

**RESOURCES, RECORDS, REFORMS:
THE IMPLEMENTATION OF MONASTIC POLICIES IN THE KINGDOM
OF HUNGARY UNDER MARIA THERESA AND JOSEPH II**

Katalin Pataki

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Supervisor of Dissertation: Dr. László Kontler

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I hereby declare that this dissertation contains no materials accepted for any other degrees in any other institutions and no materials previously written and/or published by another person unless otherwise noted.

to Mirjam

Acknowledgements

“It was a dark and stormy night.” Exactly as it must be when a young researcher decides to go on new adventures after the completion of her master’s thesis. Dr. Sándor Papp, my supervisor at the University of Szeged made me enthusiastic about my profession and I was eager to remain on track, even if there were no immediately appearing opportunities to continue my studies. The aforementioned storm and the trees that fell on the tracks of the train that was taking me to Germany in September 2008, were very real, but also symbolic obstacles. Nevertheless, the cooperation between Ulrich Stevens, the director of my host institution, the regional monument care office of Rheinland and Uwe Steinberger, the coordinator of the *Jugendbauhütte* of Duisburg solved the problems resulting from the delays of my train and added an unexpected, but very beneficial curve to my career path. Their work enabled the employment of young volunteers in monument care and created a setting that saved me from getting lost – not only as a newcomer in a foreign country, but also as a future scholar. However, when I finally arrived on the aforementioned dark and stormy night to the guest house created from the gate tower of the former Benedictine Abbey of Brauweiler in the outskirts of Cologne, none of us had thought that I was right at the beginning of an even more adventurous journey that will last for more than a decade and maybe even longer.

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Equipped with skills and sources, I applied to the master's program of the Central European University in 2012, where I became the student of a wonderful supervisor, László Kontler. His guidance and encouragement enabled me to complete my thesis on the monastery pharmacies of the Hungarian Kingdom despite of the extremely fragmented sources and helped me to progress towards my doctoral studies. He trusted my judgment and accepted my decision when I shifted the focus of my dissertation from eighteenth-century pharmacies to a more general study of ecclesiastical records. He was always available when I needed good words in any format and for any reason: he supplied me with elegantly chosen vocabulary for my texts, with inspiring conversations on difficult questions and with recommendations for

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The shared space of the Ph.D. lab unavoidably created bonds with the colleagues with whom I spent several working and not-so-much-working hours there. Even if I left

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My doctoral studies, initially based in Budapest, also provided me the opportunity to establish contacts with Hungarian researchers beyond the institutional boundaries of CEU. I would like to express my gratitude to two professors whose organizational activity, advice and guidance helped me enormously to explore Budapest as my broader intellectual environment. András Forgó, professor of the Péter Pázmány Catholic University and then of the University of Pécs, granted me several opportunities to present and publish parts of my dissertation in Hungarian and thus enabled me to keep up the dialogue with researchers who investigated the benefits and limits of using the concepts of Catholic Enlightenment and confessionalization in the Hungarian context. As the external reader of my dissertation, his valuable suggestions will also serve the further development of the text.

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Abstract

My dissertation examines the question how the personnel of monasteries was surveyed and managed by secular authorities in the Habsburg realms, and particularly in the Hungarian Kingdom during the reign of Maria Theresa and Joseph II between 1750 and 1790. By focusing on the formation of administrative practices that enabled more and more detailed and comprehensive record keeping about the capacities of individual monks and nuns, I investigate the impact of Maria Theresa's and Joseph II's church policies both on the Habsburg imperial and the Catholic ecclesiastical governmental structures. I explore how they succeeded in or fell short of creating a "rank and file" personnel of the church that could (have been) able to put into practice their vision of a "well-ordered" state and church, and, ultimately, of a well-governed society.

Instead of marking the starting point of imperial uniformity with largely identical legal texts issued on the same day or with minor delay in the central lands by Joseph II, I emphasize the synchronicity of developing bureaucratic structures in the various Habsburg domains from the 1750s, when both the blueprints of discursive patterns and administrative structures started taking shape on an imperial scale.

I consider the church policies as a complex program consisting of various points to be achieved among which always the most feasible elements were put forward among the limits of the local legal framework, administrative infrastructure and economic basis. This perspective opens up new ways of considering the place of the Hungarian Kingdom among the Habsburg realms.

It was the preparation of the law of amortization from 1750 – and the design of its later amendments – that first considered individuals as economic factors: while it

intended to put a halt on the accumulation of mortmain properties, it also recognized the act of taking monastic vows as an occasion when a “dowry” or expected heritage was offered to the convent from which the expenses of the sustenance of the new member could be covered fully or partially for a lifetime. By the end of the 1760s, the costs and potential benefits of sustaining individual monks and nuns became the subject of extensive inquiries and both ecclesiastical and secular authorities were instructed to submit detailed reports according to predesigned questionnaires. Thus, the preconditions of preparing policies on the basis of previously gathered information were established and the main characteristics of the “monastic landscape” had been explored.

They also revealed a specific feature of the of the Hungarian Kingdom: it was dominated by mendicant orders. Consequently, the “resource potential” of the monasteries lay not so much in their goods, but in their inhabitants whose utilization for pastoral care was a clearly explicated principle. By focusing the reports of a widening network of experts and officials, I demonstrate that the period after 1786 can be characterized rather with the intensification of the control over monasteries as new governmental and record keeping techniques made individuals visible for the state in great detail.

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1. INTRODUCTION

My dissertation examines the question how the personnel of monasteries was surveyed and managed by secular authorities in the Habsburg realms, and particularly in the Hungarian Kingdom during the reign of Maria Theresa and Joseph II between 1750 and 1790. By focusing on the formation of administrative practices that enabled more and more detailed and comprehensive record keeping about the capacities of individual monks and nuns, I investigate the impact of Maria Theresa's and Joseph II's church policies both on the Habsburg imperial and the Catholic ecclesiastical governmental structures. I explore how they succeeded in or fell short of creating a "rank and file" personnel of the church that could (have been) able to put into practice their vision of a "well-ordered" state and church, and, ultimately, of a well-governed society.

The Theresian and Josephist policies concerning clergymen, and, more precisely, of religious orders has been considered so far usually in relation to the dissolution of monasteries, and researchers focused on monks and nuns who had to leave their monasteries. The most often quoted source is the dissolution decree issued in the first months of 1782 in which the abolition of contemplative orders was announced. Nevertheless, very little is known about the surveys preceding this decree and the further policies completing and modifying its instructions are barely discussed in the literature. The implementation of these policies and their impact on the lives of the members of religious orders that remained in operation is still largely unexplored or has been only peripheral to the main scope of other themes.

The archival elusiveness of the theme might be also one of the reasons why so little research has been done on the techniques of state administration through which

information was gathered about the capacities of the regular clergy and used for their redistribution. It was a rather late development of the Josephist church reforms that separate administrative units were dedicated to the affairs of monks and nuns and well-identifiable, relevant archival documents can be found on the basis of catalogues.

These administrative units, the elaborate questionnaires and the personnel that mediated the required answers could not have evolved without earlier attempts to gain information about the members of religious orders that appeared usually in conjunction with inquiries about other resources of their monasteries. My thesis explores the formation of the bureaucratic infrastructure and its growing reliance on archives and paper practices by investigating a range of information gathering projects that prepared both the personnel and infrastructure of ecclesiastical and secular authorities for the detailed and very specific administration of the regular clergy during Joseph II's reign. In other words, I trace how monks and nuns were gradually detached from the goods of their monasteries (not only literally, in the form of confiscations, but also by being put into separate clusters of administration and management) and became the subject of various inquiries that commodified human resources according to the agenda of the state.

I will shed light on a so far less studied aspect of this complex, state-led process of reconfiguring the relations among ecclesiastical institutions, material goods and church personnel: while the endeavors of secular rulers to tap ecclesiastical revenues had a long prehistory,¹ the growing attention to individual clergymen – as I will

¹ Referring to precedents was also part of the arguments that justified such claims: Karl Holder, "Die neueren Forschungen zur Geschichte der staatlichen Amortisationsgesetzgebung", *Archiv für katholisches Kirchenrecht, mit besonderer Rücksicht auf Deutschland, Oesterreich-Ungarn und Schweiz*

demonstrate – was a novel element in the design of church policies. I trace a possible genealogy of epistemological shifts, claiming that establishing the number of clergymen as a unit of measurement, and thus enabling calculations with the costs and benefits of their sustenance, was a process that opened the possibility of considering the inhabitants of monasteries as redistributable resources whose capacities could be channeled into the service of the material and spiritual well-being of the subjects of the state.

I consider Maria Theresa's and Joseph II's ecclesiastical reforms as an imperial project that aimed at increasing the coherence of a composite state, while its comprehensive inquiries also made regional differences more perceptible. I differentiate among three main phases of Habsburg ecclesiastical politics and I demonstrate through the specific case of the regular clergy how the growing interest in the population and census taking as a characteristic element of state building coincided with the changing role of the state archives that could support not only claims for properties with written evidence, but also became as a tool of governance, social disciplining and, ultimately, also contributed to the commodification of human capacities. My investigation starts with the inquiries about and control over church properties, since these endeavors laid down the foundations of those administrative, infrastructural and archival practices that later enabled a precise management of individuals. Then I focus on surveys that already aimed at gathering information about the number of monks and nuns (and about goods connected to them individually, e.g. dowry, inheritance, deposits). Finally, I give account on a shift in terms of distributing patronage. The interest in individuals as units

84. Band, 1. Heft (1904): 22–38; Walther Latzke, "Die Klosterarchive", ed. Ludwig Bittner, *Gesamtinventar des Wiener Haus-, Hof- und Staatsarchivs*, Inventare österreichischer staatlicher Archive, 3 (1938): 295–318; Maaß, "Vorbereitung und Anfänge des Josefinismus", 306–9.

of calculation culminated in a complex set of inquiries focusing on various features of individual members of the regular clergy – mainly monks – and tested them as a potential node of the reorganized parish network in which the allocation of payments (e.g. pensions, salaries) happened not on an institutional, but on an individual basis. In practical terms, this meant that the parishes could receive financial support from the state in the form of the salary provided to its employees, and for this reason, individuals and their working capacities became important factors in financial planning and calculation. Nevertheless, as I will demonstrate, the record keeping and administrative practices could serve this purpose the best, if they worked with various facets of these individuals, and their “reassembling” and re-connecting the several pieces of information became a new challenge both for the contemporary administration and for the historian who tries to reconstruct the monks’ and nuns’ agency and capacity to shape the ecclesiastical policies according to their own agenda.

