

Ferenc Pölöskei

Ferenc Deák at the Time of the Compromise Negotiations

Unfairly few analytical studies have appeared about Ferenc Deák, this outstanding figure of 19th-century Hungary. Although he was undoubtedly overshadowed by notable contemporaries and opponents of his, subsequent generations have known the “wise man of the nation” well. He was part of and shaped three great periods in the history of 19th-century Hungary: the Reform Era, the 1848–49 Revolution and War of Independence, and the Compromise following the absolutist era and the early years of the dualist system. (We shall discuss the third period in this study.)¹ Especially in the past decades the comprehensive works have focused more on István Széchenyi, Lajos Kossuth, or József Eötvös. Deák has not received the attention due to him probably because of the decisive role he played in the preparation of the Compromise of 1867. For the Compromise, ever since its endorsement, has been subject to contrasting opinions and has generated passionate debate.

The 200th anniversary of the birth of Deák is not only a good occasion, but also an obligatory one to remember his life with due merit and with a special emphasis on his work in the above-mentioned three crucial periods of 19th century Hungary. Naturally, we shall recall the most important milestones of his youth as well. He studied in Kőszeg, Keszthely, Pápa, Nagykanizsa, and Győr. He graduated in Law and was called to the bar in Pest thereafter. He began his administrative and political career in the assembly of Zala county. He was elected deputy of Zala county to the Diet following the retirement of his brother, Antal, in 1833.² He joined the work of the 1832–36 Diet, where his lucid talent, aptness, clear and accurate wording, and his passionate promotion of reforms gained him more and more stature. His opinion became decisive with respect to the most serious matters on the agenda of the Diet. We cannot elaborate on it but still have to mention his particular opinion on issues like that of the serfs, language, or constitutional law. He urged on the revision of regulations on the relationship

¹ Deák Ferencz Beszédei [The Speeches of Ferencz Deák] III–V. Collected by Manó Kónyi. Budapest, 1903. The study rests mainly on the sources published in these volumes (hereinafter: Deák Beszédei). We have drawn much information from the following works as well: Ferenczi, Zoltán: Deák élete [The Life of Deák]. Vols. I–III. Budapest, 1904 (hereinafter: Ferenczi: Deák élete); Szabad, György: Forradalom és kiegyezés választóján [At the Crossroads of Revolution and Compromise]; Budapest, 1976; Somogyi, Éva: Kormányzati rendszer a dualista Habsburg Monarchiában [Government in the Dualist Habsburg Monarchy]. Budapest, 1996 (hereinafter: Somogyi: Kormányzati rendszer); Beust, Friedrich Ferdinand Graf, Aus drei Viertel-Jahrhunderten. Stuttgart 1887. Zolger, Ivan, Der Staatsrechtliche Ausgleich zwischen Österreich und Ungarn Leipzig, 1911.

² Molnár, András: A fiatal Deák [The Young Deák]. (Manuscript); Ferenczi: Deák élete Vol. I. 74–95.

Minorities History

between serfs and landlords; the “acceptance of a bill on the reconciliation of interests and on the indemnity to be paid by serfs to the former owners of their land; the development of transportation and industry; the recognition of Hungarian as the official language; the restriction of the absolutistic power of the sovereign; and the introduction of the payment of public dues.”³ He made the acquaintance of prominent personalities: Kossuth, Széchenyi, Miklós Wesselényi, and László Teleki. Mihály Vörösmarty and György Strettner were considered his closest friends.

Due to his illness that started at an early age, he quit the Diet quite soon. However, during the period he spent in seclusion in Kehida, he expanded his knowledge on law and his thoughts on reform. Upon his return to Pozsony (today Bratislava) he became leader of the reformist opposition. His fame gathered during these years would not only last throughout his life, but would also be consolidated thanks to his drafting of the “Laws of April” and his activity as minister of justice. He always sought to bring the feudal system to an end and, parallel to it, develop a civil state.⁴ He recognised the legitimacy of defensive warfare in 1948 and subsequently, but he never played an active role in it.

His name is connected with the politics of passive resistance against absolutism, which ensued following the fall of the War of Independence. He rejected the attempt at a conservative settlement in 1860 and the Letters Patent of February 1861. He insisted on the restoration of the Laws of 1848 and the constitutionality achieved then. Passive resistance, in his opinion, had two objectives. First, the termination of absolutism and, second, the recognition of the status of Hungary based on its restored constitutionality, but with its continued presence within the empire.⁵

In the meanwhile, in 1954, he sold his 1700-acre property in Kehida as a life annuity to the son of István Széchenyi, Count Ödön, and moved to Pest, to the Queen of England Hotel. He spent the summers first in Balatonfüred and then at his sisters’ in Paks and Puszta-Szent László.⁶ More and more followers of his visited him at the Queen of England Hotel, and he himself paid visits at his friends and went to the Hungarian Academy of Sciences regularly. He became the central figure of Hungarian political life during the crisis of the absolutism in 1859–61. His fame continued to grow after the speech on his second draft petition in opposition to the Letters Patent of February at the Diet, which was received with unanimous enthusiasm and thunderous applause.

