

# FEDERALISM IN CENTRAL AND EASTERN EUROPE

by  
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## PREFACE

At the eve of the war, during the last stages of which this book is being published, Federalism became highly fashionable among all kind of blue-printers, those who believed in the capacity of constitutional forms to solve all the fundamental issues of social life, as well as those who were on the look-out for new descriptions for rather old-fashioned political concepts. The second group of ideologists had their hey-day during the first stage of the war, as was very natural in the conditions in which it was started. They may be left to the criticism of historical experience. But in order to controvert what I believed to be the delusions of more progressively-minded blue-printers, I wrote, in the first months of 1940, an analysis of the general problems as well as of the experiments made with federal constitutions in Central and Eastern Europe. Part of this work was embodied in the book *Russia and Her Western Neighbours* which I published, in 1942, conjointly with Prof. G. W. Keeton.

In the autumn of 1941, Prof. Keeton and Dr. Schwarzenberger suggested me to make a more thorough study of the problems of Federalism in Central and Eastern Europe. By that time, interest in the various types of blue-prints had receded into the background. Once the U.S.S.R. had entered the war and, thus, the complete defeat of the "New Order" was secured, the inadequacy of the post-1919 patterns that had dominated most discussions on war-aims during the first phase of this war became obvious, and the real problems of the post-War order began to dominate the scene. What I have tried to contribute to the study of these problems is an analysis of the problems of democratic devolution arising from variety in social and cultural outlook, and of the limits within which such variety might be integrated by federal organisation. For an Austrian who has devoted much interest to the problems of the U.S.S.R. it was only natural that the problem of the multi-national state should occupy a central place in this study. I have restricted the detailed analysis—as distinct from the general discussion—to those countries in the political life of which I have had the opportunity to participate, and with the political experience and literature of which I have some acquaintance. It is for this reason that no special chapter is devoted to the problems of Yugoslavia, although that country

seems to be most likely to provide the next successful experiment in federal organisation.

History moves quickly in our days. When this book took its final shape, in the first days of this year, the "New Order" was still in existence whilst, on the other hand, some concepts of post-War organisation discussed in this country were not yet so obviously refuted by historical events as to make it seem useless to devote some chapters to their criticism. I feel that there is little sense in changing what I have written in 1942 and 1943, for there is no guarantee that a text "up to date" in December 1944 would cover the conditions prevalent when this book reaches the reader. I desired to analyse pre-War historical experience, and to estimate the relative strength and prospects of social forces which continued to work through this war and will continue to work after it is over. If I have given a right estimate, the reader will be able to apply my conclusions to such concrete historical facts as will obtain when he reads this book. The "New Order" has gone; but the forces that supported the Quislings remain, and are on the look-out for a new orientation. The question of the eventual structure of post-War Europe seems to have been answered pretty clearly in the sense of the spheres of influence-pattern discussed in Chapter XVII. But I prefer not to drop it, as various alternatives within that pattern are still open, and will remain so for some years to come. Some questions raised in connection with the Danubian countries may appear less topical when this book is published, than a few years later, when the nationalist atmosphere of war-propaganda will have settled down, but the problems remain.

I owe Dr. K. Mannheim and Dr. G. Schwarzenberger many valuable suggestions and criticisms. Mr. Allan Leach and Mr. G. I. Glover have thoroughly revised the style. The librarians of Chatham House and of the Society for Cultural Relations with the U.S.S.R. gave me every assistance in collecting the materials needed. I thank the Czech Refugee Trust Fund and the British Council, whose kind help gave me the material possibility of writing this book.

RUDOLF SCHLESINGER.

THE BUNGALOW, LODE, CAMBRIDGE,  
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## PART I. INTRODUCTION

### CHAPTER I

#### THE HISTORICAL BACKGROUND

(1) *Federalism in the countries discussed in this book originated from the lack of correspondence in size between the historic political unit and the emerging new units which were the result of national unification. In Germany the historic political units were smaller than the unit integrated by national consciousness ; in the Hapsburg and Romanov empires the historico-political framework comprised a plurality of nationalities.*

(2) *This disproportion between political and national integration had its root in the retarded economic development in these areas as compared with the West. From this backwardness of economic development it followed that modern nationalism, which is mainly a middle-class product, found when it arose a traditional political unit with pre-capitalist foundations already strongly entrenched. This unit it was obviously compelled to oppose.*