In more concrete terms, I start with a close reading of Maria Theresa’s Political Testament (c. 1750), I present the church policies first planned in the hereditary lands and in the Low countries, but finally put into practice only in Bohemia and in the Austrian Netherlands in the 1750’s. The actual implementation deserves special attention because the Austrian Netherlands was considered as an exemplary case and the lessons learned there – including legislative patterns and first-hand experiences – appear in a genealogical connection with the later introduced policies in Lombardy: Kaunitz himself referred to it in a debate with the young co-regent in 1765/66 in which they explicated their visions on church reforms, and particularly on the fate and envisioned role of religious orders. While Joseph II’s and Kaunitz’ memoranda are

directly connected to the creation and operation of the *Giunta Economale* in Milan, I present its parallels in the Hungarian Kingdom and provide evidence for preparing and introducing new means of ecclesiastical governance on an imperial scale in the second half of the 1760s that exceeded the scope of Lombardy significantly. Simultaneously, I will also challenge the view according to which the ecclesiastical policies introduced in Lombardy served as the direct example for the central lands and suggest a more entangled view by looking at the means of knowledge production and its role in planning and calculation instead of creating genealogies on the basis of the intertextuality of published ordinances. Finally, I will give account on the era of Joseph II when the striving for uniformity became explicit, and this manifested itself both in the texts of ordinances issued simultaneously in the hereditary lands and in the Hungarian Kingdom, and in their implementation through an administrative infrastructure set up according to common standards. I focus on the restructuration of the secular governance of ecclesiastical administration in the Hungarian Kingdom and enumerate the commissions, offices and departments dedicated to church affairs. Their archival legacies constitute the main source base of the third part of this thesis, and tracing their evolution also offers an opportunity to reflect on changes in the data gathering practices of the state apparatus.

Previous studies have already showed that the “monastic landscape” of the Hungarian Kingdom had a specific feature: it was dominated by mendicant orders, mainly Franciscans, Minorites and Capuchins, who greatly outnumbered the contemplative orders and endowed monasteries both in terms of houses and individuals. Consequently, the “resource potential” of the monasteries in the Hungarian Kingdom

lay not so much in their goods, but in their inhabitants whose utilization for pastoral care was a clearly explicated principle of policy making. In the last main section, I focus on the mendicant orders and challenge the usual boundaries of thinking about the members of dissolved and spared monasteries as two, very distinct categories and to describe “Joseph II’s reshaping of the Catholic Church” without considering their elusiveness. If we fail to do so, it unavoidably leads to miscalculations in the assessment of the impact of Joseph II’s church politics. Simultaneously, I still keep a chronological division already established in the Hungarian historiography, initially referring to a shift from the abolition of religious orders to the selective dissolution of individual monasteries. While I don’t deny this change around 1786, I will demonstrate that the period after 1786 can be characterized rather with the intensification of the control over monasteries than with the softening of the initially strict measurements and I will support this argument by showing the widening network of experts and officials whose reports made individuals visible for the state in such detail that a new problem occurred: the record keeping of and testimonies about their specific skills and capacities required new forms of managing, combining, cross-referencing and archiving the many pieces of information produced by and about them.

1.1. Catholic Enlightenment and the Habsburg Territories

The Catholic Enlightenment and Josephinism are core elements of the conceptual apparatus with which the ecclesiastical reforms in the eighteenth-century Habsburg Monarchy have been recently studied. Bernard Plongeron's study entitled *Was ist die katholische Aufklärung?* published in 1979 deliberately avoided providing a clear-cut definition of the Catholic Enlightenment, but, playing upon the emancipatory spirit of Kant's famous essay *Was ist die Aufklärung?*, encouraged an open-ended investigation, in which researchers in different geographical settings and in different times can answer the question of the title in different, but still valid ways.² Elisabeth Kovács gave her answer to the question in 1993. She attempted to reconstruct in her study how Josephinism developed by focusing on important personalities, such as Prince Eugen of Savoy, Francis I or the papal nuncio, Giuseppe Garampi. By detecting various elements of their relationship to religion, the Catholic Church, learned culture and opinion on the competence fields of the ruler and the Pope, she concluded that certain features of Josephinism can be detected from the time of Joseph II's grandfather, Charles VI and throughout the era of Maria Theresa. By also pointing at its compatibility and simultaneity with similar trends of creating a state church in Europe, she considered Josephinism as the Austrian variant of the Catholic Enlightenment.³ But, while her study intended to "localize" the Catholic Enlightenment, she did not consider the geographical discrepancy between the nominal imperial title of the House of

² Bernard Plongeron, "Was ist Katholische Aufklärung?," in *Katholische Aufklärung und Josephinismus*, ed. Elisabeth Kovács (München: Oldenbourg, 1979), 11–57.

³ Elisabeth Kovács, "Katholische Aufklärung und Josephinismus. Neue Forschungen und Fragestellungen.," in *Katholische Aufklärung: Aufklärung im Katholischen Deutschland*, ed. Harm Klueting, Norbert Hinske, and Karl Hengst, Studien zum achtzehnten Jahrhundert, Bd. 15 (Hamburg: Meiner, 1993), 246–49.

Habsburg and Lorraine in the Holy Roman Empire and the *de facto* empire including not only the hereditary lands, but also the Austrian Netherlands, Lombardy, the Kingdom of Hungary and other territories, where the legitimacy of the ruler was based on the legal traditions of each country or province separately. Consequently, his or her rights for interfering into ecclesiastical affairs and to introduce new policies had to be harmonized with the local legal traditions on a case by case basis. Considering this, the German understanding of a state church (*Staatskirchentum*) and the understanding of “state-church relations” does not carry the same meaning in the different parts of the Habsburg realms.

While Evans described the Habsburg Monarchy as a composite state by enumerating the variety of its political units and their inherent ethnical and confessional diversity glued together with "Austro-Catholicism",⁴ Elisabeth Kovács gave account of its composite nature in her study entitled *Beziehungen von Staat und Kirche im 18. Jahrhundert*⁵ not in terms of territorial units, but in a political sense: she pointed out that the main actors of political power were the ruler and the estates – and among the latter, the Catholic Church and its prelates were represented, too. At the same time, the ruler was defender and advocate of the church (*defensor et advocatus ecclesiae*). This was an ambiguous role that could be interpreted both as the obligation of the ruler to

⁴ Robert John Weston Evans, *The Making of the Habsburg Monarchy, 1550-1700: An Interpretation* (Oxford [Oxfordshire] - New York: Clarendon Press ; Oxford University Press, 1984).

⁵ Elisabeth Kovács, “Beziehungen von Staat und Kirche im 18. Jahrhundert,” in *Österreich im Zeitalter des Aufgeklärten Absolutismus*, ed. Erich Zöllner, Schriften des Institutes für Österreichkunde 42 (Wien, 1983), 29–53.

protect the church and also as his right to interfere in order to improve or defend its positions.⁶

Kovács considered the heterogeneous nature of the church, too. She emphasized not the diversity of its governmental structures that coexisted inside the Catholic Church, but the division of the medieval concept of the *corpus Christi reale* (*Kirchengewalt* - the spiritual power) and the *corpus Christi mysticum/politicum* (*Kirchenregiment* - the visible, juridical image of the church). Kovács also listed the main ruptures from the time of the Reformation that led to a fragmentation both in terms of the relations between the secular rulers, who refused to obey to the Pope, and inside the Catholic Church, when conciliarism became dominant and the bishops called into question their subordination to papal authority. Kovács meant by the Austrian Monarchy mainly the hereditary lands, without differentiating the lands of the Holy Roman Empire and the provinces, and without reflecting on other territories such as Hungary.⁷

Despite of the renaissance of the concept of the Catholic Enlightenment and its multifaceted, new definitions, the restricted scope of studying the Catholic Enlightenment in the Habsburg realms seems to be persistent. Josephinism is defined by Harm Klueting's chapter in Ulrich Lehner's and Michael Printy's companion to the Catholic Enlightenment⁸ as the Austrian manifestation of the Catholic Enlightenment

⁶ According to Wolf, this ambiguity was played out from the 1750s, when Maria Theresa claimed that she was *suprema advocata ecclesiarum* and it was her vocation to put an end to the disorder that dominated the administration of ecclesiastical goods. Wolf, *Die Aufhebung der Klöster in Innerösterreich: 1782-1790 ; Ein Beitrag zur Geschichte Kaiser Joseph's II*, 3.

⁷ Kovács, "Beziehungen von Staat und Kirche im 18. Jahrhundert."

⁸ Ulrich L. Lehner and Michael O'Neill Printy, eds., *A Companion to the Catholic Enlightenment in Europe*, Brill's Companions to the Christian Tradition, v. 20 (Leiden ; Boston: Brill, 2010),

that culminated in Joseph II's church policies, but, while this definition seem to suggest a strong focus on the ecclesiastical politics of Maria Theresa and Joseph II, his studies lay far more emphasis on the enumeration of the intellectual foundations of the policies traced back to Muratorian, Jansenist, Febronian ideas cultivated in Viennese elite circles, theological faculties and wider correspondence networks of Benedictine monks. On the one hand, he depicts "the many faces of the Catholic Enlightenment"⁹ with respect to its diversity and attempts to create a synthesis of the works published mainly in German and with reference to English and French studies, on the other hand, partly due to the language barriers, the geographical scope of his investigation still remains limited. Kluebing claims to cover the entirety of the Habsburg lands under the name "Austria", but, *de facto*, it focuses on the hereditary lands with an outlook on the Austrian Netherlands, the Italian territories and intellectual contacts with South German territories. The Hungarian Kingdom, Transylvania or Galicia are missing from the picture, and the reception of Catholic Enlightenment ideas in these territories is ignored.¹⁰

Derek Beales claimed that the Kingdom of Hungary was still in the stage of a "belated Counter-Reformation" at the time of the implementation of Joseph II's

https://books.google.cz/books?id=vRn6toH7_W4C&printsec=frontcover&hl=hu&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false. About the role of the Companion in "putting the Catholic Enlightenment on the map" and a simultaneously critical revision see: Ritchie Robertson, "The Catholic Enlightenment: Some Reflections on Recent Research," *German History* 34, no. 4 (December 2016): 630–45, doi:10.1093/gerhis/ghw120.

⁹ Ulrich L. Lehner, "Introduction: The Many Faces of Catholic Enlightenment," in *A Companion to the Catholic Enlightenment in Europe*, ed. Ulrich L. Lehner and Michael Printy (Leiden-Boston: Brill, 2010), 1–62.

¹⁰ Harm Kluebing, "The Catholic Enlightenment in Austria or the Habsburg Lands," in *A Companion to the Catholic Enlightenment in Europe*, ed. Ulrich L. Lehner and Michael Printy (Leiden-Boston: Brill, 2010), 127–64; Harm Kluebing, "Die Theresianisch-Josephinischen Reformen und die Staatskirchlichen Bestrebungen," *Historisches Jahrbuch* 137 (2017): 85–103.

monastic policies, by which he referred to the still developing building projects and flourishing practices of baroque pietism.¹¹ In 2014, a thematic issue of the Hungarian journal of social history entitled *Korall* explored the potentials and limits of the concept of confessionalization in the Hungarian context.¹² Two authors, Dániel Siptár and András Forgó argued that the core ideas of confessionalization are applicable to the Kingdom of Hungary in a broader time frame than it was initially defined by Heinz Schilling and Wolfgang Reinhard, who suggested the Peace of Westphalia (1648) and the expulsion of the Protestants of Salzburg (1731) as ending dates. Siptár, by focusing on the reorganization and repopulation of Baranya county after the reconquest of the territory from the Ottoman Empire, applied the concept of the “second confessionalization” in order to give account of the restructuring of the confessional relations of a multiconfessional and multiethnic region from the late seventeenth-century. As he demonstrated the role of Catholic settlers, religious orders and various patrons (the ruler, landlords, local population) in the re-establishment of Catholicism, he also showed how this procedure went parallel with negotiations over the religious freedom of other confessional groups up to the mid-eighteenth century.¹³ András Forgó extended the time frame up until the late-eighteenth century, using the term “late confessionalization” (*Spätkonfessionalisierung*) and referring to the dates of the issuance of Joseph II’s tolerance patent (1781) and its confirmation by the diet held in

¹¹ Derek Edward Dawson Beales, *Joseph II.*, vol. 2. Against the world, 1780-1790. (Cambridge: Cambridge University Press, 1987-2009, 2009), 298–302.

