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# The Development of Representative Suffrage in Hungary in the mid-19th Century<sup>1</sup>

József PAP\*

## Abstract:

*The development of the modern parliamentary based political system required the reform of the representation of estates and the transformation of the government so as the forums of publicity outside the Parliament. The voting right and the electoral system might be the most appropriate legal structures that support the social embeddedness of modern political systems. They constitute the bases for politics and may provide legitimacy to it. Two dimensions are vital in relation to elections: 1. where, the territorial dimension (geometrical aspect), 2. who, the social dimension (scope of political rights). Considering the geographical basis of elections, two main directions can be observed at the beginning of modern parliamentarianism: the British and the French. Three rival electoral systems existed in the constitutional states in the 19<sup>th</sup> century: egalitarian (democratic), elitist (liberal) and corporative (conservative). The democratic and the liberal way of thinking shared the idea of individual voting right. In this regard, they both differed from the corporative system. However, those who favored the concept of universal suffrage recognized voting right as a natural right of equal people; liberals derived the voting right from the state and not from the natural equality of men. Voting right was entitled only to property owners and the educated/cultivated (Besitz und Bildung) elites.*

*Liberalism had been increasingly affecting the mindset of Hungarian politicians from the 1830's. Hungarian history writing labels the two decades preceding 1848 as the 'Hungarian Reform Era' because the era's social, political and modernization efforts were inspired by liberal ideas. During this period, assemblies were regularly held (1830, 1832-1836, 1839-1840, 1843-1844, and 1847-1848), where the liberal noble elite was demanding progressive reforms more and more loudly. Reformists truly gained considerable successes during the Reform Era, however, the discourse and debate on how to transform had even more significance. These debates enabled the Hungarian Assembly at the revolutionary spring of 1848 to approve substantial laws within only a month.*

*This study provides an overview on the development of representative electoral legislation in Hungary. The scope of voting right was determined by the liberal*

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<sup>1</sup> The preparation of the work was supported by the project of the National Research, Development and Innovation Office – NKFIH K 112 429, entitled “The identification and socio-historical analysis of the representatives of Hungarian Parliaments in the age of dualism”, and the first author's research was supported by the grant EFOP-3.6.1-16-2016-00001 (“Complex improvement of research capacities and services at Eszterhazy Karoly University”).

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*model in Hungary, whilst the geometric structure of elections linked fundamentally to the British model. However, the established electoral system was generating serious debates during the next decades. The scope of voting right and its spatial effectiveness were both highly criticized. Despite all criticism, the fundamental elements of the system remained unchanged in Hungary. Although it is true, that the Hungarian National Assembly approved the establishment of a new electoral law in 1913– which, still did not recognize the institution of the universal, secret and free suffrage –, the forthcoming elections due to the eruption of the war was postponed in 1915.*

*This paper demonstrates the variety of techniques of power applied by the law-makers when determining the basics of representation. As this paper also indicates, there were several reasons why the legislatures did not lean towards the extension of right. The parliamentary debates on the suffrage often brought to light the question of the nationalities. The ethnic mix of voters did not alter the ethnic mix of the inhabitants in the nationality areas of Hungary. The incongruous situation of the system arose from the fact that these nationality areas were the most reliable constituencies of the government. Therefore, the success of the politics of support for the compromise was chiefly built on the votes of nationality voters. The fragile mandate distributive system of both Transylvania and Hungary was threatened by the extension of suffrage, the transformation of constituencies and the equalization of the number of voters behind the mandates.*

**Keywords:** *political system, Parliament, electoral system, universal suffrage*

The development of the modern parliamentary based political system required the reform of the representation of estates and the transformation of the government so as the forums of publicity outside the Parliament. The voting right and the electoral system might be the most appropriate legal structures that support the social embeddedness of modern political systems. They constitute the bases for politics and may provide legitimacy to it. They provide, to be more exact, its legal frames because several other political and cultural elements play significant roles in political decision-making.<sup>2</sup> Two dimensions are vital in relation to elections: 1. where, the territorial dimension (geometrical aspect), 2. who, the social dimension (scope of political rights). Considering the geographical basis of elections, two main directions can be observed at the beginning of modern parliamentarianism: the British and the French. The suffrage and the electoral system had been determined the stages of British parliamentarianism since the 15<sup>th</sup> century. The members of the British Parliament were representatives of communities (counties, boroughs) and voting rights were bound to property and/or turnover tax. In contrast, in France where the Revolution made a serious impact, constituencies were created on the

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<sup>2</sup> Thomas Kühne, *Dreiklassenwahlrecht und Wahlkultur in Preußen 1867-1914. Landtagswahlen zwischen korporativer Tradition und politischem Massenmarkt* (Düsseldorf: Droste, 1994), 34-37.

basis of population density by neglecting historical traditions. The elected representatives were considered as representatives of the nation as a whole, and not as envoys of a district.<sup>3</sup> The second dimension: who were included in the electoral roll, also had an important role. The Age of Enlightenment impacted deeply the development of civil rights and all adult males who were their own masters and property owners entitled to hold political capacity regardless of birth. Three rival electoral systems existed in the constitutional states in the 19<sup>th</sup> century: egalitarian (democratic), elitist (liberal) and corporative (conservative). The democratic and the liberal way of thinking shared the idea of individual voting right. In this regard, they both differed from the corporative system. However, those who favored the concept of universal suffrage recognized voting right as a natural right of equal people; liberals derived the voting right from the state and not from the natural equality of men. Voting right was entitled only to property owners and the educated/cultivated (*Besitz und Bildung*) elites.<sup>4</sup>

These processes outlined above also impacted Hungary. Liberalism had been increasingly affecting the mindset of Hungarian politicians from the 1830's. Hungarian history writing labels the two decades preceding 1848 as the 'Hungarian Reform Era' because the era's social, political and modernization efforts were inspired by liberal ideas. During this period, assemblies were regularly held (1830, 1832-1836, 1839-1840, 1843-1844, and 1847-1848), where the liberal noble elite was demanding progressive reforms more and more loudly. Reformists truly gained considerable successes during the Reform Era, however, the discourse and debate on how to transform had even more significance. These debates enabled the Hungarian Assembly at the revolutionary spring of 1848 to approve substantial laws within only a month.<sup>5</sup> This study provides an overview on the development of representative electoral legislation in Hungary. The scope of voting right was determined by the liberal model in Hungary, whilst the geometric structure of elections linked fundamentally to the British model. However, the established electoral system was generating serious debates during the next decades. The scope of voting right and its spatial effectiveness were both highly criticized. Despite all criticism, the fundamental elements of the system remained unchanged in Hungary. Although it is true, that the Hungarian National Assembly approved the establishment of a new electoral law in 1913 – which, still did not recognize the institution of the universal, secret and free suffrage –, the forthcoming elections due to the eruption of the war was postponed in 1915. This paper demonstrates the

<sup>3</sup> Birgitta Bader-Zaar, "Die 'grande affaire' - Wahlrechtsreformen in Europa und Nordamerika im 'langen' 19. Jahrhundert," in *Hunderst Jahre allgemeines und gleiches Wahlrecht in Österreich. Modernes Wahlrecht unter den Bedingungen eines Vielvölkerstaates*, ed. Thomas Simon (Frankfurt am Main/Berlin: Peter Lang, 2010), 14-15.

