

**CENTER-PERIPHERY RELATION
REFLECTED IN THE CONNECTIONS
BETWEEN AUSTRIAN CENTRAL INSTITUTIONS
AND THOSE FROM THE LOMBARDO-VENETIAN KINGDOM
1850-1866***

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Abstract: *The defeat of the Milanese and Venetian revolutions from 1848 by the Austrian troops led by fieldmarshal Radetzky is followed by a period of severe military system in which all civil rights were suspended and the martial law was proclaimed on all territory of the Lombardo-Venetian Kingdom. The civil institutions could not exercise their authority, all assignments being taken by the army. Starting 1854 the Viennese Court considered the revolutionary consequences and repercussions had ended, therefore through a series of laws and the establishment of some new institutions on provincial level it tried to return to a type of civil administration based on an operational system formed of Italians, the army involvement in the daily life being less and less wanted. In the years to come these institutions attempted to obtain from the Viennese central administration a bigger autonomy and also to integrate in the massive imperial bureaucratic system.*

Keywords: *Center, Periphery, Austrian, Institutions, Lombardy*

After the defeat of the revolutionary regimes from Lombardy and Venice by the Austrian Field Marshal Radetzky's troops and the return of the Lombardo-Venetian region to the status of a province of the Habsburg Empire, the central administration in Vienna attempted, by using various attributes of power,¹ to create the necessary framework both for the exercise of the Austrian state functions and for the expression of the various forms of institutional autonomy extant in the society of the Lombardo-Venetian Kingdom.

With reference to the history of the Lombardo-Venetian Kingdom during the period 1848-1857, the Italian historiography of the twentieth century analysed events only in terms of the severity and the repression imposed by Field Marshal Radetzky's military regime, ignoring, however, the process whereby the Viennese court redrew the legislative and administrative framework of the province with a view to empowering the local political class². This effort began to be undertaken on 2 May 1848, when Vienna appointed an imperial commission with full powers,

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¹ Legislative, military, territorial reorganisation, the establishment of local institutions.

² Augusto Sandona, *Il Regno Lombardo-Veneto 1814-1859. La costituzione e l'amministrazione*, Milano, Cogliati, 1912, p. 23.

which was formally subordinated to the viceroy and was under the presidency of Montecuccoli, the “niederosterreichischer Landmarschall”. The commission was responsible for restoring and overseeing the civil administration in the kingdom, which confirms the historical truth that the province was not entirely subordinated to a military occupation system that based its decisions on the provisions of the martial law.

In its continuous fight against the military, Montecuccoli, who was tolerated but not supported by Radetzky, attempted to organise a bureaucratic type of civil administration and to remove from office the military who were unpopular in society, as was the case of Count Pachta, the military commander of Milan.³ Moreover, he tried to limit the amount of taxes and, especially, to convince the Italian landers that the Austrian government truly intended to take their wishes and needs into account.

Given the fact that following the riots and their brutal repression, the new Austrian Constitution *Pillersdorfsche Verfassung* was not yet in force in the Lombardo-Venetian Kingdom, this province did not participate in the 1848 elections⁴. Under these circumstances, the only Italians present in the new Reichstag were several *Trentini* and *Triestini* deputies, who took a series of stands on provincial autonomy and national representation, in relation to their own regions.

Precise indications about the opinions voiced by the Italians from the Lombardo-Venetian Kingdom as regards the Austrian constitutional issue were provided by Montecuccoli, who drafted a bill for a provincial constitution⁵, based on the views of his Italian collaborators from the local administration. Since they surely belonged to the political circles that were favourable to the Court in Vienna, of course they expressed their opinions within the limits set by Montecuccoli, in his capacity as the Austrian Governor. It should be noted that this group of Italians revolving around Montecuccoli, who were actively present in the public life of the period, both at a provincial level and as regards the relations with the central government, were close to the ruling Austrian class in terms of their status and mentality. The ideas proposed by the Italians were significantly similar to the principles of Austrian constitutionalism, advocating the formation of a parliament consisting of two chambers (a chamber of the nobles and one of the deputies), rejecting the notion of a constituent assembly and wanting a constitution emanating from the monarch. They envisaged limitations being imposed on the freedom of the press and the right to expression, restrictions on public meetings or the arming of the population. The question is whether these restrictive proposals concerning their own nation represented concessions they made to the Austrians, due to the repression operated by Radetzky’s military forces, or whether they were influenced

³ “Il Popolano”, no. 128, 1848, 6 October 1848, p. 3.