He concluded his speech that rejected the provisions of the Letters Patent of February, and proclaimed national resistance and the protection of the Hungarian constitution as follows:

³ Gergely, András: Deák Ferenc államjogi nézetei a reformkorban [Views of Ferenc Deák on Constitutional Law in the Reform Era]. Manuscript; Pajkossy, Gábor: Deák az ellenzék élén 1839–1843 [Deák, Leader of the Opposition 1839–1843]. Manuscript.

⁴ Magyar Törvénytár [Hungarian Legislative Records], Acts 1848: 1–31.

⁵ Gerő, András: Deák Ferenc és a kiegyezés [Ferenc Deák and the Compromise]. Manuscript.

⁶ Deák élete. Vol. II. 382–395.

Minorities History

“It shall endure without losing heart, as its ancestors endured and suffered to protect the rights of the country; for what is taken away by force, time and luck may return; yet, what a nation, afraid of suffering, renounces voluntarily, it is always difficult and uncertain to recover that.”⁷ The sovereign, as it is well-known, dissolved the Diet and, with that, the era of the Schmerhing provisional arrangements began. Conditions had become ripe for the reconciliation and compromise between the court and the political forces led by Deák, which had the greatest weight in Hungary, only by the mid 1860s.

The negotiations and reciprocal concessions, which would lead to the Compromise, brought the positions noticeably closer during 1865. This is to be emphasised because historiography focuses either on the concessions of Deák or on those of the court. Here we shall discuss the similarities and differences between 1848 and 1867, and look at their background and their international and domestic causes and motives. We shall compare the conception of Deák on constitutional law and society in 1861 and subsequently. We shall highlight the concessions he squeezed out from the imperial government in Vienna for the country, including the recognition of the fundamental points of the Laws of 1848 and the renouncement of a joint legislature and the planned restrictions of the joint ministry. However, he could not force through any restrictions on the authority of the sovereign and the confirmation or expansion of certain points of the Laws of 1848 either. At last, we shall discuss his isolation after 1867, his attempts at the elimination of certain remnants of feudal landlords’ authority, at the elaboration of a modern ecclesiastical policy, and at the promotion of his views on minority policies.

Deák laid down the foundations of the Compromise with his Easter Article of 1865 and the letters he wrote in May. These referred to the right of succession of the Habsburg dynasty under the Pragmatica Sanctio, the “joint ownership”, the “commissionership” of the Monarchy, and the recognition of the Hungarian constitution by the court in Vienna.⁸ The construction of a structure on this basis was yet to come, however. The starting point itself, the “commissionership” of the Monarchy and, in function of that, the general recognition of common affairs, as well as the assertion of the Hungarian constitution and legal continuity, stirred numerous debates. The clarification of various conceptions, therefore, suffered delay as well. The position of Deák changed with respect to 1861 on two major points. First, with respect to the recognition of common affairs. Second, while the Laws of 1848 played a crucial role in his former conception of reconciliation, in 1865 many of the elements of these laws remained relatively unnoticed in a framework defined by constitutionality and legal continuity. While Deák himself insisted on the essence of the Laws of 1848, the imperial government reviewed its provisions and there were certain politicians, and primarily Minister Belcredi, who contested the entire legislation. The negotiations saw several debates arising between the parties

⁷ Deák Beszédei. Vol. III. 198.

⁸ Debate, Issues 1865. 125, 126, 127; Pesti Napló, 16 April and 23 May 1865.

6 MINORITIES RESEARCH

Minorities History

especially concerning the character of the state organisation, the army, and numerous questions related to economy. Negotiations intensified and tension increased following the convening of the Diet at the end of 1865. Passions flared up when the Diet mandated a 67-member committee for the preparation of a compromise at the beginning of 1866.

Mostly the same delegates ran for the Diet in December 1865 who had been deputies in 1861 as well. Several of them even asserted their privileges, namely, that they were elected the last time but then the Diet was dissolved. Accordingly, their re-election would be desirable and, through that, the nation would express that it insisted on its 1861 position. Deák rejected this logic. Since circumstances had changed, according to the Laws of 1848, the voters had the right to decide whom they would elect as deputies.