<sup>4</sup> Kühne, *Dreiklassenwahlrecht und Wahlkultur in Preußen 1867-1914*, 383-386.

<sup>5</sup> About this period in general, see: Fónagy Zoltán, "Die Reformzeit," in *Geschichte Ungarns*, ed. Tóth István György (Budapest: Korvina Kiadó, 2005), 468-484.

variety of techniques of power applied by the law-makers when determining the basics of representation. As this paper also indicates, there were several reasons why the legislatures did not lean towards the extension of right.

Hungary was in a very special situation in the middle of the 19<sup>th</sup> century. The unified Hungary dreamed up by liberal nationalism had not existed yet, because Hungary was governed separately from the Principality of Transylvania and the status of the Croatia was also uncertain. Transylvania and Hungary both had their own institutions and legislations. The concept of the union of the two countries was becoming a more and more popular demand among the Hungarian elites during the 1930s and 1940s. The idea of unification had not been welcomed by the Transylvanian protestant Hungarians and Szeklers in the 18<sup>th</sup> century because of its re-Catholization character. This attitude, however, commenced to change by the end of the 18<sup>th</sup> century. The idea of the union turned to become a vital issue for the Hungarian politics who considered Transylvania as one of the cradles of the Hungarian culture. The Transylvanian Hungarians and Szeklers, who constituted only the 30% of the population of Transylvania, also realized that in order to reserve their leading position in the area they should unify Hungary. The status of Transylvania was a cardinal issue for the Hungarians of the time because they thought that without the union Transylvania would be under Romanian domination. This Daco-Romania, supported by the Pan-Slavic Saint-Petersburg, would fundamentally threaten the integrity of the Habsburg Monarchy and weaken the process of the Western type of embourgeoisement.<sup>6</sup> The Hungarian and Transylvanian liberal nobility tried to establish a unified and modern civic state, eradicate legal inequalities among the citizens and dismiss the estate system by preserving the leadership for the Hungarian political elite. For this purpose, they could apply the instrument of both the electoral geometry and the electoral legislation.

### **I. The antecedents of the electoral reform in the Reform Era. The urban question**

The Hungarian National Assembly had already comprised of two houses before 1848. The members entitled to the upper house were mainly hereditary peers, who constituted the Hungarian aristocracy (counts, barons, dukes). Their personal presence in the Assembly lasted until an economic census was implemented in 1885. The upper house was also made up of the bishops, archbishops of the Roman Catholic Church, so as the head officers of the state. Plenary sessions were headed by the substitute of the king, the palatine. The members of the lower house were the envoys of the county nobility, the free royal cities, the free districts and the delegates of the Catholic Church. The sessions were conducted by the

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<sup>6</sup> About this question in details, see: Pál Judit, *Unió vagy „unificáltatás”? Erdély uniója és a királyi biztos működése (1867-1872)* (Kolozsvár: Erdélyi Múzeum-Egyesület, 2010), 30-52.

representative of the king (*personalis regiae*). All legislation had to be passed by both houses and the emperor. Vote counting was introduced in the procedure of decision-making in 1825. Consequently, cities and Catholic representatives had one vote each in the lower house. Envoys did not have sovereign decision-making rights, thus they had to vote as they were instructed by their represented community. Assemblies were held every 3 years, however, there were certain times when sessions extended over several years or the Parliament was not convened at all (1812-1825). Croatia held a different status by owning local legislation autonomy. The provincial assembly (*sabor*) was conducted by the Ban of Croatia. The Assembly of Transylvania was a unicameral representative body for the 'three estate nationals', the Hungarians, the Szeklers and the Saxons. The emperor who also held the title of the Prince of Transylvania could invite unlimited number of his trusted men (*regalists*) in order to secure his majority. All the laws were adopted by the Prince together with the Assembly.

The voting right of the cities was a crucial issue in the plenary sessions during the Reform Era. The leaders of the Reform Era politicians considered that the inner structures of the cities did not affect the status of the nobility in the county, so notables could be convinced to back the transformation of the urban electoral system. This would have been the first step towards the reform of the representative system.

To achieve a better understanding of the complexity of the problem, it is crucial to discuss briefly the status of the cities in the beginning of the 19<sup>th</sup> century. The privileged royal cities had gained their special rights in the Medieval Times or Early Modern Times but they lose their economic weight (with certain exceptions) by the 19<sup>th</sup> century. The citizens of these cities were involved in corporations, which means, they became rather benefactors than opponents (as in the case of Western-Europe) of the pre-capitalist estate system. For this reason, the Reform-wing liberal nobility could not politically rely on them. There was another problem with the cities: most of the inhabitants were with German and Slovak origin, so their role in the Hungarian nation-building was also highly questionable for the Hungarian liberal movement. However, the market town was another element of the settlement network, which, considering its function, was closer to the definition of a city. Market towns were under the authority of landlords and they were located chiefly in Hungarian populated areas. Their more favorable locations enabled them to actively enter to the development of modern economy, consequently, they were prosperous settlements. Their main profile was agriculture with effective market access, but the most significant ones also functioned as regional centers for markets. The inhabitants of the market towns were interested to participate in the transformation

because basically they were serfs. Their social status and Hungarian ethnicity made them perfect allies of the liberals.<sup>7</sup>

The voting right of the cities gained a curial character from the plenary sessions of 1825-27, which means, that all the represented settlements together had only one vote per counties in the lower house of the Assembly.<sup>8</sup> In parallel with the transition, the procedure of vote counting appeared and inevitably changed the decision-making mechanism of the Diet (per share voting formerly had been a rare procedure).<sup>9</sup> Hence, the radical reduction of the number of urban (ecclesiastic) votes and the introduction of vote counting were parallel processes.

After the reduction it became obvious that cities require more votes, however, as a requirement for this, it seemed urgent for the county nobility to transform the structure of the royal cities.<sup>10</sup> Failing that, the narrow group of urban electors were considered to be oligarchic and unreliable from the 'national' aspect. These electors found unsuitable to be represented to the same degree as the county nobility in the Diet.<sup>11</sup>

Before the revolutionary change, the question of city reform was one of the central agendas in the Assembly of 1843-44. The Centralists<sup>12</sup> argued that a complete conversion of legislation was necessary, in which cities would have gained a key position related to representation.<sup>13</sup> However, the opinion of the majority of the opposition was better articulated by Móricz Szentkirályi.<sup>14</sup> Szentkirályi's proposal was still not good enough for the free royal cities who issued their own motion. Both the content of Szentkirályi's idea and the motion of the cities vary, yet, they agreed on the importance of the extension of civil rights. The increase of proportion of voting rights in the Diet would have been only

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<sup>7</sup> Czoch Gábor, "The question of urban citizens' national identity in mid-nineteenth century Hungary," *East Central Europe* 33/1-2 (2006), 123-127.

<sup>8</sup> Antal Tamás, *Város és népképviselő. Az 1848. év: XXIII. tc. és intézményei Debrecenben (1848-1872)* (Szeged: Pólay Elemér Alapítvány, 2011), 15.

<sup>9</sup> Szíjártó M. István, *A Diéta. A magyar rendek és az országgyűlés 1708-1792* (Keszthely: Balaton Akadémia Kiadó, 2010), 296.