⁴ Wilhelm Brauner, Friedrich Lachmayer, *Österreichische Verfassungsgeschichte*, Viena, Manz, 1980, p. 117.

⁵ Landesverfassung.

by the fears engendered by the republican riots of the Mazzinian type⁶. For pragmatic reasons, they did not want a central parliament, considering that as a national group, they would always represent a minority in parliament and would be unable to assert their interests against the other nationalities in the empire. First of all, they proposed total administrative independence from Vienna, hoping to achieve this goal through a provincial constitution, even if it was imposed by the monarch, rather than by supporting a central parliament that would comprise all the nationalities. The Italians interpreted the proposed concept of a national government for all the provinces not as a removal of the German-speaking officials from the administration, but as the grounds for administrative autonomy⁷.

The only connection with the Empire State in its entirety was to be made through the person of the emperor, the participation with conscripts in the imperial army and the payment of financial contributions to the general expenses of the Austrian state. Through these ideas, the Italians practically supported adopting the principles of radical federalism, which, given the ethnic homogeneity of the population in the Lombardo-Venetian Kingdom, represented the final solution to the problem of the nationalities. Their ethnic group would no longer have simple representation in the central parliament, where the other groups would have the majority, but would exercise administrative autonomy in the controlled territories, constituting thus a functional element of the constitution.

The *Marzverfassung* Oktroyierte Constitution, applicable throughout the imperial territory, including the Italian possessions, provided that Lombardo-Veneto should draft its own constitution, but before the debates on the new bill were completed, the final directives for the provisional organisation of the Lombardo-Venetian Kingdom were issued in October 1849. As a result of these directives, Radetzky was appointed Civil and Military Governor General, being entrusted with the leadership of the civil administration and the supreme command of the imperial army in Italy⁸. The institution of the Governor General had a Civil and a Military Section, as well as a Chancellery. The Civil Section led by Montecuccoli, who already held the position of Plenipotentiary Imperial Commissioner, had to function completely independently of the Military Section and was responsible for the reorganisation of the administration, relying on two lieutenantcies, one in Milan and one in Venice⁹.

The fundamental aspect of these lieutenantcies was that they were, indeed, directly subordinated to the Austrian Interior Ministry, but contrary to the general

⁶ Alfredo Chiàppori, *Storie d'Italia : il Quarantotto (1846-1860)*, Milano, Feltrinelli, 1978, p. 180.

⁷ Alberto Mario Banti, Roberto Bizzocchi, *Immagine della nazione nell'Italia del Risorgimento*, Roma, Carocci, 2002, p. 78.

⁸ Marco Meriggi, *Gli stati italiani prima dell'Unità: una storia istituzionale*, Bologna, Il Mulino, 2011, p. 89.

⁹ *Ibidem*, p. 90.

administrative principles, the intermediate authority of the Governor General was interposed between them and the ministry. It was never clarified whether this was a regional institution or a mere administrative body of the state. It remains unclear whether the Governor General was subordinated directly to the Ministry of Interior or acted independently, the same holding true for the two lieutenancies in their relation to the Governor General.

Meanwhile, the political reality in the Lombardo-Venetian Kingdom was that Radetzky's military type of government tended to suppress the civil administration. The policing issues entrusted to the Governor General were managed by the Chancellery, which became a repressive institution, even though the central directives had not envisaged this. According to a resolution of the Military Section, the entire police institution in the kingdom was subordinated to the provincial military commanders, although under the law, it ought to have been included among the civil state administrative bodies. In the face of these abuses of the military, the only solution left for the Civil Section was to send reports to the central government, in which it explained the situation, managing, at the same time, the organisation of two lieutenancies; notwithstanding all this, they were eventually subordinated to the military¹⁰.