#### (a) CONDITIONS AND TASKS OF EUROPEAN FEDERALISM

When, after the ebbing of the wave of reaction which followed 1815, Liberalism began to dominate Western Europe, there remained in the Centre and the East three military and autocratic monarchies which had formed the core of the Holy Alliance. These were Prussia, which was to take the lead in the unification of Germany ; the Hapsburg monarchy ; and the Tsarist empire. The last had been the backbone both of the resistance to Napoleon after 1812, and also of the reaction of 1815 and after. It likewise supported its two neighbours and partners on its Western borders when, in 1848, they were threatened by a revolutionary wave originating still further west. Tsarist Russia herself remained untouched by the 1848 revolution, and succeeded in avoiding similar events at home by carrying out the semblance of an emancipation of the serfs in 1861. In reality, though the external apparatus of serfdom had gone, the economic and social position of the big landlords was preserved even more securely than it had been after 1818 in Prussia. Russia was not to experience her first modern revolution until so late as 1905-6, but when it came the working classes played a leading part in it. It was defeated, and a mere sham constitutionalism resembling, or even more backward than, Prussia's, was left as its only apparent result. In 1917-18, as a consequence of the first World War, all three military-autocratic monarchies broke down.

Russia took the lead in revolution as before she had taken it in reaction.

It was in Russia that the ideas which the most radical of the German revolutionaries had developed immediately before 1848 were realised, and that by a party not much more working-class in its structure than was that Communist League for which Marx and Engels had written their Manifesto.<sup>1</sup> In Germany itself, as well as in Austria, a modified form of Marxism became the recognised creed of a legal Labour movement much like that in the West. Social Democracy, the product of this adaptation, was in 1918 to play a leading part in establishing democratic republics on the ruins of the shattered empires. Unlike the Russian Bolsheviks, the Western Labour movement adopted a rather formalist attitude towards constitutional enactments based on liberal and democratic principles, even though that liberalism were developed at the expense of Socialism and even of Democracy.<sup>2</sup> After 14 years in Germany and fifteen in Austria,<sup>3</sup> the Liberal republican régimes were destroyed and replaced by Fascist dictatorships of various shades, which in their turn were eventually to be unified under the strongest of them, the régime of Hitler.

During these historical crises federalism was applied, or its application was attempted, in the territories of all three of the

<sup>1</sup> Both parts of this statement will probably be disputed by various struggling Marxist factions. But neither, I think, can be seriously attacked, the first if the immediate programme of the Communist Manifesto is compared with Soviet policies during their first years, the second if all the implications of Lenin's theory of the Bolshevik party as "the league of revolutionaries closely linked with the Labour movement" (in *What Is To Be Done?*, 1902) are taken into account. See A. Rosenberg, *A History of Bolshevism*, London, 1934.

<sup>2</sup> The extreme expression of this view, which in fact was generally held among Central European Liberals and right-wing Socialists, is the main argument for democracy put forward by Kelsen (in his books *Socialism and State*, 1920, and *The Problem of Democracy*, 1926, both in German, the latter also in French). It is there argued, from the point of view of a relativist philosophy, that if there is no absolute truth, and all men are regarded as equal, no man has the right to force his views upon others. Therefore majority rule involves the minimum of oppression. Against this point of view, it might be argued that to accept the equality of man and the avoidance of oppression as the characteristics most desirable in social organisation implies in itself the assumption of an "absolute truth". Besides, Kelsen's argument suffers from the evident lack of proof that every ephemeral majority vote (even if it be assumed that a wide suffrage always leads to the expression of the real views of the majority) is bound to result in the minimum of oppression of majorities in the future. But these theoretical shortcomings express very well the political shortcomings of Central European democracy.

<sup>3</sup> Czechoslovakia ought to be omitted from this comparison. For when, after twenty years, she broke down, it was a proof of the shortcomings of English and French rather than of Czechoslovak democracy. On the other hand, Czechoslovak democracy had an incomparably easier task to fulfil than that of Germany or even Austria. For amongst the Czechs nationalism worked indiscriminately in favour of democracy.

former monarchies, covering three-fifths of Europe's total 1914 population. It is remarkable that, save for Switzerland, these remained its only applications in Europe. This coincidence was no mere accident. Federalism,<sup>1</sup> in all three countries, started from a state of affairs unknown in Western Europe: the divergence between the traditional, and still semi-feudal, political unit on the one hand, and the units emphasised by nineteenth and twentieth century nationalism on the other. In Russia and Austria the historical unit was multi-national. If these units were to be preserved, and the national principle recognised at the same time, a federation of national units must be created. In Germany, since the end of the mediæval period, the national cultural unit had been broken up into a multitude of political units varying in size from a Great Power to an average market town. Only a federal organisation, therefore, could reconcile the traditional units with the spirit of nationalism.