<sup>10</sup> Antal, *Város és népképviselő*, 16.; Czoch Gábor, "A reformkori urbanizáció és a polgárság megítélésének kérdései," in: „A városok szíverei” Tanulmányok Kassáról és a reformkori városokról, ed. Czoch Gábor (Pozsony: Kalligram, 2009), 26., About the national requirements to cities and its relationship with politics, see: Czoch, *A reformkori urbanizáció*, 28-39., Czoch, *The question of urban citizens*, 130-139.

<sup>11</sup> Czoch Gábor, "Kassa polgársága a 19. század első felében," *Limes* 11/2-3 (1998), 69.

<sup>12</sup> The Centralists were the members of a narrow liberal political group, which aimed to establish a centralist state following the French model. They wanted to reduce the power of counties and to increase the role of the central government and the settlements. They also wanted to place a government responsible to a unified representative parliament.

<sup>13</sup> Jean Bérenger, Kecskeméti Károly, *Országgyűlés és parlamenti élet Magyarországon 1608-1918* (Budapest: Napvilág Kiadó, 2008), 264-265.

<sup>14</sup> About the content of the proposal, see: Kajtár István, *Magyar városi önkormányzatok (1848-1918)* (Budapest: Akadémia Kiadó, 1992), 36-41.

possible if more citizens had gained voting rights. The envoys of the cities formulated their proposal much more rigorously on the extension of rights. In opposition of Szentkirályi's document, they would have excluded the Jewish population from granting civil rights. The envoys had a narrower interpretation on the extension of civil rights and they intended to keep the new citizens more closely to the city. Their intention was to preserve the traditional urban community.<sup>15</sup>

The authors of these proposals articulated two opposing assessments about the city. The envoys of the nobility underlined the importance of the settlement's number of population and economic, trading and cultural significance. They considered the Hungarian settlement network of the age through the lens of functionality. In contrast to that, cities considered the group of citizens with civil rights relevant in assessing the settlements' significance.<sup>16</sup> This group of citizens were recognized as a free and impeccable community. During the plenary sessions of the Assembly, cities were also challenged from a national aspect. The ethnic-linguistic nationalism had already dominated the Diet and, consequently, the Hungarian nobilities tried to impose their idea of a nation on the German-speaking inhabitants of the cities. In some plenary speeches, cities were even accused of not belonging to the Hungarian nation.<sup>17</sup>

In the middle of the 1840's, one of the possible political resolutions of this conflict was to involve wider groups of inhabitants of the cities into the political life. For that, two possible options existed: the rationalization of the position of cities in the assembly and the transformation of the groups of represented settlements.

The debate about the cities was continued during the last Diet of 1847-48, which was, understandably, ceased by the March of 1848. At the opening of the first session, the government introduced a proposal with 170 clauses,<sup>18</sup> however, the estates commenced to formulate their own draft, which was negotiated on 18 January 1848. They intended to legislate both the reform of the cities and the position of the urban envoys in the Assembly. In that regard, the draft addressed both settlement regulations and parliamentary issues as well.<sup>19</sup>

<sup>15</sup> Czoch, *Kassa polgársága*, 69-70; We do not have exact data about the proportion of the citizens within the population of cities, hence, we do not know precisely the number of the total urban population as well. However, the 2-3% of the population of Pest was made up of citizens, 5-6% in Pozsony, Kassa, Győr and 11% in Debrecen in the first half of the 19<sup>th</sup> century. Tóth Árpád, "Polgárfelvételi stratégiák és a polgári cím vonzereje Pozsonyban a 19. század első felében," in: *Urbs. Magyar várostörténeti évkönyv I* (Budapest, 2006), 245.

<sup>16</sup> About the debate, see: Coch, *Kassa polgársága*, 71-72.

<sup>17</sup> Czoch Gábor, "Nemzetfelfogások a városi kérdés reformkori vitáiban," in: *Társadalomtörténeti tanulmányok Tóth Zoltán emlékére*, ed. Horváth Zita and Rada János, (Miskolc: Miskolci Egyetemi Kiadó, 2017), 170.

<sup>18</sup> Antal, *Város és népképviselő*, 18.

<sup>19</sup> The whole text is published by Antal, *Város és népképviselő*, 90-94.

The article, however, was removed from the agenda because of the events of the revolution. Then, the April Laws legislated these two problematic issues separately: the question of voting rights and the city envoys was regulated by the representative assembly; and the structural reform of the cities was covered by the Urban Law. Thus, smaller steps toward the total transformation of the system was no longer needed because of the European revolutionary decade.

## **II. The Electoral Laws of 1848**

Other studies on parliamentarism deem the emergence of electoral reforms to be a turning point in the constitutional development.<sup>20</sup> The political impact of the reforms on the composition of the political elite is also widely argued. In the case of Hungary, the laws of 1848 are the only regulations that can be rationally assessed because, on the one hand, they remained in force during the whole Era of Dualism and, on the other hand, they were generally unaffected by the regulations of 1868, 1874 and 1899.

The liberal politicians of the Hungarian National Assembly of 1848 were able to formulate high-impact laws in the lower house that determined the mechanism of the Hungarian civic state even after the Austro-Hungarian Compromise of 1867. The voting right was directly legislated by Act V of 1848. However, it seems important to note that the Hungarian laws were not automatically applicable for Transylvania. The Act VII did state the reincorporation of Transylvania, but it should also have been adopted by the Assembly of Transylvania. The Hungarian politicians insisted that the assembly of the estates in Transylvania should vote on the issue of the union. The nationalities, however, aimed to transform, first, the country's representation system. The main reason for this opposition can be found in the composition of the assembly: the Hungarians and the Szeklers were in majority to the detriment of the Saxons (Romanians did not belong to the nations). The Transylvanian assembly started the sessions on 30 May and after the approval of the Act of Union, it legislated the procedure of representative elections. The emperor signed the Transylvanian laws on 10 June. Pursuant to the Act of Union, Transylvania should have adopted the Hungarian electoral legislation, but it did not happen. The reasons for that will be discussed later. Now, let me focus on the electoral system due to the census categories, first.

### **Voting right of the estate voters, the so-called 'old right'**

Both the Hungarian Act V and the Transylvanian Act II contained certain inclusions that ensured the former voting right holders that they would also keep their right in the representative system regardless of whether they meet the criteria

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<sup>20</sup> Ralph Melville, *Adel und Revolution in Böhmen. Strukturwandel von Herrschaft und Gesellschaft in Österreich um die Mitte des 19. Jahrhunderts* (Mainz: von Zabern, 1998), 231.