There was a lively debate among deputies on the king's speech issued on 14 December 1865. Many contested its remark on the preservation of the great power's standing of the Monarchy. According to the diary of Menyhért Lónyay, Gyula Andrásy said that "the price of a compromise was the safeguarding of this great power's standing." Both István Gorove and Lónyay supported this position. According to Deák, however, only "commissionership" followed from the Pragmatica Sanctio. Kálmán Ghyczy, Kálmán Tisza, and Pál Nyáry embraced Deák's opinion. He also remarked how important it was to ensure that the demands of future generations could be met as well. Lónyay recorded his words on 29 January 1866: he said that "it was possible, what is more, probable, that the generation to influence politics and legislation after the current one would have a different approach. He, however, amongst the present circumstances, could protect only politics based on current legislation and corresponding to its concepts."⁹

Deák was elected unanimously deputy of the inner city district on 23 November 1865. At first, he planned to merge the parties of the 1861 Diet: the "petition and the resolution parties". Lónyay noted on 8 October 1865: "Deák said that he would very much like the merging of the petition and the resolution parties."¹⁰ However, his plan was wrecked because of the resistance on the part of his closest followers. Yet, he made another attempt in December 1865 to have his plan accepted. Although he found supporters in Gábor Klauzál and Károly Szentiványi, the others rejected it and, under the name "Deák Circle", formed a club (including Eötvös, Lónyay, and Ghyczy). Deák thought to expand the club into a club for deputies on 10 December 1865 in order to deprive it of its political character. However, this endeavour of his was defeated as well.

The representatives of Croatia and Transylvania did not take part in the work of the Diet, but it was decided that the Diet would be expanded to include them. Demands for the restoration of constitutionality were also put on the agenda.¹¹ In

⁹ Deák Beszédei. Vol. III. 371.

¹⁰ Deák Beszédei. Vol. III. 353.

¹¹ Képviselőházi Napló [Records of the Lower House]. 14 December 1865.

Minorities History

1865, the Deák Circle formed the greatest camp within the Diet with 180 members, followed by the left-centre camp led by Ghyczhy, Tisza, and Nyáry with 94 members, the extreme left group led by László Böszörményi with 20 members, and the conservative group led by Apponyi of a similar-sized membership. The left centre and the extreme left worked together at first, but then gradually separated. The same happened in the relations of the Deák Circle and the left centre as well. On 27 January 1866, the Diet mandated a 20-member committee to draft a petition in reply to the emperor's speech. Following days of talks, Deák presented the proposal of the committee to the Diet on 8 February 1866.¹² He welcomed the rejection of harmful ideas in connection to "the loss of rights that destroyed trust" and formed the basis of the absolutistic regime. Furthermore, he welcomed the promise on the restoration of the Hungarian constitution and the responsible government, which would ensure legal continuity.

Deák indicated that the king's speech removed the most serious obstacles in the process and expressed his hope that the constitutional will of the king and the rightful demands of the nation could be reconciled. For, according to him, the "security" of the empire did not run counter to the constitutional autonomy of the countries of the Hungarian crown. Debates arose, however, concerning the constitutionality of Hungary. The petition set forth that Hungarian constitutionality, as opposed to the remarks of the king's speech, started not with the October Diploma issued in 1860, which was to be considered a constitution imposed on Hungary anyway. Joint legislature, which can expand its own authority, was against the interests of Hungary as well. According to the Pragmatica Sanctio, Hungary's internal government and administration was independent, which applied to the appointment of officers as well. Further conflicts of opinion emerged in connection to the interpretation of the Laws of 1848, too. The king's speech demanded fundamental amendments. At this, Deák indicated that he did not exclude the possibility of the revision of certain provisions but the proposal to be signed by the crowned sovereign, would have to be prepared through the normal procedure of legislation. Deák expressed various complaints: the speech did not mention the status of Dalmatia, which, together with Croatia, was part of Hungary and so was Fiume (today Rijeka). Furthermore, Hungary was deprived of a responsible government, and an absolutistic regime reigned in its administration in general.

The ordinance of the court, which rejected the proposals of Deák, increased tension. Similar to Deák, it started out from the Pragmatica Sanctio and emphasised the importance of reconciliation, the unity in terms of interests and defence, and the preservation of the territorial integrity of Hungary. However, it reiterated the court's reservations concerning the Laws of 1848 and called for a more specific definition of "common affairs". It demanded the termination of the office of the palatine, the possibility of the dissolution of the Diet prior to the adoption of the budget, and the omission of Article 22 of 1848 on the national guard.