Some of the legal forms of an earlier political unity had been preserved up to the beginning of the revolutionary period. Thus even in Germany federalism did not have to shape a new unit from formerly independent states, but only to reconstruct a traditional unit, political as well as ideological. In the U.S.S.R., as in the U.S.A., the short-lived independence of the units which entered the federation marked only a transitional, revolutionary stage. There is not the slightest evidence that, had it not been for their common historic background, any idea of federation would have grown up in either.<sup>2</sup>

Central and East European federalism was, in the first place, an attempt to solve the contradiction that arose in that part of the world between the historic political units and the desire of the modern national group for unity and self-government. Amongst the Anglo-Saxon prototypes of federation, excepting the borderline case of Switzerland, a similar state of affairs is to be found only in the relation between French-dominated Quebec and the other provinces of Canada. On the other hand, the student of Central and East European federalism seldom encounters the problem which dominates Anglo-Saxon federalism, namely, the desire for self-government of regions which, in spite of sharing a common civilisation, are geographically, economically and socially diverse.

<sup>1</sup> Or, in the case of Austria, the unsuccessful attempts at reconstruction of the traditional unit on federalist lines.

<sup>2</sup> See A. P. Newton, *Federal and Unified Constitutions*, London, 1923, p. 3.

In the present book we have to deal with only two such instances. After the overthrow of the dynasties in the German states, the traditional federalism of the country could not have continued but for the general conviction that the historic divisions, though an artificial product of dynastic policies, yet represented in some degree real distinctions between various parts of what was indisputably a single nation. What little life German federalism possessed after 1918 was essentially based on the fact that Saxony, Bavaria, and the rest had each its peculiar social and cultural needs, at least in the eyes of the majority of the respective electorates. So likewise federalism in republican Austria was essentially based on differences in social and cultural outlook between the Socialist workers of Vienna and the Catholic peasants of the Alpine provinces. It should be noticed that the highly important division of Vienna from the rest of Lower Austria was not traditional, but was due to the framers of the Republican Constitution.<sup>1</sup> German Democrats, likewise, have always been conscious of the fact, that German federalism was bound to fail unless it was prepared to neglect the purely historic boundaries between the units. In any case, Central and Eastern European federalism had to start from the fact that the traditional units did not satisfy the needs of modern life.

#### (b) AUTOCRATIC MONARCHY AND ITS HERITAGE

The States which military-autocratic monarchy had created were sometimes larger, sometimes smaller than the national units. Sometimes nations had been divided up "like pawns on a chess-board", to use Wilson's phrase. The Central and East European monarchies had come into being about the same time as the States of the Tudors and Bourbons, between the end of the fifteenth century and the beginning of the eighteenth.<sup>2</sup> Hapsburgs and Romanovs cared no more than Tudors and Bourbons whether or not the territories they acquired were ethnographically homogeneous. But the Tudors and Bourbons—or rather the revolutions that followed them—had succeeded in creating out of dynastic conquests dictated by strategical needs and possibilities real economic and social units. Thus even Scots and Alsatians

<sup>1</sup> See below, Chapter X, p. 263.

<sup>2</sup> The Hapsburg empire developed into a modern absolutist State at the beginning of the sixteenth century: absolutism definitely triumphed there in 1620. In Russia Ivan IV fought the essential battles, although it was left to Peter the Great to consolidate the results. Prussia was unified, as against the Junker anarchy, only at the beginning of the eighteenth century, but centralisation had long been on the way.

were absorbed for all purposes of practical politics ; Hungarians and Volga Tartars were not. For the economic life that was developing in the Hapsburg and Romanov empires was not sufficiently advanced to draw the masses of the people into its orbit, or even to assimilate the local ruling classes.

At last, during the nineteenth century, such nations as the Czechs and the Ukrainians "awakened". It became evident that even peoples which had been deprived for more than 200 years of any stratum of national leaders, though they had slept, had not been destroyed. In a feudal or semi-feudal society the leading ranks had been denationalised by the conqueror ; but, just because they were the leading ranks, they had bothered little what language was spoken by their serfs. When those serfs awoke and ceased to accept serfdom, their national civilisation awoke with them. The time had come when national civilisations had to be based upon the middle classes, and when only a government supported by those classes could successfully claim political allegiance. But it was obvious that of all the countries in question, Germany alone had a middle class of her own. It had grown up there in opposition to the historic conglomeration of dwarf States. In the Eastern empires the "historic" nationalities,<sup>1</sup> that is, those whose national nobility had been preserved as part of the ruling class of the multi-national empires, faced the unpleasant necessity of transforming part of their own upper class into intellectuals, merchants and industrialists—in so far as those functions were not left to the Jews, who are to-day bearing the burden of the doubtful privilege then bestowed upon them. In general, the new middle classes had to be created out of the peasantry, that is, in very large parts of these empires, out of the "unhistoric", oppressed nationalities. Thus States about whose national outlook no one had hitherto cared—for in the seventeenth and eighteenth centuries no one had had any concern about nationality at all—turned out to be multi-national when nationalism became a predominant factor in modern political life. It then seemed obvious by the same standards that Germany's dismemberment was unreasonable.