of censuses, or not.<sup>21</sup> This category of suffrage was labeled as voting on the basis of the old right. Numerous speeches were addressed to change the general framework of this proposal during the last Diet of Estates. For instance, Ferenc Kubinyi along with László Madarász intended to grant the same rights for the non-nobles as enjoyed by the nobles. They would have quit the census criteria issued in Article 2, which means that, this proposal basically would have provided a universal voting right for all males. On the contrary, János Barkóczy argued at the upper house that if the extension of rights had been brought through applying the American model, 'statistically, that would have resulted in a varied combination of ethnicities. Among the 377 envoys there would be only 130 Hungarians and the rest of them would be non-Hungarian speakers but Slovaks, Illyrians, Romanians, German and other nationalities.'<sup>22</sup> In this argument, the criticism of the time on the electoral reforms of the Dualist Era had already emerged. The extension of civil rights was most frequently rejected because it would have resulted in the profound nationality transformation of the political elite. The majority of the Diet finally adopted the general application of the 'old right' and the regulation of the new electoral groups by censuses. However, the 'old right' could not be inherited anymore. Pursuant to Act II Article 4, those who had held voting right in accordance with Act XII of 1792 in Transylvania (Counties, Land of Fogaras and the Szekler sees) gained the right to vote again (even if their right had been restricted in the past).<sup>23</sup> This differed from the content of the Hungarian legislation. The main question was whether the Szekler gentries could be considered as nobles, or not. If they were recognized as nobles, they had the right to vote in the representative system. The collective privilege of the Szeklers had already existed in the Middle-Ages, however, their legal status was changed by the end of the 17<sup>th</sup> century. John II Sigismund eliminated the collective nobility right of the Szeklers at the sitting of the assembly of Segesvár in 1562. Then, the Szekler nobility title could only be held by the 'primors' (chief nobles). The members of this class became the owners of those who had already lived in their lands, and the Szekler common people, or in other words, the Szekler free people, became the serfs of the Prince.<sup>24</sup> The common people, then, regained their freedom in the 17<sup>th</sup> century. Zsigmond Báthory restored the old freedom and rights of the Szekler people in his patent in Déva in 31 December 1601. The liberated Szeklers were called as 'libertinus'.<sup>25</sup> However, the

<sup>21</sup> Márkus Dezső (ed.), *Magyar törvénytár 1836-1868. évi törvénycikkek*, [Hungarian Code of Laws. Acts of 1836-1868] (Budapest: Franklin-Társulat, 1896), 223, 262-263.

<sup>22</sup> Ruszoly József, "Az országgyűlési népképviselő bevezetése Magyarországon (Az 1848: V. tc. létrejötte)," in *Alkotmány és hagyomány. Újabb jog- és alkotmánytörténeti tanulmányok*, ed. Ruszoly József (Szeged, 1997), 69-70.

<sup>23</sup> Márkus, *Hungarian Code of Laws*, 263.

<sup>24</sup> Balogh Judit, *A székely nemesség kialakulásának folyamata* (Kolozsvár: Az Erdélyi Múzeum-Egyesület Kiadása, 2005), 53-55.

<sup>25</sup> Balogh, *A székely nemesség*, 74-77.

charters in the beginning of 17<sup>th</sup> century only recognized the *primors* as nobles. So, the common Szeklers lost their privileges during the 17<sup>th</sup> century. Hence, the collective freedom of Act II granted the right to vote to all Szeklers regardless of past regulations. Consequently, the Szeklers belonged to the category of voters of the ‘old right’ and this procedure was highly represented in Transylvania.

The Hungarian Act V Article 2 provided new legislation for the cities. Pursuant of this Act Clause a., voting right were granted to those ‘who had been urban citizens, even if they could not meet criteria in the above mentioned clauses.’<sup>26</sup> This clause, however, was only addressed to inhabitants with full civil rights of the royal free cities. The interpretation of the Act V Article 2 was far from coherent because market-towns also applied this right for registered ‘citizens’ of the town. This phenomenon is known to the Hungarian social-history. The emptiness of citizenship as a legal category in accordance with the separation of functional cities and the group of royal free cities provides an understanding for this practice. Among many others, Vera Bácskai also highlighted that the adjective *citizen* detached from the inhabitants of the royal free cities during the first decades of the 19<sup>th</sup> century. The inhabitants of market-towns with broader municipal rights often made themselves known as citizens and these towns even issued citizen recruitment procedures (e.g. Szombathely, Pápa, Nagykanizsa) similar to the procedures of royal free cities. Vera Bácskai linked the development of non-legal citizen awareness to the renewal of the term, which lead us from the social group of the estate era to the modern social-historical category of citizens. In the electoral register of 1848, the category of the ‘old right’ was incorrectly but not inconsistently applied because this category prolonged the validity of the April Laws.<sup>27</sup> The former citizens managed to preserve their influence in the royal free cities by applying the ‘old right’ so they were not forced to meet the criteria of the censuses.<sup>28</sup> This phenomenon might seem to contradict the above mentioned argument on the royal free cities but this issue will be covered later in relation with the electoral geometry.

### **New voters, property, income and education**

Pursuant to Act V Article 2 Clause a. the group of voters on the basis of property were defined. According to this Act, urban voters must have been in possession of a mansion of a value of 300 silver forints, whilst, the inhabitants of villages must have been in possession of a ¼ part of ‘serf-plot’.<sup>29</sup> Assets of spouses and minors also counted in addition to the property of the males but rented lands did not count. This quantity of property was considered as the criterion of economic independence. The exact amount of the ¼ land depended on the local conditions: it

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<sup>26</sup> Márkus, *Hungarian Code of Laws*, 223-224.

<sup>27</sup> Bácskai Vera, *Városok Magyarországon az iparosodás előtt* (Budapest: Osiris Kiadó, 2002), 128-129.

<sup>28</sup> Bácskai, *Városok Magyarországon*, 160.

<sup>29</sup> Márkus, *Hungarian Code of Laws*, 223.

was smaller in the case of a better quality soil and larger in the case of a poorer quality soil. The value of urban houses was also significantly affected by market conditions.

The Transylvanian Act again differed from the Hungarian one. This difference did not appear in the case of the cities because a mansion or a land of the value of 300 forints was also the requirement. In the case of the villages, however, not the size of the lot but the amount of taxes annually paid on the lands was the criterion.<sup>30</sup> The Hungarian politicians had already formulated their final proposal on the electoral law before the beginning of the assembly sittings.<sup>31</sup> The debate was mainly about whether they should delegate envoys of the current assembly to Hungary, or make a new electoral law and hold representative elections throughout the country for the subsequent national assembly to be held in Pest.<sup>32</sup> Miklós Wesselényi, one of the leading figures of the Hungarian liberal nobles in Transylvania, warned his fellow-representatives that the new electoral law might enable the counties and the Saxon sees to delegate Romanian representatives to Pest. According to his proposal, this procedure would not be beneficial because of the intensifying nationality conflict.<sup>33</sup> Hence, the issue of voting right and the nationality question were closely linked to each other. The Transylvanian politicians agreed on the inapplicability of the Hungarian property census mainly because of the different land structure of the country, so instead of this regulation, they adopted the tax census. Károly Szász, the envoy of Vízakna and the professor of the Lyceum of Nagyenyed argued that 5 forints should be the minimum amount of the tax census. However, the session of 31 May adopted a higher value of 8 forints as the minimum standard. The inhabitants of villages who could not afford to pay even the minimum amount gained the opportunity of indirect representation. Settlements with less than 100 households gained the right to elect one elector and settlements with more than 100 households gained the right to elect two electors.<sup>34</sup> The envoys expressed themselves in favor of the draft, which had already been approved during the preliminary discussions, and they submitted this draft to the Emperor for signature on 2 June.