¹² Deák Beszédei. Vol. III. 385–400.

Minorities History

The ordinance called for the thorough revision of the entire legislation of 1848. At the same time, it did not declare its position on Fiume and Dalmatia.¹³ Several deputies, among them Andrásy and Lónyay, disapproved of the stubbornness of Deák, as they believed it could wreck the compromise. However, they refrained from every public debate because of the wide-spread respect in Deák's direction. Instead, they tried to win him over. In the course of the drafting of the next petition, both Deák and they sought to apply more moderate wording. As opposed to the above-mentioned deputies, the extreme leftists believed that Deák made too many concessions. By this time, the distinctions in the opinion of the various politicians had become manifest.

Deák elaborated the final form of the next petition. According to him, the 67-member committee was to give an answer with respect to common affairs. In connection to legal continuity, the appointment of a responsible ministry, and the restoration of the constitutional authority of the local authorities, he referred to the arguments of the previous petition (the country had been living under absolutism in several respects).¹⁴ Debates on the common affairs were conducted in the 67-member committee and the 15-member subcommittee, as well as in political circles and clubs. The subcommittee of the 15 elaborated the contents of common affairs and published it in June 1865.¹⁵

Deák proved to be rather active during the work of the subcommittee of the 15, and the text he drafted became normative in several matters: the person of the sovereign would be common and Hungary would have constitutional autonomy. The Hungarian Diet would vote on the expenses of the court of the Hungarian king based on the proposal of the responsible government. Foreign affairs, defence and, in connection to these, finances would be managed jointly. As for military affairs, the sovereign was in command and could determine the military structure. However, it was a right of the Hungarian legislature to reorganise the defence system within Hungary. Negotiations would have to take place on the division of common sums; in the case no agreement is reached, the sovereign would decide in this matter. All this would be conditional upon the full and active restoration of constitutionality and parity between the two countries through delegations independent of each other and elected for one year only. The delegations could call to account or institute proceedings against the joint ministry and its members. This point was not included in the Compromise. No joint legislature could be convened. Hungary would share the public debt, its proportion being subject to agreement. Trade and customs affairs did not follow from the Pragmatica Sanctio, therefore they were to be regulated by way of agreements. Alliance, which would be desirable, would be part of this as well.

¹³ *ibid.* 443–448.

¹⁴ *ibid.* 452–463.

¹⁵ *ibid.* Its members were: Count Gyula Andrásy, Count György Apponyi, Antal Csengery, Ferenc Deák, József Eötvös, Baron Imre Fest, Kálmán Ghyczy, István Gorove, Ernő Hollán, Imre Ivánka, Menyhért Lónyay, Count Imre Mikó, Pál Nyáry, Pál Somssich, Kálmán Tisza.

Minorities History

The opinion of the subcommittee became normative, but a few points of the minority proposal would change the draft at some points in favour of Hungary. For example, a section was added on the Hungarian army (although in 1868 only Hungarian home defence forces were set up).¹⁶ The minority proposal accepted the development of the common affairs system as well, but it also put more emphasis on the protection of Hungarian constitutionality by emphasising the fairness of the Hungarian nation.

Deák had been known already at the time of the Compromise negotiations as the master of settling conflicts and a person who could hammer out compromises. He, however, denied this reputation: he was trying to reach not compromises but solutions that would be in the best interest of the nation; the independence of the country and the restoration of constitutionality determined his actions. He nevertheless played a particular role in politics thanks to his knowledge on constitutional law and his endeavour to find feasible solutions on its basis. He continuously sought information on international circumstances and those within the Monarchy and Hungary, as information and familiarity with the opinions that shaped the contemporary events were indispensable for him. He found particularly important the opinion prevailing among Cisleithan and authoritative Hungarian politicians about the questions under discussion. His intention to prevent conflicts was an important element of his liberal views. On 17 February, following the proposal of certain deputies to finish the debate on the petition, Deák, sharing the opinion of Kálmán Tisza, explained to the lower house that nobody could be excluded from public debate. "The exchange of ideas does not intensify the tension; it eases tension of negotiations. For what remains unsaid may cause greater bitterness than the openly uttered free speech."¹⁷ He was resolute finding the origin of all opinions and then worked them into the appropriate, usually incontestable legal form. When his struggle to work out a compromise failed, he pointed in the direction that was to be followed. He never considered his views shaped by compromises justified by law everlasting. He recognised the chances and rights of future generations to shape and amend the constitution. This was the reason why he could become a decisive figure of contemporary political life.¹⁸

Yet, it took much torment, pain, and internal struggles to attain and maintain this key position, which only lasted until the Compromise and the establishment of the dualist state. We get a picture of his inner struggles primarily from his private correspondence.