¹² “Konfesszionalizáció: felekezeti és politikum a kora újkorban,” *Korall* 15, no. 57 (2014).

¹³ Dániel Siptár, “A szerzetesség és a töröktől való visszafoglalást követő „második konfesszionalizáció” Baranya megyében,” *Korall* 15, no. 57 (2014): 70–91.

1791 as potential ending points. Forgó investigated the conflicts of religious orders both as landlords and potential converters of non-Catholic subjects in their territories.¹⁴

Despite these various studies in which the ecclesiastical and religious conditions of the Hungarian Kingdom as belated in comparison with the Western territories of the Habsburg realms, the traces of the reception of and reflections to contemporary ideas associated with the Catholic Enlightenment can be discovered, too. Recent studies have shown that the tendencies described as late manifestations of the counter reformation or confessionalization could coexist and be intertwined with the reception ideas associated with the Catholic Enlightenment. András Forgó has investigated Muratori's reception in the Hungarian Kingdom by enumerating the Latin and Hungarian translations and editions of his works. He called attention to the widespread presence of Muratori's works in the libraries of Hungarian noblemen, bishops and prelates. The Latin edition of Muratori's *Della regolata devozione de' Cristiani* (1746) was issued in Hungary in 1756 preceding other editions in Czech, German and Latin issued in Vienna, Innsbruck and Prague. The Hungarian translation also appeared soon, in 1763 in Eger. In the same year and in the same city, the Latin translation of Muratori's *Della carità Cristiana* was also published. This work was originally issued in Modena in 1723. Its Hungarian translation appeared in 1773 in Vienna. Interestingly, this edition was also endorsed by the Greek Catholic bishop, Grigoriu Maior, who proposed its translation to "other Eastern languages". Forgó also demonstrated that Muratori's works were popular not only among the Hungarian bishops and archbishops – Károly Eszterházy, Ignác

¹⁴ András Forgó, "A kései konfesszionalizáció magyarországi jellegzetességeiről," *Korall* 15, no. 57 (2014): 92–109.

Batthyány, György Klimó, Ádám Patachich, József Batthyány or the Greek Catholic bishop András Bacsinszky –, but also among the members of the regular clergy who advocated not only the reform of the Catholic Church, but also for political reforms in Hungary. He called attention to the political-publishing activity of the Piarist monks Bernát Benyák, Károly Koppi, András Dugonics and the Pauline father Ferenc Verseggy. Forgó also called attention to the direct contacts of Hungarian clergymen with Italian reform ideas and called into question the dominance and/or intermediary role of the Viennese Jansenist circles.¹⁵

There is also a growing body of literature on (ex-)Jesuits who started their careers in the Jesuit Order and earned their fame as savants in various fields simultaneously and/or after the suppression of the Society of Jesus. In these cases, the emphasis shifts from a textual corpus of translations, pamphlets, memoranda and publications concerned with the reform of the Catholic Church to new forms of producing knowledge usually paired with new types of career trajectories, as a practical response to the transformation of the political, intellectual and institutional landscape. This broadens the scope of the application of the concept of Catholic Enlightenment to a great extent, as the protagonists are Catholic intellectuals, who sometimes kept their status as secular priests after the suppression of their religious order, and what they confront with and adjust to is the broadly defined challenge of the Enlightenment.

Paul Shore examines Adam František Kollár (1718–1783) and György Pray (1723–1801) as “librarian-scholars” and traces the appearance of the ideals and ideas of

¹⁵ András Forgó, “Katolikus felvilágosodás és politikai reformmozgalom. Szerzetesek a megújulás szolgálatában,” in *Politikai elit és politikai kultúra a 18. század végi Magyarországon*, ed. M. István Szijártó and Zoltán Gábor Szűcs (Budapest, 2012), 120–46.

the Enlightenment in their historical works,¹⁶ while Ferenc Tóth investigates how ex-Jesuit scholars, namely Ferenc Károly Palma (1735-1787), István Katona (1732-1811) and György Pray reflected (or failed to reflected) on the delicate question of the suppression of the Society of Jesus – a controversial matter regarding the rights and competencies of a secular ruler in ecclesiastical affairs – in their historical studies.¹⁷ László Kontler's and Per Pippin Aspaas' recent monograph examines Jesuit science in the context of the Catholic enlightenment through the biography of the astronomer Maximilian Hell, who also started his career as a member of the Society of Jesus. The book provides probably the most comprehensive enumeration of ex-Jesuits savants in- and outside the Hungarian Kingdom who could have been probably considered as agents of the Catholic Enlightenment even without the suppression of their religious order. As they successfully transformed and applied elements of their former education and network in their post-suppression scholarly careers, the authors' argumentation to consider the Jesuits not as antagonists of, but, in many ways, facilitators of the Catholic Enlightenment, seem to be reinforced by the fact that their knowledge and skills proved to be compatible with the new challenges.¹⁸

While Forgó's studies focus on the reception of the ideas of the Catholic Enlightenment in political thinking and political representation¹⁹ and Shore, Tóth,

¹⁶ Paul Shore, "Ex-Jesuit Librarian-Scholars Adam František Kollár and György Pray: Baroque Tradition, National Identity, and the Enlightenment among Jesuits in the Eastern Habsburg Lands," *Journal of Jesuit Studies* 6, no. 3 (August 22, 2019): 467–85, doi:10.1163/22141332-00603004.

¹⁷ Gergely Tóth, "Önkép, önreprezentáció, és a rend 1773. évi megszüntetésének emléke Palma Károly Ferenc, Pray György és Katona István történeti munkáiban. [Self-Image, Self-Representation and the Memory of the Abolition of the Jesuit Order in 1773 in the Works of Károly Ferenc Palma, György Pray and István Katona]," in *Katolikus egyházi társadalom Magyarországon a 18. Században*, ed. András Forgó and Zoltán Gözsy, Pécsi Egyháztörténeti Műhely 11 (Pécs: META Egyesület, 2019), 411–25.

¹⁸ Per Pippin Aspaas and László Kontler, *Maximilian Hell (1720–92) and the Ends of Jesuit Science in Enlightenment Europe* (Leiden | Boston: Brill, 2019).

¹⁹ Forgó, "A kései konfesszionalizáció magyarországi jellegzetességeiről."

Kontler-Aspaas investigate intellectual achievements in a broader context of the learned culture of the Enlightenment, Dániel Bárh examines how the Catholic reform agenda of elite circles was transmitted into and manifested in the popular culture. Bárh's investigations focus on those elements of the Catholic Enlightenment agenda that proposed more inward-looking and restrained devotional practices and their application could manifest in actions targeting the material culture, festivities and rituals of the Catholic Church. Bárh applies the conceptual toolkit of ethnography in order to investigate how the envisioned standards of Catholic Enlightenment did or did not reach the non-elite strata of society in the form of prescribed practices, prohibitions, policies and how they shaped or interacted with "religious mentality".²⁰

After mapping out the various applications of the concept of the Catholic Enlightenment on both sides of the Leitha, a rather strange picture appears: on the Austrian side, the ecclesiastical policies of Maria Theresia and Joseph II appear to be compatible with and organically growing out from the reform agenda of the Catholic Enlightenment that did not seem to be in any contact with Hungary: neither the intellectual contribution of Hungarian agents is considered, nor the effect of the already elaborated policies is taken into account from the Hungarian perspective. At the same time, on the Hungarian side, the terms Theresianism and Josephinism remain associated with policies imposed upon the country from outside, while the concept of Catholic Enlightenment seems to open up a space for exploring receptive interlocutors and agents of ecclesiastical and political reforms in the Hungarian Kingdom, whose inspiration and

²⁰ Dániel Bárh, "Catholic Enlightenment and Religious Mentality in Hungary (1760–1790)," in *Die Habsburgische Variante des aufgeklärten Absolutismus*. *Beiträge Zur Mitregentschaft Josephs II., 1765–1780*, ed. András Forgó and Krisztina Kulcsár, Publikationen der ungarischen Geschichtsforschung in Wien 16 (Wien, 2018), 311–24.

activity appears more as a locally cultivated alternative of Theresianism and Josephinism, perhaps inspired by other (Italian, Jesuit) sources, that nevertheless remain associated with trends developed and received “from outside”.

1.2. Josephinism and the Emergence of the Coordinating State

I assemble this fragmented picture by taking one step back from seeing the essence of Josephinism in the creation of a state church and turn towards another feature emphasized in its definitions, namely to the development of an administrative system and bureaucracy that intended to increase the coherence of the Habsburg lands – also in terms of their ecclesiastical affairs.²¹ Simultaneously, I consider the concept of the Catholic Enlightenment useful from the perspective of the administration of ecclesiastical affairs: it addressed issues regarding the governmental structures of the church and expected renewal from the interference of secular rulers. In Austria, this demand met with the development of new bureaucratic units in the administrative and political apparatus dedicated to church affairs that facilitated the design and implementation of policies aiming to create a more economical and publicly more beneficial Catholic Church in the Habsburg realms. In my understanding, the key to enlightened (Catholic or other) "improvement" lies in knowledge practices that either aim at understanding better the human-social and natural world for itself or being used to improve the same world. Consequently, I consider the role of the various councils, commissions and offices not merely as formulators and implementers of policies, but

²¹ Irmgard Plattner, “Josephinismus Und Bürokratie,” in *Josephinismus als aufgeklärter Absolutismus*, ed. Helmut Reinalter (Wien: Böhlau, 2008), 53–96.

as very important sites of knowledge production that not only translated the intellectual achievements of the era into policies, but also intended to prepare the targeted groups for the new policies by commissioning the preparation of expert opinions, memoranda and scholarly works that justified and legitimized the new measurements by proving their rationality.

In my view, new forms of state power evolve in the period of my investigation that appear not merely as manifestations of an authoritative force, but as the coordinator of an infrastructural apparatus that simultaneously tries to appropriate the preexisting networks and governmental practices of the Catholic Church and to offer its superior methods and knowledge as their alternatives. This process included, on the one hand, the dissolution of preexisting connections and inner boundaries of the Catholic Church, and, on the other hand, the Habsburg state provided a more extensive administrative apparatus for managing church affairs.