Both the Hungarian and the Transylvanian Act legislated the voting right of 'craftsmen, merchants and factory owners' in the same way: among them, those could gain the right, who settled in the particular town, owned a workshop, yard or factory there and worked with at least two assistants. In this category, income did not matter, but those who earned annually more than 100 forints on the basis of land

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<sup>30</sup> Márkus, *Hungarian Code of Laws*, 263.

<sup>31</sup> Ruszoly József, "Az országgyűlési népképviselési jog sajátosságai Erdélyben. Az 1848: II. (kolozsvári) t. létrejötte," *Debreceni Szemle* no.3 (1998), 463-482; Egyed Ákos, *Erdély 1848. évi utolsó rendi országgyűlése* (Marosvásárhely: Mentor, 2001), 98-103.

<sup>32</sup> Ruszoly, *Az országgyűlési népképviselési jog*, 465.

<sup>33</sup> Egyed, *Erdély 1848*, 99; Ruszoly, *Az országgyűlési népképviselési jog*, 465.

<sup>34</sup> Egyed, *Erdély 1848*, 102-103; Ruszoly, *Az országgyűlési népképviselési jog*, 468-469.

or capital also became voters. The intellectuals were granted the right to vote regardless of their income. The education system was not coherent yet, so not the acknowledged levels of degree but the concrete occupations were listed in the Act.

As it came to another general restriction, the voting right was only granted to males over the age of 20. Further distinctions were made in regards to place of birth (must be Hungarian-born or naturalized), competence (who were not under guardianship) and record of compliance (no criminal convictions). The Hungarian regulation made a distinction between an active and a passive voting right. There were two reasons for that: first, only males of 24 could stand as candidates in elections, so people between the ages of 20-24, who met the general census and became voters, could not be elected; second, electability was authorized on condition of the use of Hungarian language.<sup>35</sup> This legislation was justified by Act II of 1848, which declared the Hungarian language as the language of the state, so the people of Hungary could only be represented at the assembly by Hungarian-speakers.

Another important restriction was that only the members of the established denominations gained the right to vote. Primarily, this regulation adversely affected the Hungarian and Transylvanian Jewish population. The often mentioned reason for excluding them from politics was the Anti-Semite protests of March. Although the liberal leaders welcomed the Jewish emancipation, they did not found opportune to continue the process and the extension of full civil rights at the time. Since there was an ongoing tension between the Christian majority population of towns and the Jewish inhabitants, who had been resettled only after 1840. The chief politicians considered the steps towards a further extension of rights, which might have caused some negative consequences, too early.<sup>36</sup>

It is worth mentioning that conditions of local voting right was different to the national one. Pursuant to Act XVIII, the towns had distinct local electoral regulations and distinct conditions of censuses. The towns were divided into four categories on the basis of the number of population: 1. under 12000 people, small town; 2. between 12 – 30000 people, medium-sized town; 3. over 30000 people, city; 4. and Pest.<sup>37</sup> The voting right was differentiated among these categories. This difference can be seen on the following table:

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<sup>35</sup> Márkus, *Hungarian Code of Laws*, 223-224. 262.

<sup>36</sup> Miskolczy Ambrus, "Kossuth Lajos és a zsidóemancipációkérdése," in *A nemzetiségi kérdés Kossuth és kortársai szemében*, ed. Kiss Gábor Ferenc, Zakar Péter (Szeged, 2003), 87-90.

<sup>37</sup> Márkus, *Hungarian Code of Laws*, 246-248.

	Town	Large town	City	Pest	Parliamentarian census
Old Right	Equal legislation				
Property (one-year ownership, except for inheritance)	300 Ft.	700 Ft.	1.000 Ft.	2.000 Ft.	300 Ft.
Industry, trade	one-year obligatory residency, employing one assistant				employing one assistant
Capital income	200 Ft.	400 Ft.	600 Ft.	1.000 Ft.	100 Ft.
Intellectuals (on the basis of paid rent, one-year residency)	40 Ft.	60 Ft.	80 Ft.	100 Ft.	no restrictions

Table 1. The provincial and parliamentary census of cities on the basis of the applicable regulations (1848-1871)

Electability was not regulated that strictly. The only criterion was the local residency. The right to vote for the members of the local municipality was stricter, consequently, the leadership of the cities remained in the hands of the old elite. This legislation can be viewed as a special compromise, because the transition to representative system broadened the base of the newly elected liberal government in the assembly – as it will be discussed below, new Hungarian settlements were included and royal free towns mostly populated by German-speakers were dropped out – and, at the same time, ensured the local authority of the citizens of the old estate system (until 1871).<sup>38</sup>

The cities – in contrast to the counties – were going through a representative transition and they were required to launch an election for the renewal of officials. This distinction was not a coincidence at all, because the politicians of the governing party, members of the former opposition, did not consider timely or likely to reduce the influence of the gentries, who had gained political power in the Reform Era, whilst, they insisted that city council officers, who had been elected by a restricted group of citizens, had to be replaced. Hence, the liberal political views of the gentry was poorly supported by the conservative urban elites. So, this situation had to be changed. However, the transformation of county municipalities into representative bodies raised the issue that nationalities might take the power over the counties. Partly, because of this threat, Lajos Kossuth, who demanded the

<sup>38</sup> Czoch Gábor, "Városi tisztújítás Kassán," *Századok* 149 no. 5. (2015): 1031–103.; According to the estimation of István Kajtár, only the 70-75% of the population of free royal cities entitled to vote in parliamentary elections had the right to vote in local elections. Kajtár, *Magyar városi önkormányzatok*, 50.

transition of counties to a representative system, remained to be a lone voice among his fellow ministers by April 1848.<sup>39</sup>

Supposedly, the 4,8% of the population (92.500 people) gained the right to vote and only 17-18% of them counted as new voters in Transylvania. Precise data on Hungary are not available but as it presented in the academic literature, the voters accounted for the 5,7% of the total population. There were 470. 000 new voters besides the 130.000 voters of the old right.<sup>40</sup> These numbers basically implicate that the ¼ of the males over the age 20 became voters, which was an enormous increase at the national level and, in comparison with Europe, it met the requirements of the times.<sup>41</sup>

### **The structure of constituencies, the geometry of elections**

The voters could autonomously exercise their right to vote. Since the Hungarian representative system did not apply the institution of electoral colleges – unlike the rest of the Monarchy –, the results of the elections were depended on the constituency boundaries. Thus, the number of population of these territorial units varied. The Hungarian laws – following the legislatures' interests – partly relied on the inherited structure, as they divided the counties into 2 districts, which was exactly the same practice of the former estate representation. So, the political environment of the nobility changed but they did not lose their former influence in 1848. In the case of the cities, the number of the population was taken into consideration and the same logic was followed when a given county was divided into more than two districts. The mandates were attached to the number of population: in bigger cities 15-20.000 people, and in smaller ones (in the countryside) 30.000 people constituted one parliamentary seat.<sup>42</sup> In the newly

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<sup>39</sup> About the debate on the county article, see: Urbán Aladár, *Batthyány Lajos miniszterelnöksége* (Budapest: Magvető Kiadó, 1986), 206-212.; Stipta István, *Törekvések a vármegyék polgári átalakítására* (Budapest: Osiris Kiadó, 1995), 29-33.; András Gergely has recently pointed out that Kossuth then called for the adoption of universal suffrage. His study provides us with an excellent historiographic summary about the debate. Gergely András, "Általános választójog 1848-ban? A megyei törvény vitája az utolsó rendi országgyűlésen," *Századok* 139, no.3 (2005): 588-589.; About the position of the opposition on cities, see the speech of Lajos Kossuth: "Kossuth Lajos beszéde a kerületi ülésen a városi reform tárgyában. Pozsony, 1847. 11. 17." in *Kossuth Lajos összes munkái XI.*, ed. Barta István (Budapest, 1951).; About the debate on city regulation on February 1848, when Bertalan Szemere called for the separation of the urban and the parliamentary census, see: Barta, *Kossuth Lajos összes munkái XII*, 539-552.; About the proposal on the regulation of cities, which has already contained most of the regulations of the future electoral law, see: "Kossuth Lajos követjelentése, Pozsony, 1848. február 28.," in *Kossuth Lajos összes munkái XI.*, ed. Barta István (Budapest, 1951), 566-567.