The debate that started with the king's speech came to a stop for a short time at the beginning of the Prussian-Austrian war. The Diet adjourned on 26 June 1866 and the deputies went home. Yet, discussions among the political elite were not

¹⁶ MTT Act 1868: 41.

¹⁷ Képviselőházi Napló [Records of the Lower House], 17 February 1866.

¹⁸ All schools present in the lower house accepted the position of Deák, as revealed by the notes of contemporary politicians. (Andrássy, Lónyay, Csengeri, József Madarász).

Minorities History

disrupted. According to Deák, it was a right of the sovereign to adjourn the Diet but the prorogation of the session would be contrary to the laws. The lower house, he declared, insisted on the contents of its earlier proposals in the petition. The house endorsed this opinion. The Viennese court was in a difficult situation following the victory of the Prussian forces on July 3, 1866. It had every reason to fear that the Hungarian Diet would present more radical national demands. However, when the empress arrived in Budapest on 9 July, Deák ensured her that despite the changing atmosphere “we would demand what we demanded at the end of 1865 and the beginning of 1866,”¹⁹ recorded István Gorove. Deák reiterated his position before Francis Joseph in Vienna on 19 July. At the same time, he declined the mandate to form a responsible government and proposed Count Andrassy for prime minister.²⁰ Francis Joseph had known for long that without or in opposition to Deák no compromise could be reached, but he came to esteem Deák only following the battle of Königgrätz. According to the notes of Menyhért Lónyay, the sovereign summoned Deák. “The “old man” presented himself before the sovereign as early as 7 a.m. on 19 July, who talked to him for about an hour. The sovereign was surprised that in those times of calamity Deák would reiterate what he had said before in the times of peace: Deák found any change of regime inopportune prior to the peace agreement, but he believed it was a must to start the transformation right after that.

At the question of the sovereign on whether he would be ready to form government, the old man answered that he would under no circumstances undertake that mission; furthermore, he would not want to become a member of the cabinet either. However, he would support a government that would embrace his ideas. He recommended Count Andrassy for prime minister.²¹ Deák set this forth in detail in his letter addressed to the burghers of the City of Pest as well. The negotiations on the establishment of the government began with the hearings of the deputies from the circles of Deák in Vienna (Andrassy, Lónyay, Gorove, Eötvös).

The sovereign convened the Diet on 19 November 1866.²² He reiterated what had been already stated in the king’s speech, since he had managed to regain his former positions during the months that had passed since his military defeat. In the same period the various political trends started to gain more distinct outlines with the return of the deputies to Pest. Although Deák again insisted on the formation of a great governmental party that would have included the group of Kálmán Tisza as well and warded off the attempts of Andrassy, Gorove, Lónyay, Csengery aimed at the formation of a separate party, he could not but consent to this request in the end. The group, established at the Europe Hotel on 21 November 1866, named itself Deák Party. At the same time, the group of Tisza

¹⁹ Deák beszédei. Vol. III. 578.

²⁰ *ibid.* Vol. III. 853.

²¹ *ibid.* Vol. IV. 3.

²² *ibid.* 80–83.

Minorities History

(their paper was entitled *Homeland*) and the extreme leftists both held their meetings in the Tiger Hotel. It seemed that the development of a unified left-wing was on its way. This was the time when Deák started to lose ground gradually that would have been necessary for his manoeuvres. At the same time, the group of Andrassy gained strength. More concessions were accepted, including the amendment of the Laws of 1848, the undertaking of part of the payments related to public debt, moreover the deferment of the regulation of the status of Dalmatia and Fiume. Debates continued on the nationality issue. Serb Deputy Svetozar Miletic demanded the establishment of a federal state once again in his speech held at the lower house on 15 December 1866. In his reply Deák reiterated his previous arguments, according to which, there was only one nation, the Hungarian, under constitutionality. This ran against the conception of Hungarian nations. He added, however, that this precept of constitutionality could eventually change and bring about the establishment of some federal regime.²³ Turning to the deputies of the nationalities, he argued that Croatia, Dalmatia, and Slavonia were to be considered associate countries and there was only one kingdom. He continued by explaining the well-known principle of the one political nation.²⁴

At the end of December 1866, Foreign Minister Beust held talks with several Hungarian politicians to promote reconciliation. His flexibility that ignored rigid bureaucratic formalities greatly enhanced the continuity of negotiations, and the overcoming of obstacles both in Vienna and Budapest. Let us remark, however, that for the time being both Beust and Deák held on to their former principles. For this reason, it is rather curious that, at the request of the sovereign, he would elaborate the independent bill of the absolutistic government as opposed to the proposal of the committee of the 15 on a compromise and the issue of common affairs. Upon the receipt of the bill on 8 January 1867, Andrassy did not even try to conceal his surprise and desperation. Deák got to know about all this only later on, through Menyhért Lónyay.