At the beginning of 1850, Bach, the Austrian Minister of Interior, summoned the representatives of the Milanese aristocracy and the Venetian patricians in Vienna, to discuss the future provincial constitution and the bill of a law on the Italian communal autonomies. It is obvious that they were not democratically elected representatives for the Lombardo-Venetian Kingdom, since the ultimate criterion was their loyalty to the House of Habsburg. Bach noticed this when he said: "Your mandate is not awarded following your election by your countrymen, but based on the trust invested in any man who is honourable, loyal and true to his own country." It may therefore be noted that the principle of loyalty to one's country, represented by the emperor, was more important than the principle of popular representation through elections¹¹. During these discussions, the question of forming a provincial parliament was not raised, but a particularly important result was the passing of the Communal Autonomy Law, which survived neo-absolutism and gave sweeping powers to the communes in matters concerning public safety, the health institutions and public hygiene measures, the lower-education schools and public constructions. This law could also be enforced during the period of neo-absolutism, contrary to what happened in the rest of the empire, because in the Italian territories the communal autonomies had a long tradition, which had also been taken into account by the Theresan legislation of the eighteenth century. Having ensured thus the possibility of

¹⁰ Franco Valsecchi, *Austria e province italiane 1815-1918: potere centrale e amministrazioni locali*, Bologna, Il Mulino, 1981, p. 123.

¹¹ *Ibidem*, p. 138.

expressing autonomy on a local-communal level, the Italian ruling class in this region focused its entire future activity on addressing the local problems to the detriment of matters related to the state¹². The preoccupation for maintaining the communal autonomies remained constant and also manifested at the time of Italy's unification¹³.

During this meeting, the possibility of drafting a provincial constitution was not discussed, since the process of returning to the absolutist regime at the central level prevented this undertaking. The immediate result was Montecuccoli's removal from office, given that in a centralised authoritarian state, there were no possibilities of expression for a man with a political philosophy based on constitutionalism.

After the final organisation of the lieutenancies as supreme state authorities following their direct subordination to the Ministry of Interior, the Civil Section of the Governor General was greatly reduced both in terms of its duties and as regards its personnel; Montecuccoli was released from office and the Chancellery disappeared as a component of this institution. Moreover, the overall competencies of the Governor General were reformulated. What remained under his direct coordination were the state police issues¹⁴, while the civil administration passed under the control of the lieutenancies. At the same time, the provincial police¹⁵ returned under the jurisdiction of the communal delegates, which was consistent with their previous demands¹⁶. Although this reorganisation took place formally, the antagonism between the army and the police, on the one hand, and the civil servants, on the other, remained and was even amplified. Basically, what was confirmed was the fact that the institution of the Governor General was still the supreme military and police body, whereas the civil administration reform had had mere theoretical implications. To the same end of achieving a programmatic centralisation, the financial prefectures were taken over by the Austrian Ministry of Finance, while the activity of the Lombardo-Venetian Senate¹⁷ was definitively suppressed¹⁸ by the resolution of 3 January 1851. The notification issued by the Lieutenancy of Milan on 12 February 1851 stated that the Senate's administrative powers were to be taken over by the Ministry of Justice, while

¹² Nicola Raponi, *Politica e amministrazione in Lombardia agli esordi dell'unità: il programma dei moderati*, Milano, Giuffrè, 1967, p. 37.

¹³ Idem, *Atti della Commissione Giuliani per l'ordinamento temporaneo della Lombardia (1859)*, Milano, Giuffrè, 1962, p. 63.

¹⁴ Hohere Polizei.

¹⁵ Niedere Polizei.

¹⁶ Giuseppe Galasso, *L'Italia s'è desta. Tradizione storica e identità nazionale dal Risorgimento alla Repubblica*, Firenze, Le Monnier, 2002, p. 106.

¹⁷ Ever since 1816, judicial administration in the Lombardo-Venetian Kingdom had been organised on three successive tiers, starting from the Magistrate's Courts and the Tribunals and going up to the Courts of Appeals, while the Supreme Tribunal of Justice represented the top rung in hearing civil cases. The Supreme Tribunal was divided into three territorial Senates: Austrian, Bohemian-Moravian-Galician and Lombardo-Venetian.

¹⁸ Alfredo Grandi, *Processi politici del Senato Lombardo-Veneto 1815-1851*, Roma, Istituto per la Storia del Risorgimento Italiano, 1976, p. 651.

its function as the third appellate court would be entrusted to the Supreme Court of Justice and Cassation in Vienna.

In this increasingly suffocating political atmosphere for the Italians, on 6 February 1863, the Milanese from the working-class neighbourhoods attempted to engage in riots. Due to the lack of organisation evinced by the revolt leaders, they became mere series of isolated incidents, without reaching the scale of national or social uprisings. The Austrian troops' repression actions were extremely harsh, exceeding by far the gravity of the riots themselves. Faced with the wave of arrests and death sentences, deemed abusive in many cases, the Swiss and the Piedmontese ambassadors formally protested with the Austrian government¹⁹. Following these protests, the Imperial Court considered, for the first time since 1848, the possibility that Radetzky should be removed from office; as a first step in this direction, a civil servant was appointed as the representative of the central government with the field marshal. His role was to prevent possible future abuses committed by the military in the Italian provinces. The civil administration was permanently removed from the jurisdictional area of the military, the Governor General retaining full political and military powers, but not insofar as the civil administration and the communal autonomies were concerned. This led to a virtually clear division between military and civilian power.