<sup>40</sup> Bérenger-Kecskeméti, *Országgyűlés és parlamenti élet Magyarországon*, 289.

<sup>41</sup> Csizmadia Andor, *A magyar választási rendszer 1848–49-ben. (Az első népképviselői választások)* (Budapest: Közigazgatási és jogi kiadó, 1963), 326–329.

<sup>42</sup> "Kossuth felszólalásai a népképviselői törvény vitáiban. Pozsony, 1848. március 30." in *Kossuth Lajos összes munkái XI.*, ed. Barta István (Budapest, 1951), 688. 703.

modified urban constituencies, the average rate of the population was 17.243 people, which implied that the assembly did not depart from the foundations, which had already laid down. All village constituencies – except for five – were at the range of 13.000 and 23.000 people. All the settlements that did not fit in that scale had less than 10.000 inhabitants, and 18 of them did not even had 5.000 residents.<sup>43</sup> The group of representative cities radically transformed, and this formerly German-oriented category turned to be indicative of Hungarian ethnic domination.<sup>44</sup>

Again, the number and distribution of the Transylvanian representatives differed from the Hungarian enactment. Pursuant to Act 5 of 1848, the Hungarian National Assembly granted 2-2 mandates to each counties, sees and other territories in Transylvania. The group of cities featuring in the Transylvanian assembly were not modified, since they were the ethnic base of the Hungarian and the Szekler population. All royal free towns gained 2-2, while others 1-1 mandates. The Saxon cities could only delegate envoys together with their sees and regions, but they could not form a delegation on their own. All together 69 seats were appointed for Transylvania.

Before the opening of the subsequent Transylvanian assembly, negotiations on this subject had already begun on 28 May. Dénes Kemény, State Secretary for Domestic Affairs, read out the Act, which had previously drafted by the Hungarian National Assembly. The discussion showed that the number of the seats were miscalculated in Pozsony, so Transylvania finally gained 73 instead of 69 mandates.<sup>45</sup>

Both the Hungarian and the Transylvanian assemblies failed to adjust the constituencies of the Transylvanian counties, sees and cities to the number of population. This distribution seemed to be disproportionate and it was required a correction, which was carried out only during the Dualism. The modification of the districts required the reform of the total public administrative system, so the final resolution came late because the proposal was being debated during three parliamentary cycles after the Compromise.

## **II. Parliamentary debates on the composition of the electorate and the distribution of constituencies. The amendment of Act of 1848 (1874,1877)**

After the Compromise, the Israelites theoretically gained the right to vote according to Article 17 of 1867. The Hungarian assembly thoroughly addressed

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<sup>43</sup> For the determination of the number of the population of cities, I used the study of Elek Fényes. Fényes Elek, *Magyarország leírása* (Pest, 1847).

<sup>44</sup> The mandates of the cities: Pest 5, Debrecen 3, Szabadka, Szeged and Miskolc 2-2, and further 42 settlements 1-1. The settlements all together gained 58 seats in Hungary (in addition to the 19 Transylvanian urban districts), which means that they owned the 17% of the political influence in the assembly. This rate is 6% less than what the free royal cities would have gained in the lower house of the Diet, if the proposal of the opposition had been approved.

<sup>45</sup> Egyed, *Erdély 1848*, 62.

both the issue of the number of electorate and the anomalies occurred in the distribution of constituencies during the debate on the new electoral regulations of Act XXXIII of 1874. The new distribution of the constituencies in the newly restructured counties was also discussed on the basis of Act X of 1877. The main issues of these debates will be covered in this part.

### **The debate on the electoral bill of 1874, changes to the electoral system**

The assembly commenced to discuss the new electoral law in July 1874.<sup>46</sup> The general dispute on the electoral draft was opened by Count Gyula Szapáry, the Minister of Interior. In his speech Szapáry emphasized that the government had not intended to broaden the group of electorate because it could have been dangerous and, simply, it had not been necessary at all. He argued that “no one could accuse us of being harmful to the foreign language speaker nationalities, but we should not forget about our own interests; there are boundaries and limits, which cannot be crossed because that would be a crime against our own nation.” So, the electoral right was linked to the nationality question right at the beginning of the debate. Szapáry found reasonable to discuss the conditions of Transylvania separately from Hungary due to the different property and financial conditions.<sup>47</sup>

Lajos Mocsáry, from the opposition, replied to the speech of the Minister. He argued that the introduction of universal suffrage was necessary and the restriction of suffrage would not prevent the disintegration of Hungary. He pointed out that the ethnic electorate had already populated most of the constituencies and by introducing the universal suffrage, only the number of voters would increase and the ethnic composition of the constituencies would remain unchanged. Mocsáry also considered inevitable to modify the distribution of constituencies. According to his argument, the Transylvanian conditions were simply scandalous because in certain constituencies, 250.00 inhabitants were counted as one mandate, whilst, in the cities, several thousand inhabitants were also counted as one mandate. Mocsáry pointed out that one should own 36 acres land to get the right to vote in Transylvania due to the draft. He was also against that the former nobility would preserve its privilege to vote. Mocsáry, in the name of the opposition, did not intend to amend the legislation of 1848, instead, he was in favor of making a new electoral law.<sup>48</sup>

Mihail Polit (Polit Mihály), representative of Pancsova (Pančevo), also joined the argument of the opposition. Polit expected the extension of rights to make the country more stable: “over time, Hungary will be transformed from an ethnic-

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<sup>46</sup> “Sitting no. 260. 1 July 1874,” *Journals of the House of Representatives* no. XI. (Budapest, 1872), 152.

<sup>47</sup> Speech of Szapáry, “Sitting no. 260. 1 July 1874,” *Journals of the House of Representatives* no. XI. (Budapest, 1872), 162.