The question arises : Why did the centralised, absolutist State develop in these countries in advance of those forces that supported it in Western Europe, namely, the first elements of modern capitalism ? The question must have separate answers for Central and for Eastern Europe.

<sup>1</sup> To use the term current in Austria. See below, Chapter VIII, p. 155.

At the end of the mediæval period, Germany west of the Elbe, Austria proper, and Bohemia, were among the most advanced parts of Europe. They were therefore among the first to develop the absolutist, monarchical State. They did so within the limits then fixed for non-seafaring peoples. Their scope was so restricted that to a later age they could not but seem "dwarf" states. But in sixteenth century Europe, Bavaria, Saxony, and Bohemia were Great Powers rather than dwarf states. If the marked economic development of Central Europe had continued, all these territorial monarchies would have played transitional parts in the development of a modern Great Power, like that which Burgundy played in the development of France. The Fuggers knew quite well what they were about when they supported Charles V with their gold in his attempts to extend Hapsburg absolutism over all Germany. But for reasons connected with the changes in international trade routes, for reasons, that is, which lay outside Central European development, the Hapsburg expansion in Germany stopped in the middle of the sixteenth century. This petrified state of things still confronted the awakening German middle classes three hundred years later.

In Eastern Europe absolutist power seemed to have outgrown its economic foundations. Defence against external aggression from the great Mongol empires in the heart of the Eurasian continent necessitated a centralisation of political power far in advance of the feudal organisation of society which seemed adequate for the economic conditions of the time. This word "defence" need not imply any judgment of value as regards European civilisation. No such judgment, indeed, is possible unless we are prepared to accept as valid certain irrational assumptions as to the respective merits of Islamic and Christian, Orthodox and Roman Catholic civilisation. Russia and Turkey, which looked on themselves as bulwarks against the Eastern barbarism of the Mongols, might themselves be looked on by the Austrians as barbaric empires. The essential fact is that under such conditions huge multi-national empires were bound to grow up, and that the failure of a nation to build such an empire involved the loss of its national independence to a more successful competitor.

Each of these empires was associated with a particular form of its own through which the civilisation of antiquity was transmitted to modern times—as are Roman Catholicism, Orthodoxy, and Islam—and, as a result, with essential features in the national

life of all the peoples within its boundaries, however these might differ from one another. It is no mere accident that the U.S.S.R. has closely consolidated, or seems likely to attract, those parts of the former Tsarist empire and its border nations which have a share in the Byzantine or the Islamic cultural tradition, i.e. in the main forms under which the Eastern, Hellenic wing of ancient culture influenced mediæval civilisation. Every enduring multi-national empire created a certain unity among a number of peoples which, though incorporated into it by force, shared within it certain common cultural experiences. If such an empire survived into modern times, with a really high degree of economic intercourse, it created strong links that were not likely to be broken when autocratic monarchy became obsolete in the eyes of the subject peoples. There are, for example, marked natural economic interests and transport facilities common to the Danubian countries, even in our own day when transport by water has lost its predominance. But their contribution to such unity among the Danubian peoples as still survives lies in the fact that when they were really of primary importance, they stimulated and furthered the incorporation of these territories into the Hapsburg empire, rather than in their actual value to-day. A railway system built to meet the strategic and economic needs of the old Dual Monarchy has certainly done more for the present-day cohesion, and far-reaching mutual interdependence of the Danubian countries than has all the river traffic of the Danube. Economic links created by incorporation into a multi-national empire are not necessarily the predominant factor in national decisions: they have to compete with the powerful forces of modern nationalism which may embody the strongest class antagonisms of our times. But by artificially uniting diverse peoples and at the same time creating real links between them, the military-autocratic monarchy in its attempt to reconcile national diversity with economic unity produced the conditions essential for the application of federalism. It also produced the main obstacles to the success of such attempts.