Foucault considers the eighteenth century as the turning point, when a demographic expansion induced concerns about the population and the question of good governance raised first in sixteenth-century treatises reappeared in the texts of the Physiocrats explicating that it is not through law that the aims of government are to be reached and “the essential issue in the establishment of the art of government: introduction of economy into political practice.”²² This also coincided with a shift in the meaning of

²² Michel Foucault, “Governmentality,” in *The Foucault effect: studies in governmentality; with two lectures by and an interview with Michel Foucault*, ed. Graham Burchell, Gordon Colin, and Miller Peter, Nachdr. (Chicago, Ill: Univ. of Chicago Press, 2009), 92. The text was a lecture given by Foucault as part of the course “Security, Territory, and Population” at the College de France in February 1978; translated from the Italian version, transcribed and edited by Pasquale Pasquino, published in *Aut Aut* 167-8, September-December 1978.

the word economy that started referring to a specific field of reality about which knowledge had to be produced “as knowledge of divine and human laws, of justice and equality”²³ was not sufficient any more, but “the knowledge of things, of the objectives that can and should be attained, and the disposition of things required to reach them.”²⁴ Foucault differentiates between sovereignty and (state) government as two distinct forms of defining the relationship between the ruler and the state and explores a shift both in political thinking and in practice towards the latter one. He considers the sovereign as external to its country, whose “transcendent singularity” is connected to the state with a fragile juridical link, while, in opposition to it, governance appears as pluralistic, but, in any form, still inherent/immanent to the state. Consequently, “whereas the doctrine of the prince and the juridical theory of sovereignty are constantly attempting to draw the line between the power of the prince and any other form of power, because its task is to explain and justify this essential discontinuity between them, in the art of government the task is to establish a continuity both an upwards and a downwards direction.”²⁵ By establishing this abstract distinction with the help of spatial metaphors, Foucault also claims that the object of power shifts from territory to subjects.

While the modern state, in Foucault’s interpretation, evolved as rulers became primarily concerned with identifying and resolving problems specific to the population and securing their sovereignty over a territory became secondary, Michael Mann points at the modern state’s capacity to territorialize the affairs of its population, as its essential

²³ Ibid., 96.

²⁴ Ibid.

²⁵ Ibid., 91.

feature.²⁶ In Mann's study "[t]wo essential parts of the definition, centrality and territoriality, are discussed in relation to two types of state power, termed here despotic and infrastructural power. State autonomy, of both despotic and infrastructural forms, flows principally from the state's unique ability to provide a territorially centralized form of organization."²⁷ He defines the despotic power of the state elite as "the range of actions which the elite is empowered to undertake without routine, institutionalized negotiation with civil society groups"²⁸, while infrastructural power is "the capacity of the state actually to penetrate civil society, and to implement logistically political decisions throughout the realm."²⁹ Mann considers despotic power as the one that (usually) differentiates a state elite from the rest of the society, while he regards infrastructural power(s) as "a general feature of society" meaning that the techniques of exercising this second type of power can also be developed by civil society groups and their achievements can be appropriated by the state – and *vica versa*, achieving social development in a dialectical way.³⁰ While Mann's definition of despotic power strongly resembles Foucault's understanding of the sovereign as external, transcendent and striving for distinction from other forms of power, his understanding of the infrastructural power of the state that enables penetration into and the coordination of

²⁶ Michael Mann, "The Autonomous Power of the State: Its Origins, Mechanisms and Results," in *States in History*, ed. John A. Hall (Oxford: Blackwell, 1986), 109–36. First published in 1984 in a volume entitled *A History of Power from the Beginnings to 1760 AD*.

²⁷ *Ibid.*, 109. Mann's definition of the state keeps up an ambiguity that seems to be chronologically resolved in Foucault's text – however, we should keep in mind that Foucault sketched up a model for the development of (early modern) Western societies, while Mann intended to provide a (more) globally and (more) ahistorically applicable framework for thinking about the state and its various forms.

²⁸ *Ibid.*, 113.

²⁹ *Ibid.*

³⁰ "[T]he whole history of the development of the infrastructure of power there is virtually no technique which belongs necessarily to the state, or conversely to civil society" *Ibid.*, 118–19.

civil society, implies a similar immanence and multifaceted presence in everyday life that Foucault attributes to government and political economy.³¹

Mann attributes agency to the state that is distinct from the agency of individuals, i.e. the ruler, the dynasty, the estates, subjects, etc., and as such, it has its own, “autonomous power” and the sources of this power lie both in its infrastructural and despotic strength. To the question what the origins of the autonomous power of the state are, he enumerates three main aspects, among which he calls attention to the multiplicity of the functions of the state and lists four main areas: the maintenance of internal order, military defence/aggression, the maintenance of communications infrastructures, and, finally economic redistribution. He considers these aforementioned aspects of state power valid, but incomplete and argues for including a third aspect that he terms as “the territorial centrality of the state.”³² In his understanding, this includes metaphorical, symbolic and real spaces that can lead to a territorializing aspect of the state: “Because most states are pursuing multiple functions, they can perform multiple manoeuvres. [...] This manoeuvring space is the birthplace of state power. [and this is in what we can] capture the distinctiveness of the state as a social organization.”³³ As Mann claims: “the state does not possess a distinctive means of power independent of, and analogous to, economic, military and ideological power. The means used by states are only a combination of these, which are also the means of power used in all social relationships. However, the power of the state is irreducible in quite a different socio-

³¹ „The first sense [despotic power] denotes power by the state elite itself *over* civil society. The second [infrastructural power] denotes the power of the state to penetrate and centrally co-ordinate the activities of civil society through its own infrastructure.” Ibid., 114.

³² Ibid., 119–22.

³³ Ibid., 122.

spatial and organizational sense. Only the state is inherently centralized over a delimited territory over which it has authoritative power. Unlike economic, ideological or military groups in civil society, the state elite's resources radiate authoritatively outwards from a centre but stop at defined territorial boundaries. The state is, indeed, a place - both a central place and a unified territorial reach."³⁴

As Robert Evans had pointed out, the reshaping of the Catholic Church in the Habsburg lands ran parallel with the formation of the concept of the state itself,³⁵ and with the evolution of new understandings and means of state power. In order to capture these novel elements, I follow Karin J. MacHardy's suggestion to apply Michael Mann's concept of the 'coordinating state', though with a different emphasis.³⁶ As Mann differentiates between autocratic and infrastructural power, he connects the evolution of the latter one to territorialization, i.e. to the capacity of the state "to focus the relations and the struggles of civil society onto the territorial plane of the state" while "breaking both smaller local and also wider transnational social relationships."³⁷ In this framework, by investigating the territorialization of church affairs, I also provide an example for studying the evolution of the infrastructural power of the state, and, ultimately, for the formation of the notion of the state itself.

³⁴ Ibid., 122–23.

³⁵ As Robert Evans has noted: "Before the notion of a "State" existed, there could be no writing about the State, historical or otherwise. [...] Whereas in the German territorial principalities *Staatsbildung*, the extension of executive power and rank to embrace the polity as a whole, formed a reasonable clear-cut progression, it was long impossible for, and undesired by, the Habsburgs themselves." Robert Evans, "Historians and the State in the Habsburg Lands: Actes Du Colloque de Rome (18-31 Mars 1990)," in *Visions Sur Le Développement Des États Européens. Théories et Historiographies de l'État Moderne. Actes Du Colloque de Rome (18-31 Mars 1990)* (École Française de Rome, 1993), 203, https://www.persee.fr/doc/efr_0000-0000_1993_act_171_1_3040.

³⁶ Karin J MacHardy, *War, Religion and Court Language in Habsburg Austria*. (Basingstoke: Palgrave Macmillan, 2002), 22–36.

³⁷ Mann, "The Autonomous Power of the State: Its Origins, Mechanisms and Results," 132.

1.3. Commissions and State Archives as Sites of Knowledge Production

However, the territoriality of the state, as it is described by Mann in general and abstract terms, was rather a vision than a phenomenon that could have been observed and described in accordance with Mann's concept. As I will demonstrate, the archives became a governmental tool and the information accumulated in them was largely the result of new record keeping practices in which an ideal of "map-mindedness" was pursued – even if actual maps were rarely at the disposal of the authorities from whom the reports were requested.

While monasteries appear on the maps of the Josephinian Land Survey (1765-1790) and on the detailed maps of provincial centers (e.g. cadastral or military maps of cities) as significant buildings and important points of orientation, there is no trace of that the extensive knowledge produced about their goods and inhabitants would have relied on the usage or creation of maps.³⁸ But even if no or very little cartographical activity can be identified in relation with the church surveys, the procedures of gathering and ordering information were intertwined with the constant geographical localization of church goods and personnel, and as such, still can be considered as mapping of the ecclesiastical, and more specifically, of the monastic landscape of the Habsburg realms. Even if the words mapping and landscape are used here metaphorically, they are still helpful to capture the ambition of the central offices for gaining such a complete

³⁸ For an exciting case study that demonstrates the growing tension between the local authorities' demand for detailed and precise maps and the central government's anxiety to make sensitive cartographic information accessible at any level of bureaucracy see: Madalina Veres, "Constructing Imperial Spaces: Habsburg Cartography in the Age of Enlightenment" (University of Pittsburgh, 2015), 153–61. <http://d-scholarship.pitt.edu/25241/>

overview of ecclesiastical affairs that no church authority had and could compete with. In other words, besides the legal and theological arguments that justified state interference into ecclesiastical matters by a broad definition of the realm of the secular,³⁹ the state reinforced its authority in church affairs also by representing itself as the ultimate possessor of the knowledge necessary for proper governance, and, consequently, as its most competent provider. Being geographically well-informed was a crucial element of this endeavour and the evolving bureaucratic apparatus had to build up a network of informants whose reports could correspond to the demands of the central offices. While keeping in mind that the (un)willingness of the church personnel and local authorities to cooperate and answer questionnaires was an important factor, I focus on those elements of the communication that reveal a mutual learning process during which the questions and instructions sent out from Vienna became more and more precise and the responses more and more adequate. In order to capture how this flow of inquiring and responding could shape the perception and observation of the local environment and the transmission of pieces of information, I use the concept of map-mindedness. M. H. Edney initially used this term to point out that an important precondition of the militarization of cartography in the eighteenth century was actually the “cartographisation” of the military, a shift in the mindset of general officers, who

³⁹ Emil Friedberg, *Die Grenzen zwischen Staat und Kirche und die Garantien gegen deren Verletzung: Historisch-Dogmatische Studie mit Berücksichtigung der deutschen und außerdeutschen Gesetzgebungen und einem Anhang Theils ungedruckter Aktenstücke : In 3 Abteilungen. Deutschland*, vol. 1 (Tübingen: Verlag der Laupp'schen Buchhandlung, 1872), 137–76, <https://books.google.de/books?id=pH9UAAAcAAJ>.

“first needed to appreciate and understand the use of maps for military purposes.”⁴⁰ A more recent appearance of the term in the social sciences draws upon the results of cognitive and developmental psychology and defines it as a “disposition resulting from »the internalization of a map-like view of the world«, such that subjects »think about space in map-like ways, even if they are not looking at a map at the time«.”⁴¹ By using this latter definition, I investigate how the central offices trained their informants to become map-minded and provide data, reports and even expert opinions accordingly. I assume that tracing this developmental process can lead to a better understanding of the administrative system that was responsible for coordinating the mobility of monks and nuns displaced from their habitual environment and compelled to find their new place in interaction with a map-mindedly designed – an gradually trained – secular and ecclesiastical government.

As the main requesters, receivers, processors of these records were administrative units and their reorganizations usually also changed the preexisting ways of knowledge production, their enumeration and scope is unavoidable. My approach to governmental units and their archives is strongly inspired by Ann Laura Stoler’s arguments for looking at “archives as epistemological experiments rather than as sources”⁴² and at “archiving as a process rather than to archives as things.”⁴³ As Stoler

⁴⁰ M. H. Edney, “British Military Education, Mapmaking, and Military ‘map-Mindedness’ in the Later Enlightenment,” *The Cartographic Journal* 31, no. 1 (June 1, 1994): 14–15, doi:10.1179/000870494787073727.