<sup>48</sup> Speech of Mocsáry, “Sitting no. 260. 1 July 1874,” *Journals of the House of Representatives* no. XI. (Budapest, 1872), 163-172.

national state to a multi-ethnic one. Hungary, over time and I am saying over time, will become the 'Switzerland of the East', or it will be dissolved'. He also drew attention to the anomalies existing in the Military Frontier, where, in contrast to the situation of Transylvania, the size of the constituencies was too big. He further intended to extend the suffrage and increase the number of constituencies in the Southern Territories. He ended his speech with a bold turn of phrase: "if this issue is on table, we Serbians will say: we shall see each other. Bei Philippi sehen wir uns wieder (I shall see thee in Philippi)". These lines made big waves throughout the assembly. The reference to Philippi meant the forthcoming nationality debate of the subsequent sessions in the following days.<sup>49</sup>

Kálmán Tisza (who was still a politician of the opposition but, at the same time, he was preparing for becoming the head of the next government) also contributed to the argument. Tisza adopted the draft and rejected the idea of universal suffrage. "In my opinion, the universal suffrage does not do any harm to the state unless the conditions are given. But if it is adopted without achieving adequate and stable social conditions, it will be harmful to freedom." – summarized his speech. Tisza rejected both the criticism of both Mocsáry and Polit and clarified that the draft had not been made against the nationalities. He accused Mocsáry of contributing to the nationality agitation as a representative of Hungarian origin. Tisza concluded that there had been a great threat on the Hungarian political nation inside and outside the country. He refused the idea of an "Eastern Switzerland" with the reason that it would not be Hungary anymore but Switzerland, so Polit here questioned the rationale of Hungary. The draft was found suitable for further discussion on 7 July 1874, consequently, the idea of universal suffrage was discarded.<sup>50</sup>

During the thorough discussion of the draft, the question of the 'old law' generated a fierce debate. Balázs Orbán, a Szekler politician, took the floor in the beginning of the discussion to speak against the negative effects on the Szeklers of the 'old law' of Article 2. Based on the recital attached to the electoral draft, he considered that – later it turned out that he misinterpreted the draft – the government intended to take the suffrage away from the common Szeklers. Orbán argued peculiarly that all prerogatives were undue advantages, but providing suffrage for the Szeklers was not a privilege but a democratic demand. However, he rejected the idea of universal suffrage by claiming that "the millions of people" still needed to learn constitutionalism. The Szeklers were different because "they

<sup>49</sup> Speech of Polit, "Sitting no. 261. 2 July 1874," *Journals of the House of Representatives* no. XI. (Budapest, 1872), 192-193. Polit here cited Plutarch in reference to the Battle of Philippi in 42 B.C., where Mary Antony and Octavian defeated the forces of Brutus and Cassius. Plutarch reported that the night before the battle the ghost of Julius Caesar appeared to Brutus and said: "Thy evil spirit, Brutus: I shall see thee at Philippi." So, he predicted the death of Brutus. These words were interpreted by the representatives as if Polit had predicted the possible end of Hungary.

<sup>50</sup> Speech of Tisza, "Sitting no. 262. 3 July 1874," *Journals of the House of Representatives* no. XI. (Budapest, 1872), 209-210.

had always used their votes in favor of the Fatherland and they would not abuse this prerogative in the future, as well.” He required separate consideration for Szeklerland and for the Szeklers, and he did not derive their universal suffrage from the privileges of the estates but from a higher degree of a political-cultural integrity.<sup>51</sup> Orbán’s statements were severely criticized by Saxon and Romanian representatives. The Szeklers finally gained their old prerogative, however, the ‘old right’ should have been clarified. According to the new legislation, who had been entered on electoral rolls until 1872, they obtained the right to vote. Thus, in fact, all nobles obtained it who were born before 1848.

The other main issue was the real estate-based suffrage. Hence, the value of the real estate could not be measured reliably. The draft indicated the minimum value as a house with three suites. The opposition urban representatives protested against the proposal presented by the government but, ultimately, they could not achieve any amendments to it.

A much more important point was the land-based suffrage as it concerned the 60% of all voters. People gained the right to vote if they owned at least ¼ part of serf-plot. This legislation was not suitable for the Transylvanian real-estate structure, and therefore the paid amount of taxes had become the basis of the census even back in 1848. This distinct regulation remained in force after 1874, but it was, then, shifted towards the minimum of land tax in Hungary. Here, however, the amount of paid tax after the former ¼ part of serf-plot was set as the minimum value of suffrage. Anyone, who was able to pay that amount of money, gained the right to vote, regardless of holding less than the ¼ part of serf-plot. The size of the land still did not count in Transylvania. The income was taken as basis for suffrage, which adversely affected the Transylvanian peasantry, since peasants, excluding Szeklerland, were mainly ethnic Romanians. The Romanian representatives were fiercely hostile to the determination of the minimum value of land-tax. Partenie Cosma (Parthén Kozma), the Romanian representative of Belényes, accused the Minister of Interior of making a nationality issue out of the distribution of constituencies and suffrage, however, he added that the Minister did not act in accordance with his own convictions, only “in favor of some selfish Transylvanian lords, who could only preserve their power by making a national issue out of establishing equal rights in Transylvania”.<sup>52</sup> According to the remarks of Gheorghe Pop de Bășești (György Pap), the affection of the Hungarians for the union was understandable. “Even I, as a Romanian politician, do not mind that Transylvania is the lynchpin of the Hungarian politics, because this is the land where we all were born and as the great Hungarian poet said this is our land ‘from hence you shall not

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<sup>51</sup> Speech of Orbán, “Sitting no. 267. 38 July 1874,” *Journals of the House of Representatives* no. XI. (Budapest, 1872), 341-342.

<sup>52</sup> Speech of Kozma, “Sitting no. 271. 12 July 1874,” *Journals of the House of Representatives* no. XII. (Budapest, 1872), 29-32.

roam’’. Pop requested the assembly to ensure that all measures of the union would be enforced thoroughly. The separate legislation of Transylvania was nothing but about the restriction of electoral rights of the Romanians to him.<sup>53</sup> Vincențiu Babeș (Vince Babes) stressed that he could only express his amazement “that those gentlemen who shouted ‘Union or Die’ 26 years ago, now they are arguing for a disunion. Now, the Hungarian nobles represent the separation and Romanians stand for the union.” In his speech he referred to the ethnic composition of voters and according to his statistics, the 93,4% of the population were Romanians but only the 20% of them gained the right to vote in Alsó-Fehér county. He considered that the Minister of Interior only showed solidarity with the Hungarian nobility in the case of Transylvania. Pop also stated – which made the assembly laugh – that “an honest Hungarian noble cannot make such attempt, only if he forgets as a Minister how to be an honest Hungarian noble.”<sup>54</sup>

According to the compliance of 1908, the impact of the regulation can be seen here

	Lowest 'tax floor' of villages (crown)	The average of tax minimum of villages (crown)	The rate of villages under the tax minimum of 4 crowns
South Hungarian German-Serbian-Romanian-majority region	4	8	0,0%
North-East Hungarian Ruthen region	0,76	1,6	47,5%
Upper Hungarian Slovak-majority region	1	1,7	19,6%
East Hungarian Romanian-majority region	1,4	1,8	27,9%
Hungarian-majority region	0,94	4,18	7,9%
West Hungarian German-Croat-majority region	5,62	5,62	0,0%

Table 2. The regional distribution of the lowest tax minimum of villages in 1908<sup>55</sup>

In 1908, four crowns were equal to the formerly used eight forints. It shows that – except for the wealthiest regions – the minimum amount of taxes that entitled the population to elect was much lower in Hungary than in Transylvania. The

<sup>53</sup> Speech of Pap, “Sitting no. 271. 12 July 1874,” *Journals of the House of Representatives* no. XII. (Budapest, 1872), 36-38.

