

DISCUSSION

WAS EMPEROR JOSEPH I A JOSEPHINIST?

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Abstract: *The author aims at answering the question whether Joseph I was a josephinist, a question posed years ago by Valentin Urfus. She evaluates basic actions of Joseph I during his short reign. She concludes that it can be explicitly said that to some degree, he indeed was one. His ideas of reforming the administration and law can definitely be characterized as mostly pre-Enlightenment, but we do not know if Joseph I would implement them had he reigned longer. One idea that was definitely almost Enlightenment-based was one on abolishing corvée labor. Joseph II followed up in this aim without success, but managed at least to abolish serfdom in 1781.*

Keywords: *Joseph I, josephinism, corvée labor, Franz Ferdinand von Rummel, Karl Theodor of Salm*

I. INTRODUCTION

The question of whether Joseph I (1678–1711)¹ was a josephinist was posed some years ago by Valentin Urfus in his book on Joseph I.² His answer was mostly positive as even with regard to this Habsburg of short reign, never even crowned the Czech king, he observed some pre-Enlightenment tendencies to be fully elaborated later by Joseph II.

This answer, however, can only be inferred as Urfus avoided any clear answer. According to his opinion any era of ideas, including the Enlightenment, has its preparatory phase. It is of little avail to ask, whether Joseph I was a josephinist or not – for Urfus the important thing is that his government left a significant trace in history.³

Nevertheless, it does make sense to pose that question and provide a clear answer. Therefore: was Joseph I indeed a josephinist? In this context, “josephinism” needs to be defined first. By “josephinism” we broadly understand a rational arrangement of administration and implementation of Enlightenment ideas of freedom and equality in state governance.⁴

Let us think now whether Joseph I could actually be considered a josephinist. This assessment should start by clarifying the sources and influences that shaped his personality.

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¹ There are very few monographs on the personality of Joseph I, an almost forgotten Habsburg. Apart from the one by Valentin Urfus – URFUS, V. *Císař Josef I.: nekorunovaný Habsburk na českém trůně*. Praha: Libri, 2004 – there are only two German books: by Roman Hans Gröger: *Josef I. Der außergewöhnliche Habsburger*. Berger, Horn 2011, and by Charles Ingrao: *Josef I.: der „vergessene“ Kaiser*. Graz: Styria, 1982.

² URFUS, V. *Císař Josef I.: nekorunovaný Habsburk na českém trůně*. Praha: Libri, 2004, p. 164.

³ *Ibid.*, p. 165.

⁴ *Ibid.*, p. 164.

Undoubtedly, Joseph was an intelligent and well-educated man. He mastered seven languages and possessed some degree of musical talent, even composing several musical pieces. His education was significantly influenced by Franz Ferdinand von Rummel (1644–1716), later the bishop of Vienna, and Karl Theodor Otto, Count of Salm (1645–1710). Other rather significant teachers included Jacob Wagner von Wagenfels and Hans Georg von Buol.⁵

The most influential of them was Joseph's tutor and later Obersthofmeister, Karl Theodor Otto, Count of Salm – a protestant-turned-catholic. With a little hindsight he was later seen as the prime bearer of Enlightenment mentality: a tolerant individual who saw brothers in his fellows and was a friend of human race.⁶

Joseph's father, Leopold, called upon Salm to invite him into court service in 1685 as he considered him to be a devout, virtuous, wise, sensible, and experienced man who could provide his son with further education necessary for reigning.⁷ Salm became Joseph's preceptor with annual wage of 800 guildens, receiving additional 200 guildens from the title of Court Privy Councillor.⁸

For Valentin Urfus, too, labelling Salm a “bearer of Enlightenment mentality” is dubious. Nonetheless he does consider him an educated man, open to new ideas.⁹

Joseph, however, was fonder of Franz Ferdinand von Rummel,¹⁰ who was close to the Franciscan order and became the bishop of Vienna with Joseph's help. For Joseph, Rummel was the source of ethical and religious principles and knowledge. However, because of court intrigues, especially by Jesuits with faint influence on Joseph, he resigned on his preceptor position in 1692, after roughly eight years of being Joseph's teacher.

Jacob Wagner, a lawyer we know very little about (not even his dates of birth and death) taught social sciences to Joseph. It was most likely his book “Ehren Ruff Deutschlands, der Deutschen und ihres Reiches” that influenced Joseph in his cognition. Another lawyer, von Buol, also operated in court service and just like Jacob Wagner provided Joseph with legal knowledge. His influence on Joseph, however, was minimal. Joseph also acquired knowledge in the fields of architecture and arts. This was due to another man in his surroundings, the architect, sculptor, and painter Johann Bernhard Fischer von Erlach (1656–1723). Other teachers of Joseph I include f.i. Johan Jacob von Wagenfels and Caspar Bisetti.¹¹

According to Urfus, it makes little sense to speak in this context about Joseph's German national consciousness, although the second half of the XVIIth century witnessed its general awakening.¹²

⁵ Ibid., pp. 28–29. There is little we know about the influence on Joseph I of his friend and renowned military commander, Eugen of Savoy.