⁴¹ Camilo Arturo Leslie, “Territoriality, Map-Mindedness, and the Politics of Place,” *Theory and Society* 45, no. 2 (April 1, 2016): 169–201, doi:10.1007/s11186-016-9268-9.

⁴² Ann Laura Stoler, “Colonial Archives and the Arts of Governance,” *Archival Science* 2, no. 1–2 (March 2002): 87, doi:10.1007/BF02435632.

⁴³ Ibid.

points out “Reading only against the grain of the colonial archive bypasses the power in the production of the archive itself”.⁴⁴ In my opinion, this statement is valid to any type of state archives. I start “from the premise that archival production is itself both a process and a powerful technology of rule, then we need not only to brush against the archive’s received categories. We need to read for its regularities, for its logic of recall, for its densities and distributions, for its consistencies of misinformation, omission, and mistake – along the archival grain.”⁴⁵ If the analysis is simplified to “a reductive equation of knowledge to power, and that colonial states sought more of both,”⁴⁶ this approach “makes irrelevant failed proposals, utopian visions, and improbable projects because they were “non-events.”⁴⁷

One of my aims is to reconstruct the – probably utopian – visions inherent to the Habsburg ecclesiastical reforms and recover the record keeping practices from their “non-event status”. I consider the archives “as cross-sections of contested knowledge”⁴⁸ that makes my inquiries “concerned with the legitimating social coordinates of epistemologies: [...] rules of reliability and trust, criteria of credence, and [...] what political forces, social cues, and moral virtues produce qualified knowledges that, in turn, disqualified other ways of knowing, other knowledges.”⁴⁹

The appointments of various commissions charged with more and more tasks related to ecclesiastical affairs are usually interpreted as landmarks in the expansion of Habsburg governmental infrastructures. Nevertheless, their epistemological function

⁴⁴ Ibid., 100–101.

⁴⁵ Ibid., 100.

⁴⁶ Ibid., 100–101.

⁴⁷ Ibid.

⁴⁸ Ibid., 87.

⁴⁹ Ibid., 95.

also deserves attention. As Ann Laura Stoler points out, “commissions organized knowledge, rearranged its categories, and prescribed what state officials were charged to know. [...] commissions were not just pauses in policy and tactics of delay. Like statistics, they helped ‘determine . . . the character of social facts’ and produced new truths as they produced new social realities. [...] By the time most commissions had run their course (or spawned their follow-up generation), they could be credited with having defined ‘turning points,’ justifications for intervention, and, not least, expert knowledge”.⁵⁰

In the Habsburg realms, the governmental settings differed in each land (kingdom, duchy, province, etc.). Consequently, the management of ecclesiastical affairs was also in the hands of different committees with varying names, scopes and prehistories, not to mention the diversity of their labor division and cooperation with other offices and committees of the country. Until the 1780s, the lack of an empire-wide administrative system of church affairs also implied that the knowledge and “social realities” the committees could produce were also far from being uniform or even commensurable. The exceptional treatment of the Hungarian Kingdom declared in Maria Theresa’s political testament around 1750⁵¹ may seem to make this country particularly divergent. Nevertheless, the main principles of the imperial church politics – such as the demand for comprehensive surveys informing about the revenues and personnel – were pursued in Hungary as well, and converging tendencies can be

⁵⁰ Ibid., 103–4.

⁵¹ Maria Theresa, *Kaiserin Maria Theresias politisches Testament / Herausgegeben und eingeleitet von Josef Kallbrunner; Mit einem sprachkundlichen Nachwort von Clemens Biener*. (Wien: Verlag für Geschichte und Politik, 1952., 1952).

observed not only from the beginning of Joseph II's reign, but already from the second half of the 1760s.

The imperial administrative apparatus started using archives as a tool of knowledge production more and more heavily from the rule of Maria Theresa with the aim of achieving "better government."⁵² The knowledge produced, archived, accumulated was probably also used for the design of policies and decision making, however, this aspect is still largely unexplored. Unfortunately, the archives of the Court Chancellery (*Österreichische Hofkanzlei*, 1527-1749), the Directorate for Public and Financial Affairs (*Directorium in publicis et cameralibus*, 1749-1761) and United Austrian and Bohemian Court Chancellery (*vereinigte österreichische böhmische Hofkanzley*, 1762-1848) – including the documents of several central commissions subordinated to them – were destroyed in the July Revolt of 1927 as the riot culminated in the fire of the Palace of Justice in Vienna where the archives of the Ministry of Inner Affairs were stored. As the catalogues of the archives mostly fell victim to the fire, too,

⁵² About imperial archives in general: Frederick Cooper and Ann Laura Stoler, "Between Metropole and Colony. Rethinking a Research Agenda", in *Tensions of Empire Colonial Cultures in a Bourgeois World* (University of California Press, 1997), 1–56, <https://doi.org/10.1525/california/9780520205406.001.0001>; Ann Laura Stoler, "Colonial Archives and the Arts of Governance", *Archival Science* 2, sz. 1–2 (March 2002): 87–109, <https://doi.org/10.1007/BF02435632>; Ann Laura Stoler, *Along the archival grain: epistemic anxieties and colonial common sense* (Princeton, NJ: Princeton University Press, 2009). About the archives of the Habsburg Monarchy and the Hungarian Kingdom: James P. Niessen, "Records of Empire, Monarchy, or Nation? The Archival Heritage of the Habsburgs in East Central Europe", *Ab Imperio*, 2007, <https://doi.org/10.7282/t3gf0rx4>; James P. Niessen, „Heritage and Repatriation in the History of Habsburg and Hungarian Archives”, *Hungarian Cultural Studies* 11 (August 2018): 136–43, <https://doi.org/10.5195/AHEA.2018.327>; Péter Balázs, ed., *Guide to the archives of Hungary* (Budapest, 1976), https://library.hungaricana.hu/en/view/MolDigiLib_VSK_Guide_to_the_archives_of_Hungary/?pg=0&layout=s; János Lakos, *A Magyar Országos Levéltár története* (Budapest: Magyar Országos Levéltár, 2006), https://library.hungaricana.hu/hu/view/MolDigiLib_VSK_MolTortenete/?pg=5&layout=s; Imre Röss and James P. Niessen, "Hungary", *Austrian History Yearbook* 29, No. 2 (1998): 43–81, <https://doi.org/10.1017/S0067237800032094>.

as they were stored with the documents they referred to, it is extremely difficult to reconstruct what got lost and usually fragmentedly preserved copies in the files of other state organs shed light on the scale and practices of policy design, calculations and decision making procedures.⁵³ As systematic search for such copies is rather difficult and its result are often accidental, the literature produced between the opening of the archives to the public and the date of the *Justizpalastbrand*, i.e. approximately in six decades, is especially important. For the same reason, the archives of the various lands of the Habsburg realms are better preserved – both in consequence of their historical division and thanks to their distribution among the newly formed states after the first world war – and this reinforces the aforementioned trends of the late nineteenth-century when preference was given to studies pursued in the geographical framework of political entities intending to emphasize their independence.

Another important source of studying central decision making would have been the archives of the State Council (*Staatsrat*). It operated as the advisory board of the ruler without having executive power and supported the decision making with the elaboration of reports and opinions (*Gutachten*). Its archival legacy was preserved as part of the Cabinet Archives (*Kabinettsarchiv*) until the Second World War, when it suffered great losses. The files produced between 1760-1833 got lost and only short extracts of the cases are at the disposal of the nowadays researcher, thanks to the indices preserved.⁵⁴

⁵³ Jakob Seidl, “Das Brandunglück im Österreichischen Staatsarchiv des Innern und der Justiz,” *Archivalische Zeitschrift* 37 (1928): 184–91.

⁵⁴ Anna Coreth, “Das Schicksal des k.k. Kabinettsarchivs seit 1945.,” *Mitteilungen des Österreichischen Staatsarchivs* 11 (n.d.): 514–25.

One more loss of archives has to be mentioned: a second wave of monastery dissolutions took place in the 1950s in the territories that used to belong to the lands of the Bohemian Crown and to the Hungarian Kingdom before the First World War. The fragmentation of archives in consequence of the territorial changes of the two World Wars and then the losses of ecclesiastical, and particularly of monastery archives in the 1950s are still not explored in detail and language barriers among the successor states of the Dual Monarchy add to the challenges of reassembling the archives of religious orders that survived the reign of Joseph II. For this reason, state archives – usually with a specific regional scope – are the depositories of documents through which not only the operation of state administration can be reconstructed, but also the networks and governmental structures of religious orders can be explored. To put it simple, creating a precise topography of the eighteenth-century Franciscan provinces of the Habsburg territories would be far more difficult on the basis of Franciscan archives fragmented and dispersed among the successor states than with the help of state archives, even if the latter ones created and preserved their records according to their own agenda.

Studies on the (historical) statistics of religious orders has called attention to the gaps in our knowledge about the context in which the statistical tables and reports were produced and processed. In respect of the Hungarian Kingdom, Márta Velladics systematized and compared several statistical tables informing about various (mainly quantified) features of monasteries in the 1780s. Her sources were preserved in manuscript collections of aristocratic families, in the archives of the Royal

Locotenential Council⁵⁵ and in archdiocesan archives of Kalocsa and Esztergom – mostly without any explaining documents that would shed light on their usage or production. Velladics tried to reconstruct the undated tables and put them into a chronological order on the basis of the data they contained. She also tried to clarify, if they could be reports informing about the actual status or whether they were only plans or drafts in which the achievable goals were calculated.⁵⁶ While I explore how the contemporary statistical reports and journal articles fed into historical accounts, I also try to “look beyond” these publications, trace their archival context and connect them back into it wherever it can be reconstructed.

1.4. Historiography of Habsburg Monastic Policies

Joseph II's church policies gained publicity mainly in the form of statistical publications, law collections and historical works from the beginning of the 1780s. As

⁵⁵ The Locotenential Council was marked with several names in different languages. Latin: Concilium Locumtenentiale, German: Ungarische Statthaltereien, Hungarian: Magyar Helytartótanács. There are different versions of its English translation, I apply the one used by the Hungarian National Archives.

“The task of the Locotenential Council, which operated between 1724 and 1848, was to execute the decrees of the sovereign and the Chancellery. Except Transylvania and the frontier defense districts, its competence included the public administration of the entire territory of Hungary, Croatia, and, from 1778, the Banat of Timisoara. Besides public administration the Council acted as the professional supervisory authority of the branches of economic and social administration emerging in the eighteenth century: taxation, army supplies, agriculture, industry, trade, transport, culture, education and health as well as peasant-landowner relations.”

Description of the Archives of the Locotenential Council at the webpage of the Hungarian National Archives in English: http://old.mol.gov.hu/index.php?akt_menu=645 (accessed June 2. 2013). For a detailed study on the history, scope and administrative structure of the Locotenential Council see: Ibolya Felhő and Antal Vörös, “A Helytartótanács felállítása, szervezete, hatásköre, ügyintéző és illetékességi területe,” [The Creation, Organisation, Authority, Administration and Scope of the Locotenential Council] in *A Helytartótanácsi Levéltár*, Magyar Országos Levéltár Kiadványai I., Levéltári Leltárak 3. [Catalogue of the Archives of the Consilium Locumtenentiale] (Budapest: Akadémiai Kiadó, 1961), 7–34.