<sup>54</sup> Speech of Babes, “Sitting no. 271. 12 July 1874,” *Journals of the House of Representatives* no. XII. (Budapest, 1872), 39-41. .

<sup>55</sup> The aggregation was based on the *Papers of the Lower House*, no. XXVIII., 1906, 216-217.

Transylvanian minimum required census was the least favorable, since there was a huge difference between the general regional income and the required minimum.

During the determination of the electoral right, further restrictions were enacted. In the case of intellectuals, the appointed status was specified and required, consequently, proving educational qualifications was not enough. The army, customs and tax officials, gendarmeries and policemen were excluded from the group of voters. That person who was involved in bankruptcy proceedings or who did not pay the taxes in the previous year could not exercise the right to vote (this regulation lasted until 1899). The impact of the reform was controversial, hence, the number of voters did not increase but rather, briefly decrease. During the debate on the legislation of electoral law, it was obvious that the extension or restriction of suffrage was closely linked to the issue of nationalities, despite that, both the Deák-party and the center-left politicians denied this connection. Perhaps Count Gábor Kemény was the most significant speaker on this issue, who constantly reminded the assembly about the unjust Romanian ethnic politics during the years of absolutism, when the Transylvanian assembly elected the representatives to the Imperial Council in support of the politics of Anton Schmerling.

### **Electoral geometry, discussion about the distribution of constituencies in the new county structure**

The Hungarian administrative division was going through an enormous transformation during the mid-1870s. Buda and Pest were officially merged with Óbuda (Old Buda), thus creating Budapest. The county structure was also modified in 1876. Under the government of Kálmán Tisza, the transformation of the county structure was finished and, while doing so, all the special administrative divisions (the Szekler and Saxon sees, the Jász and Kun territories) were integrated into a single system. By restructuring the administrative system, the government intended to strengthen its position against the local autonomies. This reconstruction made the modification of constituencies necessary.

The article on regulation of the distribution of constituencies was discussed by the assembly at the end of April 1877. The proposal submitted on 28 April gave a strong emphasis to the issues of Transylvanian settlements. This draft would have removed the right of independent representation of the following cities: Abrudbánya, Csíkszereda, Illyefalva, Hátszeg and Vajdahunyad. The proposal also would have reduced the number of representatives from two to one in Szamosújvár, Gyulafehérvár and Erzsébetváros. Whilst, Brassó and Nagyszeben would have gained two-two seats in the new assembly, and, the number of the mandates of Budapest would have increased with two more.<sup>56</sup> During the debate, Kálmán Tisza justified this modification with the advanced plan of linking smaller settlements

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<sup>56</sup> Speech of Pulay, "Sitting no. 233. 26 April 1877," *Journals of the House of Representatives X* (Budapest, 1875), 287.

with 300 voters – with the exception of Erzsébetváros – to county districts. The government refused to raise the number of mandates of cities with the exception of the two most significant Saxon settlements, Nagyszabén and Brassó.<sup>57</sup> The proposal presented by the government was only slightly modified during the discussion. Ede Zsedényi spoke out in favor of the independent representation of Abrudbánya and Verespatak. He suggested that Kolozs should have transferred its mandate to these economically and nationally more significant cities. Zsedényi argued that “the residents of these cities (Abrudbánya and Verespatak), who are in a close relationship with the Hungarian people scattered over the region, have always given their votes driven by patriotism”. Kálmán Tisza positively replied to the proposal of Zsedényi by claiming that this transfer would not affect the system to a large extent. The assembly was entrusted by Tisza to make a decision on the proposal, and after the discussion, the amendment was approved.<sup>58</sup> Pursuant to Act X. of 1877, Csíkszereda, Illyefalva, Kolozs, Hátszeg and Vajdahunyad, which held formerly independent representation, became county centers. Brassó and Nagyszeben both gained two-two mandates. The disappearing and transforming counties, districts and sees adopted the new system, and this setting remained in practice until the last election of the Dualist Period in 1910.

The debates on the suffrage often brought to light the question of the nationalities. The system carried some serious anomalies. In Hungary, smaller constituencies with less inhabitants were created in nationality territories in contrast to Hungarian populated areas, where remarkably more people and voters were distributed to one mandate. The ethnic mix of voters did not alter the ethnic mix of the inhabitants in the nationality areas of Hungary. The incongruous situation of the system arose from the fact that these nationality areas were the most reliable constituencies of the government. Therefore, the success of the politics of support for the compromise was chiefly built on the votes of nationality voters. The reason for that situation is considered to be highly complicated and researchers of the field highlight four aspects in general: the open ballot system, the strong Hungarian nationalism of the pro-independence opposition, the passive parliamentary participation of the nationality parties and the system-supportive attitude of the local elite. Each of these four reasons probably played a determining role in the development of this phenomenon.

The whole distributive system was different in Transylvania, in contrast to the Hungarian populated area, which was still the breeding ground for independence movement and anti-Dualist partisanship. The census, which was considerably higher than in the Hungarian peripheries, supplanted the Romanian voters, so

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<sup>57</sup> Speech of Tisza, “Sitting no. 233. 26 April 1877,” *Journals of the House of Representatives X* (Budapest, 1875), 300-302.

<sup>58</sup> Speech of Zsedényi, “Sitting no. 233. 26 April 1877,” *Journals of the House of Representatives X* (Budapest, 1875), 319-321.

consequently, the political opposition of both the Hungarian and Szekler minorities was noticeably lower.

The above mentioned fragile structure was threatened by the extension of suffrage, the transformation of constituencies and the equalization of the number of voters behind the mandates. For all these reasons, a significant reform of suffrage did not take place in Hungary. The fight for suffrage only became permanent after the turn of the century, and gained a special role in internal affairs under the Fejérváry-government (1905-1906). The extension of suffrage was closely linked to the nationality issue and to the assessment of left-wing worker's and peasant's movements. The official Hungarian political elite, the politicians of both the government party and the opposition parties faced a strong social-political pressure, thus, the anachronism of electoral regulations was becoming more and more obvious in Europe after the turn of the century. The fear of the dismemberment of Hungary and political anarchy, however, tied their hands. The political elite experimented with some forms of political mechanism that would ensure the leading role of the Hungarian people and, at the same time, make the parliamentary politics of the left impossible. One of their fundamental goals was to avoid Transylvania slipping into Romanian authority by extending general suffrage. However, considering the ethnic conditions, it was bound to fail. In my opinion, the Hungarian parliament had been tackling a constant legitimacy issue after the turn of the century, since the nationality fraction, along with the socialist and social democratic parties, who were practically unable to get into the parliament, righteously accounted the legislature for enjoying only the sole support of the minority census owners. The parliament, by not using the opportunity of the full extension of suffrage, was gradually becoming more and more detached from the society. This gap between the parliament and the society became bigger due to the Austrian suffrage reform, which granted general suffrage to the population.

Even during and after the First World War, the negative effects of the legitimacy problem had been massively encountered. This legitimacy issue made the nationality question genuinely acute, hence the few nationality representatives in the parliament questioned (by reference to the legitimacy argument) the existence of a representative legislature. The nationality voters, and those nationalities who did not have the right to vote, complained that they were constantly pictured as dangerous elements to the state. The political system, unfortunately, did not give the opportunity to remedy the economic, social and political grievances of the citizens of the state.