⁶ BOLOM, S. Z hradu Bítova až do Ameriky. Příběh šlechtického rodu Jankovských z Vlašimi. *Dějiny a současnost. Kulturně historická revue*. 2007, Vol. 29, No. 8, pp. 24–27.

⁷ Von RUMMEL, F. *Franz Ferdinand von Rummel. Lehrer Kaiser Josephs I. und Fürstbischof von Wien (1644–1716)*. Wien 1980, p. 55.

⁸ Ibid., p. 59.

⁹ URFUS, V. *Císař Josef I.: nekorunovaný Habsburk na českém trůně*. Praha: Libri, 2004, p. 28.

¹⁰ Rummel was recommended to the empress Eleonora by Hippolito de Pergine, a Franciscan reformist.

¹¹ On Joseph's teachers cf. von RUMMEL, F. *Franz Ferdinand von Rummel. Lehrer Kaiser Josephs I. und Fürstbischof von Wien (1644–1716)*. Wien, 1980, pp. 59–60.

¹² Ibid., p. 29.

And even though we know who were the teachers of Joseph I as well as curriculum of his education, pre-established for all dauphins, we know very little about the influence individual preceptors had on shaping the personality of young Joseph.

Some notes ex. in reports on progress of education of the dauphin (not entirely trustworthy themselves) permit to infer rather liberal influences of Salm and Rommel. Of course, the personalities and ideas of preceptors themselves allow us to infer some influence on Joseph, but its rate and impact on the ruler and his personality can only be established in very general terms.

Further focus can be assigned to three areas where Joseph I enforced ideas that permit us to see him as a pre-Enlightenment ruler and hence also as a josephinist.

II. STATE LAW

a) Reforms of Joseph I with respect to the state

1. Joseph I had an idea of centrally governed state and rationalized administration. He wanted to reform the judiciary and financial administration. He also strived to separate judiciary and administration. This idea can be connected to josephinism, but the ruler did not manage to implement it due to the short time-span of his rule he ruled from 1705 until 1711 when he died of pox), and it wasn't until Joseph II that the idea was elaborated and implemented in legislation.

Nevertheless, Joseph I did manage to implement some reforms. For example, he managed to reduce the number of Privy Council members from 150 to 33. He divided the Privy Conference, established in 1669, into several smaller conferences of three to five privy councilors. Seven of those conferences dealt with foreign affairs, the eighth one dealt with financial and military agenda. Count Salm became the coordinator of these expert-based conferences. In 1709, these conferences were re-united into the Great Privy Conference composed of eight councilors only.¹³

Due to the need for more money for the War of the Spanish Succession Joseph proceeded to a financial reform in 1708, charging among others also the tax officials. However, he could not implement the reform fully as planned – the estates of the Danube monarchy successfully opposed the new indirect taxation. With respect to the proposed tax reform Joseph I also contemplated establishing new cadastral areas, ex. in Tyrol. He did manage to establish a modern financial entity – the Wiener-Stadt-Banco.¹⁴

Joseph I also contemplated abolishing corvée labor. In 1709 he even published a decree aiming at provoking a discussion on the possible abolishment of corvée labor “mit denen Ständen zu tractieren wie robath frey seyn konnte.”¹⁵ Based on a project by Schierendorff he attempted to abolish it in several of his domains in Silesia, especially in Duchies of

¹³ JANÁK, J., HLEDÍKOVÁ, Z. *Dějiny správy v českých zemích do roku 1945*. Praha: Státní pedagogické nakladatelství, 1989, p. 142.

¹⁴ ČORNEJOVÁ, I., RAK, J., VINAS, V. *Habsburkové v českých zemích. Ve stínu tvých křídel*. 2nd edition. Praha: Brána, 2012, p. 133. In this context we must point out that Joseph was also troubled by the situation in Hungary. In 1705 its large part was ruled by the Transylvanian prince Francis II Rákóczi.

¹⁵ INGRAO, CH. W. *Josef I. Der "vergessene" Kaiser*. Graaz, Wien, Köln, 1982, p. 45.

Legnica and Brzeg. However, because of the opposition from higher estates the corvée labor was not abolished eventually.¹⁶

2. Did the readmission mean an empowerment of the Czech state?

The “readmission” means the return of the vote to the Czech king who could again participate in the college of Prince-electors at the Imperial Diet with a valid vote. Thus Joseph acquired the vote of the Czech king and could apply it personally in the college of Prince-electors, which was supposed to help him acquire a balance of powers with Prussia and strengthen the catholic votes as opposed to the protestant ones. The readmission was linked to a financial obligation placed upon the Czech king to pay 300 gold pieces in order to fund the associate justice at the imperial court in Wetzlar where its seat could continue. Joseph did so without previous consultation with Czech estates.¹⁷

The readmission cannot be seen as an act of importance mainly for the Czech state, but only as an act conforming primarily to the interests of the dynasty. It is, nevertheless, an important part of the Czech state law.

b) Law

In terms of law, the greatest work accomplished during the reign of Joseph I was criminal code *Constitutio Criminalis Josephina*, published in German in 1707 (Czech edition was published one year later). The code was in force in all lands of the Czech Crown. It can hardly be seen as enlightened, among other things it disrespected legal security and was still based on the principle of inequality before the law.