Under the new regulations concerning the institution of the Governor General, he was bound to monitor whether the resolutions and principles promoted by Vienna were complied with and enforced, to facilitate the collaboration between different institutions and to ensure the legislative and administrative uniformity in the two entities of the kingdom, Lombardy and the Veneto region. In light of the demand for permanently collaborating with and reporting to the central ministries, the imperial police bodies or the state financial authorities, to which the provincial institutions were subordinated in matters of personnel and procedure, the Governor General became a mere mediating authority between the Habsburg government and the local authorities. Vienna's centralising interventions became more and more overt, the provincial police institution being, in its turn, directly subordinated to the central police.

With reduced military duties and deprived of his civilian powers by Vienna, Field Marshal Radetzky was forced to leave office; in February 1857, Archduke Maximilian of Habsburg was appointed in his stead, receiving the title of Governor General of the Lombardo-Venetian Kingdom. His reformist tendencies, federalist principles and the desire to remove the kingdom from its situation of total subordination to the central administration exceeded by far the instructions and powers bestowed upon him by the emperor. His political intentions were in stark contrast with the principles promoted by the neo-absolutist state, which is why during

¹⁹ E. Rotelli, P. Schiera, *Lo Stato moderno*, vol. 3, Bologna, Il Mulino, 1974-1976, p. 209.

his two years of government, the projects and reforms proposed by Archduke Maximilian encountered the adamant refusal of the Imperial Court²⁰.

In conclusion, we can say that in the period 1848-1866, there were two clearly distinct stages in the administration of the Lombardo-Venetian region. The first stage, between 1848 and 1854, was characterised by a constant state of warfare, on account of the revolutionary movements of 1848, their defeat by Field Marshal Radetzky's troops and the subsequent establishment of a strict military regime, which grounded its actions on declaring and maintaining a state of siege. While 1848 and 1849 were perceived at the central level as the years of constitutionalism and Austrian reformism, in the Italian provinces these years and the following period, up until 1854, were considered the years of military occupation and abuses committed against civil and political rights.

The second stage was related to the centralising tendencies of the Austrian state after 1850, the neo-absolutist state taking the place of the siege Radetzky had imposed. In this process, the Italians from the Lombardo-Venetian region became the sheer recipients of the rigors imposed by the new type of government, without being able to participate in any way in issuing the principles and the resolutions Vienna endorsed. The situation of the Italian ethnic group reflected the spirit of the Austrian constitution, which did not confer any political function to the nationalities, whereby they might have become functional elements in the state. What gained increasing consistency was the idea of being a state citizen and the feeling of belonging to a national ethnic group, especially given that the borders of the Habsburg Empire divided several nations, the Italians included. Assumed state loyalty and national consciousness were no longer complementary, but mutually exclusive. The Italian nation could not integrate itself within Austrian constitutionalism, which, with the exception of the neo-absolutist period, recorded a constant progress of the state principles.

Of great importance was the fact that unlike other provinces of the empire, the Lombardo-Venetian region had had, even before 1848, a well-defined state organisation at the level of principles and institutions, as well as a completely different economic structure, which was superior to the other regions in the monarchy. All the reforms envisaged to be brought about by the Austrian constitution, which were crucial to many of the provinces, had been an accomplished fact for the Lombardo-Venetian Kingdom for several decades now²¹. This explains the attitude of the inhabitants from northern Italy, who wanted a clear separation from the rest of the state along federalist lines, embracing – after their successive inclusion in the modern Italian state in 1859 and 1866 – the idea of the widest possible autonomy.

²⁰ Marco Meriggi, *Breve storia dell'Italia settentrionale dall'Ottocento a oggi*, Roma, Donzelli, 1996, p. 87.

²¹ O. Janz, P. Schiera, H. Siegrist, *Centralismo e federalismo in Italia. Le aspettative preunitarie*, in *Centralismo e federalismo tra Otto e Novecento. Italia e Germania a confronto*, Bologna 1997, p. 198.