Both parties took the opinion of the "old man" into account, as Deák was undoubtedly a person of great authority who expressed a clear opinion in practically every delicate matter. However, Deák participated personally at the constant and protracted compromise negotiations more and more rarely. Not only Gyula Andrassy, József Eötvös, Boldizsár Horváth, or Menyhért Lónyay sought his council, but also the highest officials of the empire. He was summoned by Francis Joseph on several occasions, and Ministers Belcredi and Beust often held discussions with him.

He found this mediating and consultative role most suitable, since this way he could successfully lessen the tension between the parties. His solitude, therefore, was only apparent, for a rather intensive intellectual activity characterised those months. He often complained to the ones closest to him, especially his god-daughter, Ilona Vörösmarty, about the excessive pressure of work, exhaus-

²³ *ibid.* 132.

²⁴ *ibid.* 133.

Minorities History

tion, and tiring responsibility present in his private conversations concerning public affairs. For the overwhelming burden of his writings and words often stemmed from the responsibility he took upon himself. He always made sure to express his opinion clearly; he never used ambiguous sentences. He rather asked for some time to think than answering something hastily. He received even those whom he liked not and he thought their presence was important during the talks.

According to Deák, the government would have to be formed from the forces present in the Diet, and from the proxies of the court. Accordingly, he was against the appointment of Chancellor György Majláth, Pál Somssich, and Count Mór Esterházy, since they held public offices during the decline of absolutism. At the same time, in this difficult period for the Monarchy with respect to foreign and internal affairs, a movement prevailed in Vienna proclaiming that no progress was possible without the restoration of the Laws of 1848 and the appointment of a responsible Hungarian government. This was a precondition of the final elaboration of common affairs as well. Foreign Minister Beust received the mandate to proceed on these grounds. According to the notes of Antal Csengery, the talks between Deák and Beust held on 30 December 1866 were rather reserved, although they reciprocally ensured one another about their resolution to promote reconciliation. However, it was clear despite their politeness what issues had to be resolved. Deák considered the full restoration of the constitution (and the appointment of the ministry) the most pressing and imperative task. He believed this could not be subject to bargaining, since this inevitably derived from the Pragmatica Sanctio. At the same time, Beust questioned certain parts of the Laws of 1848, stating that they were adopted under the pressure of the events.

Deák objected to this and declared, referring to the pressure of the current situation that the imperial government could wreck the compromise negotiations by clinging on to this argument. Therefore, only common affairs could constitute an area where bargains were possible at all. Further debates included the armed forces and the defence capability of the Monarchy. Beust did not want to hear about any compromise on a common army, and rejected the right of Hungary to decide on offering recruits and complementing the army. Deák referred to continuity, and declared that it had been the right of the Diet since the establishment of the standing army to vote on recruits and the complementation of the army. At last, his position prevailed.

In mid January 1867, Deák received the minister designates, Andrásy, Eötvös, and Lónyay, who had taken part at talks in Vienna, with mixed feelings. Lónyay noted in his diary that "yesterday he was optimistic, today he is pessimistic; yesterday he was full of hopes, today he has none; yesterday he campaigned among the deputies, today he did not promise to support the would-be ministry either."²⁵ His mood swings derived from his returning scepticism in connection to the draft of the compromise, and he did not take the pressure of time into consideration. He

²⁵ *ibid.* 195.

Minorities History

knew that following the formation of his party and the appointment of the responsible government, his unique role would end where the role of the state machinery would begin. He was against the demands formulated by Vienna, the concessions as he called them. These ran against his convictions. All he would consent to was to acknowledge them for the sake of the restoration of constitutionality.