The ruler wanted to codify the disparate criminal law in single codification, and that was indeed necessary. But his code remained in chains of the extremely strict medieval criminal law. The code was based on the inquisitor principle and included detailed provisions on torture.

On the other hand, the attempt to revise the Land Order¹⁸ can be considered related in terms of ideas to the core of josephinism. The restoration of land orders also converged the Czech and Moravian constitutions. It also involved substantial participation of a mercantilist bureaucrat, Christian Julius von Schierendorf.¹⁹

Several of his suggestions evidence a more progressive view of the issues of state law, more enlightened than had been the case before. One idea to mention here is that of convening to Vienna a common assembly of estates with wide powers that was supposed to decide, among other things, on a more just distribution of the tax burden among individual layers of society, also implying increased powers of land assemblies in this

¹⁶ ČORNEJOVÁ, I. RAK, J., VLNAS, V. *Habsburkové v českých zemích. Ve stínu tvých křídel*. Praha, 2012, p. 133. Under the rule of Maria Theresa, Scherendorf's work in corvée labor arrangements was followed up by Franz Anton Raab (1722–1783).

¹⁷ Cf. URFUS, V. *Císař Josef I.: nekorunovaný Habsburk na českém trůně*. Praha: Libri, 2004, pp. 122–129.

¹⁸ On the revision of the Land Order see URFUS, V. K pokusu o revizi zemského zřízení v Čechách na počátku 18. století. *Právněhistorické studie*. 1971, No. 16, pp. 177–195. The revision took place in 1709–1710 and then again in 1720s.

¹⁹ On the personality of Julius von Schierendorf see FISCHER, A. *Studien zur österreichischen Reichsgeschichte: Christian Julius von Schierendorf, ein Vorläufer des liberalen Zentralismus*. Wien, 1906.

area.²⁰ Convening the common assembly, possibly of permanent nature, was also a reaction to the situation in Hungary with its Rákóczi uprising.

The outline of land orders, confirming the estates rights, was also important for the Czech Crown by providing for reestablishment of the general assembly, a parliament for all Czech lands.²¹ All legislation was to be purged of the words denouncing the “hideous rebellion.”

The proposals on revision of the Renewed Lan Order (Verneuerte Landesordnung) reflected the ideas of Joseph I himself who contemplated linking centralization to some federative moments.

III. EDUCATION

The greatest deed of Joseph I in this field was the founding of the Czech Institute of Engineering Education, an act that can be called Enlightened.

The founding of the Czech Institute of Engineering Education by Joseph I was a proof of his endeavor to provide well-educated engineers, mainly for military purposes. Joseph was also well aware of the possible threat of attack on the Austrian monarchy – there was a need for building fortifications and various defense systems. Hence he supported technical education, for both military purposes and in order to improve construction skills necessitating not only arts of architecture and construction, but just as well the art of engineering.

Acting upon the request of Christian Josef Willenberg, submitted already in 1705 to Leopold I, in 1707 Joseph I published a rescript commissioning the estates to provide for engineering education in Prague. The rescript stated Willenberg was “in the recent year of seventeenthundred and six, by the purposefully established and in engineering experienced military commissioners, rigorously examined, proving his experience and skills in the engineering arts...”²²

Joseph I stressed that there was a lack of engineers in the Czech Kingdom because a lot of people with technical education lost their lives due to wars. Therefore he also ordered Willenberg to educate, free of charge, twelve people in engineering arts: six nobles, four knights, and two burghers. Willenberg himself was to be paid an annual wage. The ruler obliged the estates to establish an engineering study institution and to determine the amount of Willenberg’s wage.²³

As the rescript was disrespected, in 1716 Willenberg placed a renewed request for permit of an engineering education. In 1717, the engineering education institution was finally established and Willenberg was named the first professor in engineering. In the following year, the study of engineering itself eventually started.

²⁰ URFUS, V. *Císař Josef I.: nekorunovaný Habsburk na českém trůně*. Praha: Libri, 2004, p. 61.

²¹ URFUS, V. K pokusu o revizi zemského zřízení v Čechách na počátku 18. století. *Právněhistorické studie*. 1971, No. 16, p. 187.

²² Soubor: Reskript Josefa I.gif. In: Wikipedia [online]. 14. 11. 2006 [2017]. Available at: <https://cs.wikipedia.org/wiki/Soubor:Reskript_Josefa_I.gif>.

²³ *Ibid.*

IV. CONCLUSION

Unlike Valentin Urfus who avoided it we can now explicitly answer the question of whether Joseph I was a josephinist: to some degree, yes. His ideas on reforming the administration and law can be mostly characterized as pre-Enlightenment ones, but we do not know if Joseph I would indeed implement them had he ruled longer.²⁴ What is definitely almost Enlightenment-based is his aim to abolish corvée labor. It can be clearly concluded that in the personality of Joseph I pre-Enlightenment features were prevailing.

²⁴ We must not ignore the fact that during the reign of Joseph I, victorious battles on Spanish succession were fought by Eugen of Savoy.