⁵⁶ Márta Velladics, “A II. József korabeli szerzetesrendi abolíció statisztikája (1782-1847) [The Statistics of Secularization in the Age Joseph II. and between 1782-1847],” *Századok* 133., no. 6. (1999): 1259–78.

Franz Leander Fillafer has already pointed out, Josephism was contemporary history (*Zeitgeschichte*) throughout the era of the *Vormärz*, up until the end of the 1850s⁵⁷ and its turn into history also coincided with the professionalization (*Verwissenschaftlichung*) of history.⁵⁸ Fillafer also calls attention to the phenomenon that the narratives of the 1850s and 1860s that aimed at creating a comprehensive picture of the monarchy shifted towards regional studies in the last third of the century that were especially eager to underpin the differing concepts of constitutional law in the hereditary lands.⁵⁹ As far as the framework of this dissertation allows it, I detect how the scarcity and restricted accessibility of archival documents for about 90 years influenced the narrative patterns on monastic policies and to what extent these trends could (or could not) be modified from the 1870s when archival sources became accessible? In my historiographical overview, I also trace (briefly) the professional careers of the authors who published their findings on the basis of the unearthed documents and how their works fell into the centers and margins of later studies produced by “professionals” including historians, art historians, legal historians, church historians, etc.

The first monograph dedicated to the procedure of the dissolution of monasteries during the reign of Joseph II was published in 1871 and its geographical scope covered the territory of Inner Austria, including Styria, Carniola and Carinthia. Its author, Adam

⁵⁷ Franz Leander Fillafer, “Das Elend der Kategorien. Aufklärung der Josephinismus in der zentraleuropäischen Historiographie,” in *Josephinismus zwischen den Regimen: Eduard Winter, Fritz Valjavec und die zentraleuropäischen Historiographien im 20. Jahrhundert*, ed. Franz Leander Fillafer and Thomas Wallnig, Schriftenreihe der Österreichischen Gesellschaft zur Erforschung des 18. Jahrhunderts (Böhlau Verlag Wien, 2016), 53–55, <https://books.google.hu/books?id=XZIVDAAQBAJ>.

⁵⁸ *Ibid.*, 59–60.

⁵⁹ *Ibid.*, 61.

Wolf, was one of the first historians who could access the documents of the *Archiv des Cultusministeriums* that preserved files of ecclesiastical affairs and included archival units that initially belong to the archives of the *Hofkanzlei* and *Ministerium des Inneren*. His work was based on research carried out not only in the Viennese *Staatsarchiv*, but also in the archives of the *Statthaltereie* in Graz and in the *Regierungsarchiv* in Ljubljana/Laibach and Klagenfurt.⁶⁰

Wolf's work sparked the interest of intellectuals partly affiliated with the provincial universities and/or ecclesiastical institutions of Austria and became the overture of a range of studies that drew upon the documents produced by the provincial governmental units (*Landesstellen*) and completed their findings with further sources unearthed in the local museums and ecclesiastical collections, including their libraries and archives. Wolf's first follower was August (P. Pirmin) Lindner (1848-1912),⁶¹ a historian, clergyman and later Benedictine monk. He was active in parish service from 1872 and, simultaneously, he pursued historical research and focused on topics mainly related to religious orders. Being inspired by Wolf's book, Lindner published three extensive studies about the dissolved monasteries of "German Tyrol" (*Deutschtirol*)⁶²

⁶⁰ Adam Wolf, *Die Aufhebung der Klöster in Innerösterreich: 1782-1790. Ein Beitrag zur Geschichte Kaiser Joseph's II* (Wien: Braumüller, 1871), <https://archive.org/details/dieaufhebungderk00wolf>.

⁶¹ Karl Friedrich Hermann, "P. Pirmin Lindner 1848-1912," *Studien und Mitteilungen zur Geschichte des Benediktinerordens und seiner Zweige* 91 (1980): 193–210.

⁶² German Tyrol referred to the territories of North and East Tyrol in present day Austria and South Tyrol in Italy, i.e. Lindner applied a restricted/reduced geographical scope for his study that did not cover the full territory of Tyrol during the reign of Joseph II. The term distinguished the mainly German-speaking region from Trentino, the mainly Italian-speaking part of Tirol, to which German texts usually refer to as *Welschtirol*. The latter one was divided from the Habsburg domains by Napoleon in 1809/1810, when Trentino and Rovereto were annexed to Bavaria. After the dissolution of the Bishopric of Trent in 1815, it became part of the princely County of Tyrol (with which the secularized prince-bishoprics of Trent and Brixen had been united already in 1804 in order to create a crown land of the Austrian Empire) and thus it remained under Habsburg rule until the first world war. Josef Egger, *Geschichte Tirols von den ältesten Zeiten bis in die Neuzeit*, vol. 3, 3 vols. (Innsbruck, 1880); Hermann Ignaz Bidermann, *Die Italiäner im Tirolischen Provinzial-Verbande* (Innsbruck, 1874).

in the annually issued year book of *Ferdinandeum*⁶³ between 1884 and 1886⁶⁴, while he also became a Benedictine monk in 1885 and later continued his career as a prefect and librarian of the Sankt Peter Abbey in Salzburg.⁶⁵ Lindner presented the story of each dissolved monastery (21 in total) as a range of case studies and brought together a great variety of sources that contextualized the documents of the state archives and provided a more entangled view on the procedure of the dissolutions. Unlike Wolf, he did not reconstruct the pre-1780 monastery topography of Tyrol in the main narrative, and his investigation excluded the Italian-speaking parts of Tyrol, but an apparently precise list of the monasteries of German Tyrol in 1780 is still part of the appendices. He extracted the inventories in great detail that shed light not only on the economic status of each house at the time of the dissolution but provided insight into their everyday life and material culture, too. He also quoted ego-documents, including three diaries written by nuns and monks who reported about their last days in their monasteries.

Fritz Geier, a talented law student at the University of Freiburg,⁶⁶ and Hermann Franz, a young professor of the *Lehrerseminar* in Heidelberg (a former student of

⁶³ *Ferdinandeum* is the *Landesmuseum* in Tyrol founded in 1823 by the Habsburg crown prince Ferdinand, later emperor of Austria. The collection preserved relevant documents not available in archives and thus provided valuable additional information for Lindner's work. About the history of the museum see: Erich Egg, "Chronik des Ferdinandeum. 1823 bis 1973," *Veröffentlichungen des Tiroler Landesmuseum Ferdinandeum* 53 (1973): 5–93; Ellen Hastaba, "Das Ferdinandeum und der erste Weltkrieg. Eine Spurensuche im hauseigenen Archiv," in *Wissenschaftliches Jahrbuch der Tiroler Landesmuseen* (Innsbruck: Studien Verlag, 2015), 19–29.

⁶⁴ August Lindner, "Die Aufhebung der Klöster in Deutschtirol: 1782 – 1787. Ein Beitrag zur Geschichte Kaiser Josephs II.," *Zeitschrift des Ferdinandeums für Tirol und Vorarlberg. Dritte Folge* 28 (1884): 157–235; 29 (1885): 145–291; [P. Pirmin O.S. B. Lindner] 30 (1886): 15–291.

⁶⁵ Hermann, "P. Pirmin Lindner 1848-1912."

⁶⁶ Fritz Geier, *Die Durchführung der kirchlichen Reformen Josephs II. im vorderösterreichischen Breisgau: Eine durch die Rechts- und Staatswissenschaftliche Fakultät der Universität Freiburg i. Br. mit einem vom grossherzogl. Badischen Unterrichts-Ministerium ausgesetzten ausserordentlichen Preise gekrönte Untersuchung*, Kirchliche Abhandlungen, 16. und 17. Heft (Stuttgart: Verlag von Ferdinand

Heinrich Finke in Freiburg)⁶⁷ devoted valuable studies in 1905 and 1908 to Joseph II's church reforms and their implementation in Further Austria. Both authors focused on the Breisgau – Franz also took mention of Swabian Austria briefly. The relatively small size and scattered (dis)continuities of the territory enabled them to investigate the monastic policies in the broader context of Joseph II's church reforms with a special interest in the territorialization of ecclesiastical affairs, i.e. the adjustments of church boundaries to the simultaneously (re-)constructed state boundaries.

Simultaneously, a 600-pages-long volume was published about the monasteries of Upper Austria in 1907. The author of the book entitled *Der Josefinische Klostersturm im Lande Ob der Enns* was Rudolf Hittmair (1859-1915), a theology professor in Linz.⁶⁸ According to his introduction, Hittmair studied a rich set of sources preserved in various ecclesiastical and state archives both in Vienna (*Ministerium für Cultus und Unterricht, Haus-, Hof- und Staatsarchiv, Hofbibliothek*) and Linz (*oberösterreichische Landesarchiv, Statthaltereie, Landtafel und Grundbücher, Finanzprokuratur*), but, unfortunately, the book does not contain any references that would link his statements directly to identifiable documents. Despite this deficiency, Hittmair's book has

Enke, 1905). There is no further biographical data available about him except the description on the title page of his book.

⁶⁷ Hermann Franz, *Studien zur kirchlichen Reform Josephs II. Mit besonderer Berücksichtigung des Vorderösterreichischen Breisgaus* (Freiburg im Breisgau: Herder, 1908). There is no further biographical data available about the early stage of his career, except the acknowledgements at the end of his book and short hint in 1913, when his next book on the parish registers of Baden was published. See: *Zeitschrift fuer die Geschichte des Oberrheins* (67) (NF 28), Hrsg. von der Badischen Historischen Kommission, Heidelberg: Winter, 1913. X., 2.

⁶⁸ He studied law and theology, became a priest in 1883, a doctor of theology in 1888, and a professor of pastoral theology in 1893 in the diocesan school (*Diözesanlehranstalt*) of Linz. From 1903, he was also a director of the priest seminary (*Regens des Priesterseminars*) and from 1909, the bishop of Linz. He died during the first world war while providing medical aid. Österreichisches Biographisches Lexikon (ÖBL) 1815-1950, Bd. 2 (Lfg. 9, 1959), 338. http://www.biographien.ac.at/oeb1/oeb1/H/Hittmair_Rudolf_1859_1915.xml.

important merits: its narrative moved away from Wolf's very categoric distinction between dissolved and not-dissolved monasteries and made the picture much more colorful by presenting several other ways in which the state authorities could act out control over both the human and material resources of the regular clergy. The stories of individual monasteries he reconstructed still serve as valuable case studies that shed light on otherwise neglected aspects of the monastic reforms.⁶⁹

Joseph Laenen (1871-1940)⁷⁰, an archivist of the archdiocesan archives of Mechelen/Malines, published his *Étude sur la suppression des couvents par l'Empereur Joseph II dans les Pays-Bas et plus spécialement dans le Brabant (1783-1794)* in 1905.⁷¹ Laenen discussed not only the period of Joseph II, but he also devoted a chapter to the preceding period and examined the aftermath of the Josephist era. His research relied on a great variety of sources preserved in state archives: he used the documents of the Religious Fund (*Caisse de Religion*) established in the Austrian Netherlands in March 1783, the fonds of the Council of the Governor General (*Conseil de Gouvernement General*)⁷² and of the Financial Council (*Conseil des Finances*),⁷³ the registers of the Accountancy Office of the Chamber (*Chambre des Comptes*), the

⁶⁹ Rudolf Hittmair, *Der josephinische Klostersturm im Lande ob der Enns* (Freiburg im Breisgau: Herder, 1907), <http://digi.landesbibliothek.at/viewer/toc/AC00565746/1/-/>.