Lónyay and Andrassy openly expressed their resentment against Deák, and entertained the idea of declining their designation as ministers. A few days later, on 18 January, however, Deák found himself without any support and gave up hanging on to his conditions. After this, the constitutional and public issues connected to the compromise passed into the hands of Andrassy and his supporters. Deák expressed his opinion, usually after having co-ordinated it with Andrassy, mostly with respect to various details. The role of Deák in the shaping the Compromise came to an end, even though the leaders of his party continued to seek his opinion in various matters and to have him approve the drafts they had prepared. As a result of the negotiations – led by Andrassy by that time – the draft of the Compromise Bill was finalised after the approval of Deák and the support of the majority of the politicians of the time. The workings of the mechanism launched then undoubtedly turned and twisted and questioned the former justification of any conciliatory intention. Deák's energies ran low. His followers abandoned him, and his illness worsened. Although he expressed his views with respect to issues that emerged during the development of a more comprehensive internal civil development in Hungary, he knew it well that his opinion had lost its decisive character. The “old man” expression assumed a new meaning amongst the new circumstances. While earlier his name was mentioned with respect and esteem and it functioned as a compass, now it often assumed a pejorative meaning and lost the one it had prior to the Compromise. The opinion of the “old man” was just one among many opinions, and often a rather outworn one. Consequently, he became increasingly lonely and isolated, with the growing distress of his illness. However, his character cannot be fully understood without the consideration of his opinion on post-1867 issues, including the nationality question, administration, and certain issues related to the emancipation of the serfs.

Negotiations ended in January 1867. Andrassy was officially appointed prime minister on February 17, and his government could be formed. Shortly after that the Diet passed the Compromise Bill, and the king confirmed those three days after the coronation that took place on 12 June 1867. The Compromise Act was adopted in the other part of the empire only at the end of December 1867.

Let us overview as to what extent did the adopted bills reflected the demands of the parties; as to what extent the demands of the crown and that of Deák and the Hungarians could prevail. Dualism was realised and the laws reflected the most important attributes of Hungarian independence. This was made possible by the contemporary international circumstances as well, since Western European powers considered the presence of a strong state in Central Europe important in keeping up the power balance in Europe against the endeavours of both Germany and

6 MINORITIES RESEARCH

Minorities History

Russia. At the same time, it had become evident by the mid 1860s that Habsburg absolutism would not be able to remain stable due to the crises and conflicts of its foreign and domestic affairs. At last, its moderate, public opinion shaping domestic forces came to the conclusion that Hungarian independence and, together with it, the hegemony over the various nationalities that comprised more than half of the empire's population, and the status of the associate states, could be best realised within the empire. The movement of the democratic circle against the Compromise and the system of common affairs that extended to the Great Plain could be considered only a temporary burst of enthusiasm.²⁶

The internal discrepancies of the dualist system surfaced only in the 1890s and World War I disrupted the system once and for all. For the time being, however, the main goals of the negotiating parties were achieved, although the authority of the king was greatly extended in part through the Compromise and in part due to further negotiations, at which Deák was not present any more.

The Compromise extended the scope of authority of the sovereign perceptibly. Act 8 of 1867 stipulated that the sovereign had the authority to appoint the prime minister as opposed to Article 12 of Act 3 of 1848, according to which the sovereign could but confirm the ministers appointed by the prime minister in their positions. Act 11 of 1867 invalidated Act 22 of 1848 on the national guard. Act 7 of 1867 deferred the election of a palatine even though the legislation of 1848 gave the palatine an important role in the administration of the country: he could perform the duties of the executive power in the absence of the sovereign. Simultaneously, the authority of the sovereign was extended and this was reflected by Act 12 of 1867 on common affairs. The wide-ranging and comprehensive system of royal prerogatives was unique among the practice of contemporary states. These prerogatives limited the authority of both the Austrian and Hungarian legislature since the sovereign could adjourn and prorogue the parliamentary sessions, appoint the ministers and prime ministers, subject the laws to preliminary royal assent, lead and command the armed forces, and declare war. He had the right of patronage and could award noble titles. He had exclusive right with respect to common affairs and it becomes clear from the formulation "affairs of common interest" (association of trade and tariffs, banking affairs, quotas and delegations) that the authority of the sovereign directly or indirectly, but extended to these. The most evident case was that of the quotas. According to the relevant act, the two parliaments would entrust quota committees to establish common expenditures. Their proposal would then be debated by the two parliaments and, should no agreement be reached between them, the sovereign would have the right to decide.²⁷ Besides this, the Hungarian council of ministers significantly

²⁶ Pölöskei, Ferenc: Az 1868. évi alföldi parasztmozgalom [The 1868 Peasant Movement at the Great Plain]. Századok, Issues 1956/4–6.

²⁷ ACT 1867: 12, 18–22. § (3–6. § of the Austrian Compromise Act); Redlich, Jozef, Das österreichische Staats- und Reichsproblem I–II. Leipzig 1920–1926. II. 590.

