Presidium of the Slovak National Council), and the other arguing for allotment based on the population (proposed by

Czech scholars Zdeněk Jičínský and Jiří Grospič). The latter would also include a Slovak veto on all constitutional changes, but in other cases (budget, economy) Czechs could still pass laws without Slovaks. The third option (on which the accepted constitutional law was later based), was Slovak National Council's second alternative based on a bicameral Federal Assembly. "The House of the people would base representation on population, upholding the principle of proportional representation, while the House of Nations would have national delegations of equal size. Both chambers would operate according to majority rule, but bills would require majority support in both houses, and from both halves of the House of Nations" (Brown, 2009, 147). This solution resembled a lot to the Yugoslav system, where the Chamber of Nationalities had equal delegates from each of the republics, while the Federal Council was based on the population.

The timeline they have envisioned dictated the passing of the new constitutional law on the 28th of October 1968, to mark the 50-year anniversary of the Czechoslovak state. Although the invasion of the Warsaw pact in August 1968¹⁸ put down the reform ideas connected with democratization, economy, etc., the federal plan survived, and the timeline was reached in October 1968, although the constitutional law was enforced by January 1969. Nevertheless, the federation did not function very well, since it was one thing to declare a federation and pass constitutional law in a few months, although it was not finished, and another to realize what was envisioned. Furthermore, it that federation was undemocratic. Formally, there were two equal symmetrical parts in the Czechoslovak state, but the reform of the Czechoslovak Party never happened, and it remained profoundly asymmetrical, a notable contrast to the "polycentric" party in Yugoslavia (Brown, 2008, 491).

CONCLUSIONS

Many Czechs saw the federation as a Slovak betrayal and a cost that was paid during the suppression of the democratic reforms by the Soviets. One can perhaps agree with this sentiment, if it is looked upon the problem from the Czech view. However, it would be valuable also to have a look from the Slovak side. The socialist Czechoslovak regime of the 1950s, like the interwar Czechoslovak state, looked upon Slovak national sentiments as a transitory phenomenon which would fade away after the merging of the two nations. As Leff pointed out: "This was the basis on which both regimes [the interwar and the socialist] took the gamble of ignoring or suppressing its spokesmen" (Leff, 1988, 233). In 1968 the game of gambling was over, but the debt that was paid by the Czechs was (too) high. Post-Prague spring period, the normalization, was with purges in the Bohemian lands

18 One of the reasons for the intervention was the belief that in Czechoslovakia they wanted to introduce a Yugoslav type of socialism. This was denied by Tito also the in New York Times in May 1968. See: Jakovina, 2011, 400; Pelikán, 2008a, 125; Skilling, 1976, 703.

much more severe for Czechs than in Slovakia, where the federal idea triumphed. The latter was also the only idea of the 1968 KSČ's Action program that was realized. On the other hand, more turbulent times followed also in Yugoslavia with the Kosovo protests in late 1968 and the Croatian spring in 1971, including the purges that came along. Both countries, it seems, learned too little from each other. An observation that goes some way in justifying a closer study of the interconnections between the regimes and the missed opportunities to take seriously the experiences of the two federations in building new socialist national identifications, the Slovene and Slovak national revival that came consequently and the changes of the economic and constitutional systems.

IZMENJAVA "PROGRESIVNIH IZKUŠENJ" V TRANSNACIONALNI PERSPEKTIVI: NACIONALNOST, EKONOMIJA IN FEDERALIZEM V JUGOSLAVIJI IN ČEHOSLOVAŠKI V ŠESTDESETIH LETIH

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POVZETEK

Med Jugoslavijo in Čehoslovaško obstaja precej vzporednic. Obe sta nastali na ruševinah stare Evrope in v obdobju med obema svetovnima vojnama je v obeh državah potekal intenziven projekt nacionalne izgradnje. V obeh državah se je slednji nadaljeval tudi v obdobju po drugi svetovni vojni. V Jugoslaviji je bila ideja o socialistični jugoslovanski naciji zavržena v začetku šestdesetih zaradi prevelikega odpora, predvsem s strani Slovencev, medtem ko se je podobno zgodilo tudi v primeru Čehoslovaške z odporom Slovakov. V Jugoslaviji sredi šestdesetih potekajo silne reforme med katerimi je za primerjavo s Čehoslovaško najpomembnejša preobrazba Sveta narodov v Zvezni ljudski skupščini kot najpomembnejši dom skupščine. Jugoslovanske rešitve so spremljali ter analizirali Slovaki kakor tudi Čehi. Šestdeseta leta se kažejo kot obdobje intenzivne izmenjave »progresivnih izkušenj« na področju politike do nacionalnega, ekonomije ter federacije. V zadnjih dveh primerih je na Čehoslovaškem Jugoslavija služila kot vzgled. To je še posebej vidno v prizadevanjih glavnega čehoslovaškega ekonomista Ote Šika, ki je skrbel za ekonomsko reformo in s tem iskanje tretje poti med trdim socializmom ter kapitalizmom ter Zdeněka Mlynářa, ki je poskrbel za federativno rešitev čehoslovaškega nacionalnega vprašanja. Vrhunec teh prizadevanj doseže praška pomlad ter sprejetje nove federativne čehoslovaške ustave v oktobru 1968.

Ključne besede: Jugoslavija, Čehoslovaška, nacionalno vprašanje, socializem, federalizem

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