⁷⁰ Biographical data: Anne Van Daele, Gerrit Vanden Bosch en Kristien Suenens. Jozef Laenen. In: ODIS. <http://www.odis.be/hercules/toonPers.php?taalcode=nl&id=88516>; Nationaal Biografisch Woordenboek, 2. volume, Brussels, 1966, 413-414. http://resources.huygens.knaw.nl/retroboeken/nbwv/#page=216&accessor=accessor_index&source=2&view=imagePane&size=809

⁷¹ J. Laenen, *Étude sur la suppression des couvents par l'Empereur Joseph II dans les Pays-Bas et plus spécialement dans le Brabant (1783-1794)* (Imp. J. Van Hille-De Backer, 1905), <https://books.google.de/books?id=Whi0jwEACAAJ>.

⁷² The council took over the tasks of the Religious Fund abolished in 1787.

⁷³ After the Brabantine Revolution of 1789-1790, the confiscated goods of the suppressed convents were administered by the new Finance Council.

records of the Privy Council (*Conseil Privé*) and its councilors and the archives of the Chancellery of the Low Countries (*Chancellerie autrichienne des Pays-Bas*) based in Vienna.⁷⁴ He also included sources from the archives of the archdiocese of Malines and of the diocese of Antwerp, while a correspondence of the nuncios preserved in the Vatican and extracted by an archivist of the archdiocese of Cambrai were also at his disposal.

A still authoritative work on Joseph II's church reforms with detailed information on the monastery dissolutions is C. Hock and H. I. Bidermann, *Der Österreichische Staatsrath. Eine geschichtliche Studie*. It was published first by Hock in 1768, and, after his death, a reworked version by Biderman was issued in 1879. Wolf used in his book the first edition, while the second edition completed its data from Wolf's study.⁷⁵

In the Hungarian historiography, an important chapter is devoted to the creation of the main coordinating organ, the *Geistliche Hofkommission* in Henrik Marczali's book published in 1888.⁷⁶ It sheds light on the tensions between the Hungarian and Austrian chancelleries in respect of ecclesiastical affairs and highlights how the principle of uniformity was challenged from the very beginning. After Marczali, no researcher studied the implementation of the monastic policies in the Hungarian Kingdom with a comprehensive view on the territory until the 1990s. Only the

⁷⁴ Laenen, *Étude Sur La Suppression Des Couvents Par l'Empereur Joseph II Dans Les Pays-Bas et plus Spécialement Dans Le Brabant (1783-1794)*, 344–45.

⁷⁵ K.F.F. von Hock and Hermann Ignaz Bidermann, *Der österreichische Staatsrath (1760-1848)*, Historische Werke / Braumüller (W. Braumüller, 1879), 395–450, <https://books.google.cz/books?id=D19AAAAAYAAJ>.

⁷⁶ Henrik Marczali, *Magyarország története II. [i.e. Második] József korában [The History of Hungary during the Reign of Joseph II]*, 2., vol. 2. (Budapest: Pfeifer F. Kiadása, 1888), 114–97, <https://archive.org/details/magyarorszagt02marc>.

dissolution of certain religious orders became the subject of shorter studies. The most extensive monograph was devoted to the suppression of the Paulines (a religious order strongly associated with the Hungarian and Croatian territories) in 1901 by Elemér Császár.⁷⁷ Péter Pallman's study on the Piarists (1914)⁷⁸ and Emil Kisbán's article on the Camaldolese monasteries (1941) were shorter contributions.⁷⁹

The dissolved monasteries of Vienna and Lower Austria became the subject of three dissertations in the 1960s. Gertraud Razesberger⁸⁰ investigated the fate of female convents of Vienna during the reign of Joseph II and provided valuable insights into the various strategies of nuns to reconstruct their lives either in other female religious orders or in a secular environment. A few year later, Sieglinde Fuchs⁸¹ investigated the dissolution procedures from the perspective of an art historian and sought answer to the question how the buildings of dissolved monasteries gained new functions. Simultaneously, Gerhard Winner⁸² followed Wolf's and Hittmair's footsteps with a strong focus on the dissolutions, but he also gave account of the fate of several monastic communities that managed to continue their operation and he was especially sensitive to the question how the importance and capacities of monks were negotiated by the local

⁷⁷ Elemér Császár, "A Pálos-rend feloszlatása. Első közlemény" [Dissolution of the Paulines I.] *Századok* 35, no. 4. füzet (1901): 310–31; Elemér Császár, "A Pálos-Rend Feloszlatása. Második és befejező közlemény" [Dissolution of the Paulines II.] *Századok* 35, no. 5. füzet (1901): 412–29.

⁷⁸ Péter Pallmann, *A magyar piaristák II. József uralkodása alatt* [Piarists during the Reign of Joseph II] (Kolozsvár: Stief Jenő és Társa Könyvnyomdai Műintézete, 1914), http://mek.oszk.hu/13300/13366/pdf/13366_1.pdf.

⁷⁹ Emil Kisbán, "A kamalduliak eltörlése a lehnici remeteség tükrében," [Dissolution of the Camaldolese monasteries. The case of Lehnica] in *Regnum, Egyháztörténeti évkönyv 1942-1943 5* (Budapest: Stephaneum Nyomda, 1943), 450–54.

⁸⁰ Gertraud Razesberger, "Die Aufhebung der Wiener Frauenklöster unter Joseph II. in den Jahren 1782 und 1783" (Universität Wien, 1964).

⁸¹ Sieglinde Fuchs, "Die in Niederösterreich unter Joseph II aufgehobenen Klöster im Hinblick auf ihre Verwendung" (Universität Wien, 1967).

⁸² Gerhard Winner, *Die Klosteraufhebungen in Niederösterreich und Wien* (Wien-München: Verlag Herold, 1967).

and imperial, ecclesiastical and secular authorities, when their role in pastoral care was discussed.

A fourth dissertation about the transformation of the Austrian province of the Franciscans had been written by Ludwig Raber already in 1953, at the Faculty of Catholic Theology of the Viennese University, but it was published with 30 years delay only in 1983.⁸³ Raber's book laid also strong emphasis on dissolutions, but, at the same time, it gives account on – in a rather unique way – about the transformation of mendicant communities and about the utilization of Franciscan monks in pastoral care.

From the late 1990's and in the 2000s, studies and books investigating various aspects of Joseph II's monastic policies has been proliferating. Cristine Schneider devoted several studies to the Ursuline convents and especially to their ability to integrate nuns from dissolved monasteries into the everyday life and teaching activity of their convents.⁸⁴ She also devoted valuable studies to the impact of Josephist policies on the lower clergy.⁸⁵ The monasteries of Further Austria and Southwest Germany

⁸³ Ludwig Raber, *Die österreichischen Franziskaner im Josefinismus* (Maria Enzensdorf: Die Zentralbibliothek, 1983).

⁸⁴ Christine Schneider, "Von Kostfrauen, Guttätern und anderen Weltleuten. Das soziale Umfeld des Wiener Ursulinenklosters in der zweiten Hälfte des 18. Jahrhunderts," *Wiener Geschichtsblätter* 56, no. 2 (2001): 89–113; Christine Schneider, *Kloster als Lebensform. Der Wiener Ursulinenkonvent in der zweiten Hälfte des 18. Jahrhunderts (1740-1790)*, L'Homme Schriften 11 (Wien: Böhlau Verlag, 2005); Christine Schneider, "Die Auswirkungen der josephinischen Klosteraufhebungen auf den Wiener Ursulinenkonvent," in *Between Revival and Uncertainty: Monastic and Secular Female Communities in Central Europe in the Long Eighteenth Century = Zwischen Aufbruch und Ungewissheit: klösterliche und weltliche Frauengemeinschaften in Zentraleuropa im "langen" 18. Jahrhundert*, ed. Veronika Čapková et al. (Opava: European Social Fund, Silesian Univ, 2012), 131–54; Christine Schneider, "Die Aufhebung der Wiener Frauenklöster unter Joseph II.," *Austriaca. Cahiers Universitaires d'information sur l'Autriche*, no. 58 (2005): 35–46; Christine Schneider, "'Per Vim et Metum': Einige Prozesse von Klosterfrauen um Dispens von Ihren Ordensgelübden (Aus Dem Allgemeinen Verwaltungsarchiv in Wien)," *Mitteilungen Des Österreichischen Staatsarchivs* 52 (2007): 81–112.

⁸⁵ Christine Schneider, *Zwischen staatlicher Funktion und seelsorgerischer Aufgabe. Der niedere Klerus im Josephinischen Wien*, Beiträge und Forschungen zur Wiener Stadtgeschichte 33 (Deuticke, 1999); Christine Schneider, "Pfarrakten des 18. Jahrhunderts am Beispiel von Wien," in *Quellenkunde der*

received attention thanks to the works of Franz Quarthal⁸⁶ and Ute Ströbele.⁸⁷ Ströbele also contributed to the study of gender-specific reactions to the monastery dissolutions with her book on dissolved Tertiarian nunneries in Southwestern Germany.⁸⁸ A collection of studies entitled *Between Revival and Uncertainty: Monastic and Secular Female Communities in Central Europe in the Long Eighteenth Century* provided a multifaceted view on the transformation of female religious orders in Czech, South German and Austrian territories.⁸⁹ The best overview regarding the number, distribution and various kinds of religious orders in the Czech territories has been done – based on archival research – by Ondřej Bastl.⁹⁰ A remarkable study on the Czech Jesuits by Jaroslav Šotola deserves attention because of his elaborate methodological framework. Šotola's sensitive attention to the habitus and moral-political conflicts of the Jesuits

Habsburgermonarchie (16.-18. Jahrhundert) – Ein exemplarisches Handbuch, Mitteilungen des Instituts Für Österreichische Geschichtsforschung 44, 2004, 707–713.

⁸⁶ Franz Quarthal, “Die Vorderösterreichischen Klöster in der Zeit des Josephinismus,” in *Zwischen Josephinismus und Frühliberalismus: Literarisches Leben in Südbaden um 1800*, ed. Achim Aurnhammer, Wilhelm Kühlmann, and Universität Freiburg im Breisgau, 1. Aufl, Literarisches Leben im Deutschen Südwesten von der Aufklärung bis zur Moderne, Bd. 1 (Freiburg im Breisgau: Rombach, 2002), 49–98; Franz Quarthal, “Südwestdeutschland als Klosterlandschaft,” in *Alte Klöster - Neue Herren: die Säkularisation im deutschen Südwesten 1803; [Grosse Landesausstellung Baden-Württemberg 2003 in Bad Schussenried vom 12. April – 5. Oktober 2003; Begleitbücher]*, ed. Grosse Landesausstellung Baden-Württemberg et al., vol. 1, 2 vols. (Ostfildern: Thorbecke, 2003), 41–64.

⁸⁷ Ute Ströbele, “Eine große Remedur? Die Klosteraufhebungen Kaiser Joseph II. in österreichischen Vorlanden,” in *Alte Klöster – Neue Herren*, ed. Volker Himmelein and Hans Ulrich Rudolf, vol. 1, 2 vols. (Thorbecke, 2003), 99–114.