Minorities History

extended the authority of the sovereign on several occasions. The council in session under the chairmanship of Francis Joseph on 17 March 1867 enumerated the issues under the authority of the sovereign in 24 points. We can find among them the right of the sovereign to give preliminary royal assent to bills and proposals. Furthermore, the council of ministers subjected sale and purchase, and lease contracts of large sums to the assent of the sovereign, which violated the principles of liberal economic policy.²⁸

While the scope of authority of the king remained rather narrow in 1848 and set a good ground for the establishment of a civil state based on law and order, the authority of the sovereign grew so comprehensive in the system developed under the Compromise that the mere existence of a constitutional monarchy could be questioned. For not only common affairs belonged among royal prerogatives, but also the intricately worded affairs of common interest as well. Furthermore, the sovereign had a right to intervene with respect to the main issues of Hungarian internal politics. He could decide about the appointment of those in the first five pay categories, and the award of decorations, civil-list and retirement pensions. In this respect, the hopes of the drafters on the eventual extension of Hungarian demands and the restriction of the absolute power of the sovereign proved to be only illusions.²⁹

Let us touch upon the circumstances of the formation of the delegations and their role in the life of the Monarchy. Their establishment had already emerged in the committees of the 67 and 15 during the drafting of the Compromise. The idea of a central parliament was much favoured in Austria. As opposed to this, Deák always proclaimed the principle of parity, and, in that spirit, suggested that both parliaments should elect the same number of committees, that is, delegations. The two delegations could not have joint sessions. They could set forth their conceptions and resolutions in writing and let them know to the other delegation by way of correspondence. They would have to resolve any difference of opinions through correspondence. The laws regulating the two delegations were not identical. The Hungarian explicitly rejected the possibility of a common parliament, while this, instead of the respective Austrian law, figures in the basic law on representations within the empire.³⁰

It was thanks to the consistency of Deák and his endeavours that tried to secure the most advantages possible to Hungary amongst the given circumstances that he could eventually assert his will in most respects. Consequently, no joint imperial great council was set up, which would have been a common parliament exerting authority on both states. The most essential elements of the Laws of 1848, those that provided for the termination of the feudal system and

²⁸ 1867/64 ME regulation

²⁹ Iványi, Emma: Magyar minisztertanácsi jegyzőkönyvek az első világháború korából, 1914–1918 [Minutes of the Hungarian Council of Ministers Form the Period of WWI, 1914–1918]. Budapest, 1960. 20–22.

³⁰ Somogyi: Kormányzati rendszer. 24–27.

Minorities History

the development of the foundations of a civil state remained in force. With respect to other points, however, Deák too considered possible the revision of the Laws of 1848. He did not succeed in achieving the regulation of the status of Dalmatia and Fiume. Dalmatia remained a part of the Austrian party, while Fiume fell under the jurisdiction of Hungary. The union of Hungary and Transylvania was realised. Deák and his supporters managed to have the negotiating party accept that issues of customs, public debt, quotas and trade contracts did not follow from the Pragmatica Sanctio, from the notions of mutual protection and “joint ownership”. Deák recognised the common character of military, foreign, and financial affairs as being instruments of mutual protection but, with respect to Hungary, he asserted that the defence system would fall under the authority of the Hungarian parliament. Furthermore, he pushed through that Hungary’s proportion of the public debt and the quotas would be subject to negotiations.

In the three and a half months between the appointment of the Andrassy cabinet and the coronation, he often accepted the invitation of the prime minister and took part at the ministerial conferences. He expounded his opinion on a series of pending issues concerning common and internal affairs.

However, following the coronation, which took place on 8 June 1867, he chose to undertake much less. He believed that the shaping of political, economic, and social life was the task of the government and parliament, although he did contribute to the decision of certain matters until 1871. However, following the appointment of Menyhért Lónyay as prime minister, he made an effort not to take part in public life at all. His puritan character had always alienated him from any ambitions to gather fortunes quickly, and Lónyay was a leading figure of the influential circle of industrial and business life that embodied this ambition.

Deák held his last speech that triggered passionate reactions at the lower house under the new cabinet of Szávay, on 28 June 1873. He discussed the transformation of the relationship of state and church with a glance that went even beyond Europe. Following that event, he lived mostly in solitude and received few guests beyond his relatives and closest friends. His illness, his heart disease worsened. “To live 72 years is a great gift”, he dictated in one of his last letters, “but this is an age when even the healthiest person can expect the deterioration if his health. And who is poor in health, he should not have any demands: he will surely not get any younger.” (Ferenczi 403)

He made a last great contribution to Hungarian political life in 1874 when he was the first one to sign the register of the new Liberal Party, which united his party and the central left.