Military-autocratic monarchy, having evolved far ahead of contemporary economic development in the countries where it operated, and having absorbed the bulk of their economic resources in building up a machinery of administration and defence much in advance of actual economic needs, bears the responsibility for the fact that federalism, in the Anglo-Saxon sense of regional self-government, has not been applied in modern

Central Europe. This conception of self-government is based upon a combination of feudal particularism with such economic and political unity as the mediæval town would demand. Of the former there was no lack in Eastern Europe : in Poland after the fifteenth century it remained powerful enough to prevent the development of the urban element and its economic functions. There were similar developments in Bohemia, between 1435<sup>1</sup> and the catastrophe of the White Mountain in 1620. Russia, during the "Time of Troubles", almost fell a prey to a nobility whose eyes were fixed on the Polish promised land of aristocratic anarchy. Save in Poland, whose destruction was the consequence, monarchical absolutism successfully overcame particularist opposition. But its victory was not won for the advantage of self-conscious cities.

Except in the more advanced parts of the Hapsburg empire, economic conditions were not sufficiently developed to support a regular money-economy, with a salaried army and civil service. Further, since military autocracy had its origin in the feudal strata, in all three empires the ruling classes supporting the monarchy once more took on the character of a landed aristocracy. The upper ranks of this aristocracy, which dominated the Court, were made up of the owners of *latifundia*. Below them stood a class of landed gentry, administering and defending the land on which it lived. But it was essentially a nobility of service, dependent on the whims of its autocratic head, and therefore unable to oppose that head with the demand for autonomy.

In Russia the two great revolutions from above, in the reigns of Ivan IV and Peter I, may be described as the replacement of one nobility by another, based upon service to the Court. So far centralism was successful. But when Peter tried to introduce Western capitalist industrial enterprise, his enlightened absolutism completely failed. The factories remained ; but the workers were turned into serfs, once the new service-nobility had established themselves firmly as the holders of political power. In Prussia the Hohenzollern Electors and Kings had acquired political control of their nobility, and the power to make practical use of it for all administrative and military purposes, by undermining the development of the towns, and especially of the peasantry, out of which a new middle class and a capitalist economy might have grown. It was essentially this system that

<sup>1</sup> The battle of Lipan, in which the aristocratic section of the Hussites defeated the more advanced urban wing.



proved bankrupt at and after Jena.<sup>1</sup> Later on the Prussian government learned this lesson, and began to rely upon middle-class support for the Junker-dominated State machine. Prussia lay so near to the West with its revolutionary troubles that the German middle classes proved docile.

Austria, during its half-century of enlightened absolutism (1740-90) enjoyed by far the most progressive government of all the three empires, and probably of all continental Europe. In Austria also, enlightened absolutism was based upon a service-nobility. For their services to the Hapsburg cause they had been rewarded by grants of land ranging in size up to huge *latifundia*, derived mainly from the confiscations in Bohemia after the battle of the White Mountain.<sup>2</sup> Thus Austrian monarchy, likewise, was based upon a high aristocracy, and the alliance was strengthened by the connection with the Roman Church, since both monarchy and aristocracy owed their very existence to the triumph of the Counter-Reformation. After the short period of enlightened absolutism, when the French Revolution began to threaten the *ancien régime* all over Europe, Austria led the forces of reaction, even opposing any kind of economic improvement as a possible source of revolutionary troubles.<sup>3</sup>

Military-autocratic monarchy made any tendencies towards local self-government in any class of society impossible. The higher ranks of the nobility served at Court, while the lower officered the army and administered the country in the service of a highly centralist régime. None of these groups could countenance local autonomy. The *latifundia*-owners, especially in Bohemia, Hungary, Silesia and the greater part of Russia, ruled over territories as large and as highly centralised as an average West or Central-German state. The lesser gentry ruled the villages in Prussia, Russia and Hungary, though not in Austria and Southern Germany, where the peasants were mostly free, and the lower nobility was of a purely service character. The middle classes, servile and wholly dependent on the whims of the monarchy and bureaucracy, could do no business except under the protection of

<sup>1</sup> See F. Mehring, *op. cit.*

<sup>2</sup> For this reason, the outstanding examples of *latifundia*-ownership in the Austrian empire (apart from semi-feudal Hungary) were to be found in Bohemia. The Schwarzenberg family, for example, before the land reform of republican Czechoslovakia, owned 187 estates covering 493,000 acres (the head of the family alone possessed 420,000 acres); and conditions in this "kingdom of Schwarzenberg" were such that it made by far the largest contribution to Bohemian emigration to the U.S.A. There were, apart from the Church, four other aristocratic *latifundia* owners of more than 100,000 acres each.

<sup>3</sup> See below, Chapter VIII, p. 153.