⁸⁸ Ute Ströbele, *Zwischen Kloster und Welt: Die Aufhebung südwestdeutscher Frauenklöster unter Kaiser Joseph II.*, Stuttgarter Historische Forschungen, Bd. 1 (Köln: Böhlau Verlag, 2005).

⁸⁹ Veronika Čapková, ed., *Between Revival and Uncertainty: Monastic and Secular Female Communities in Central Europe in the Long Eighteenth Century = Zwischen Aufbruch und Ungewissheit: Klösterliche und weltliche Frauengemeinschaften in Zentraleuropa im “langen” 18. Jahrhundert* (Opava: European Social Fund, Silesian Univ, 2012).

⁹⁰ Ondřej Bastl, “Rušení klášterů v Čechách a na Moravě za Josefa II.,” *Historická Geografie. Sborník příspěvků k dějinám osídlení. = Historical Geography. Volume on the Settlement History* 28 (1995): 155–182.

after the dissolution of their order in 1773 makes his work exemplary for my dissertation.⁹¹

The most comprehensive work that informs about the monasteries of the Hungarian Kingdom (covering the territory of Croatia but excluding Transylvania) is the dissertation of Márta Velladics. Her main interest was the confiscation and redistribution of the equipment of dissolved monasteries and their churches, but she also thoroughly studied the methods of data gathering about the personnel of the monasteries and its role in planning and decision making. The most important chapters of her dissertation have been published and they will be reissued as a collection of essays in a book soon.⁹² An extensive study on the Hungarian Piarists was published by Anna Julia Riedel in German. Her work – similarly to Schneider’s studies – sheds light on the

⁹¹ Jaroslav Šotola, “Zrušení jezuitského řádu v Českých Zemích. Kolektivní biografie bývalé elity (1773-1800) [Czech Jesuit Friary Abolishment. Collective Biography of the Former Elite (1773-1800)]” (2006).

⁹² Márta Velladics, “Art Historical Aspects of the Abolition of Monastic Orders during Joseph II’s Reign,” in *Politics and Culture in the Age of Joseph II: [... Papers Presented at the Mátrafüred ’96 Conference, Held at the Europa Institute Budapest on 19- 21 September 1996 ...]*, ed. Ferenc A. J. Szabo, Antal Szántay, and István György Tóth (Budapest: Történettudományi Intézet, 2005), 69–88.; Márta Velladics, “Paradicsom vagy pokol? Szerzetesség 1782-1790,” [Paradise or Hell? Religious orders 1782-1790] *Magyar egyháztörténeti vázlatok. Regnum. [Essays in Church History in Hungary]* 18., no. 1–2 (2006): 21–40; Márta Velladics, “A Templomi Felszerelések Letéti Hivatala (1782-1787-1802-1824),” [Depot of Church Equipments 1782-1787-1802-1824]] in *Etűdök. Tanulmányok Granasztóiné Györfy Katalin tiszteletére*, ed. István Bardoly, Művészettörténet - Műemlékvédelem (Budapest, 2004), 215–36; Márta Velladics, “Szerzetesrendi abolíció Magyarországon, 1782-1790,” [Dissolution of Religious Orders in the Hungarian Kingdom 1782-1790] *Levéltári Közlemények* 71., no. 1–2 (2000): 33–52; Márta Velladics, “A szerzetes rendek felszámolása II. József korában [Dissolution of Religious Orders during the Reign of Joseph II],” *Egyháztörténeti Szemle* 2., no. 1. (2001): 3–42; Márta Velladics, “A II. József korabeli szerzetesrendi abolíció művészettörténeti vonatkozásai. Doktori disszertáció. [The Dissolution of Monasteries During the Reign of Joseph II from an Art Historical Perspective. PhD Dissertation]” (Eötvös Loránd Tudományegyetem, 2001); Márta Velladics, “A II. József korabeli szerzetesrendi abolíció statisztikája (1782-1847) [The Statistics of Secularization in the Age Joseph II. and between 1782-1847],” *Századok* 133., no. 6. (1999): 1259–78; Márta Velladics, “A templom- és kolostorépületek hasznosítása II. József szekularizációs rendeletei után (1782-1850),” [Reuse of Monastery and Church buildings after their Secularization] *Ars Hungarica* 25., no. 1–2 (1997): 345–53; Márta Velladics, “A feloszlatott szerzetesrendek felszerelési tárgyainak sorsa,” [The Fate of the Equipment of Dissolved Monasteries] in *Miscellanea Fontium Historiae Europaeae. Emlékkönyv H. Balázs Éva történészprofesszor 80. születésnapjára*, ed. János Kalmár (Budapest: [közread. az] ELTE Bölcsészettudományi Kar, 1997), 286–91.

transformations of monastic life in the 1780s through a favored and supported religious order providing education to the youth. It is still a perspective strongly neglected in comparison with the great number of narratives that take their point of departure from dissolutions.⁹³

The most influential works of British scholarship are still the seminal and comprehensive studies of Derek Beales⁹⁴ Derek Beales and P. G. M. Dickson⁹⁵. Derek Beales' *Prosperity and Plunder* is the most extensive attempt to synthesize the regional and particular focus of the aforementioned studies within a broader international context.⁹⁶ Recently Harm Klueting⁹⁷, Peter Hersche⁹⁸ and Ulrich Lehner's⁹⁹ studies on

⁹³ Julia Anna Riedel, *Bildungsreform und geistliches Ordenswesen im Ungarn der Aufklärung: die Schulen der Piaristen unter Maria Theresia und Joseph II*, Contubernium 77 (Stuttgart: Steiner, 2012); Julia Anna Riedel, "A piarista rend Veszprémben és Magyarországon Mária Terézia és II. József uralkodása alatt [The Piarist Order in Veszprém and Hungary during the reign of Maria Teresa and Joseph II.]," in *Szerzetesrendek a veszprémi egyházmegyében: a Veszprémi Érseki Hittudományi Főiskolán 2014. augusztus 27-28-án rendezett konferencia előadásai [Religious Orders in Veszprém County]*, ed. Balázs Karlinszky (Veszprém: Veszprémi Főegyházmegye, 2015), 179–94.

⁹⁴ Derek Edward Dawson Beales, "Joseph II and the Monasteries of Austria and Hungary," in *Religious Change in Europe 1650–1914: Essays for John McManners*, ed. Nigel Aston (Oxford, 1997), 161–84; Derek Edward Dawson Beales, *Prosperity and Plunder: European Catholic Monasteries in the Age of Revolution, 1650–1815*. (Cambridge-New York: Cambridge University Press, 2003).

⁹⁵ P. G. M. Dickson, "Joseph II's Reshaping of the Austrian Church," *The Historical Journal* 36., no. 1 (1993): 89–114.

⁹⁶ Beales, "Joseph II and the Monasteries of Austria and Hungary"; Beales, *Prosperity and Plunder: European Catholic Monasteries in the Age of Revolution, 1650–1815*.

⁹⁷ Klueting, "The Catholic Enlightenment in Austria or the Habsburg Lands"; Harm Klueting, *Der Josephinismus: Ausgewählte Quellen zur Geschichte der thesesianisch-josephinischen Reformen*, Ausgewählte Quellen zur Deutschen Geschichte der Neuzeit: Bd. 12a (Darmstadt: Wissenschaftliche Buchgesellschaft, c1995); Klueting, "Die thesesianisch-josephinischen Reformen und die Staatskirchlichen Bestrebungen."

⁹⁸ Peter Hersche, *Der Spätjansenismus in Österreich*, Schriften Des DDr. Franz Josef Mayer-Gunthof-Fonds Nr. 11 (Wien: Verl. d. Österr. Akad. d. Wiss, 1977); Peter Hersche, *Musse und Verschwendung: Europäische Gesellschaft und Kultur im Barockzeitalter*, vol. 1, 2 vols. (Freiburg: Herder, 2006); Peter Hersche, *Musse und Verschwendung: Europäische Gesellschaft und Kultur im Barockzeitalter*, vol. 2, 2 vols. (Freiburg: Herder, 2006).

⁹⁹ Lehner, "Introduction: The Many Faces of Catholic Enlightenment"; Ulrich L. Lehner, *Enlightened Monks: The German Benedictines 1740–1803* (Oxford: Oxford University Press, 2013); Ulrich L. Lehner, *Monastic Prisons and Torture Chambers: Crime and Punishment in Central European Monasteries, 1600 – 1800* (Eugene, Or: Cascade Books, 2013).

Catholic Enlightenment opened up new perspectives for reconsidering Joseph II's church policies in a broader conceptual framework.

2. SURVEYING CHURCH PROPERTY AND PERSONNEL IN THE HABSBURG REALMS (1750-1759)

In this chapter I seek answer to the questions why, how and when the demand for knowing more about the individual members of the regular clergy emerged and how this demand led to surveys and calculations about the personnel of the convents. As I will demonstrate, concerns about the capacities of individuals and the expenses of their sustenance were initially part and parcel of a more general endeavor to access and manage both the material and human resources of the clergy. Claiming authority over them unavoidably challenged the boundaries between secular and ecclesiastical domains. After identifying the main questions that were contested, I focus on negotiations among various parties in which the supervision of the monks' and nuns' endowments – both in the sense of abilities and goods – were at stake.

By studying the preparation and implementation of church policies I go beyond the traditional view of considering laws as the most important milestones of changing power relations. On the one hand, I give preference to the investigation of the shifts and modalities of the discourse through which policy makers identified problems that involved various parties among whom coordination was needed and state interference could be justified with public interest. The debates could involve experts in law, canon law, theology, history or other fields as well, whose opinion, whether it supported or called into question the right of the ruler to interfere, could feed into the formation of arguments. On the other hand, I trace the implementation of the policies in a broad sense, as I consider the establishment and/or development of record keeping practices as important achievements and I assess them as successful outcomes, even if the main

purpose of an ordinance could not be achieved or it did not change the everyday practices of the subjects significantly. The obligation of informing secular authorities about various actions was included in the text of edicts and decrees with much greater frequency. The impact of these instructions deserves attention, since they aimed at creating channels and networks of information gathering and ultimately led to the creation of archives in which the information was ordered, stored and could serve as an essential tool of supervision and governance.

I will argue that such preparatory works and “partial results” laid down both the epistemological and the infrastructural foundations of the rather sophisticated surveys and policies of the 1770s and 1780s when the capacities of the church personnel were investigated already with the help of more and more detailed questionnaires in a complex way.

2.1. Maria Theresa’s Political Testament (1750) and its administrative-discursive context

Maria Maria Theresa marked out in her first political testament in 1750¹⁰⁰ two territorially distinguished ways of reshaping the Catholic Church. First, she proposed that no further endowments should be made for the Church in the hereditary lands and that the use of the funding already received should be revised. Second, in respect of the Hungarian Kingdom, she suggested that financial support might be still necessary for

¹⁰⁰ Beales, “Joseph II and the Monasteries of Austria and Hungary.” See the 2. footnote where he makes references to the availability of the text and to studies addressing the questions of dating, too.

P. G. M. Dickson, *Finance and Government under Maria Theresa, 1740-1780*, vol. 2. Finance and Credit (Oxford-New York: Clarendon Press ; Oxford University Press, 1987), 3. Dickson provides in the 3. footnote further references to studies discussing the dating of the first (undated) political testament.

the church, but it should be given in accordance with the principles of serving the common good.

In respect of the hereditary lands, she conceded that making endowments from the goods and incomes of the chamber had been necessary to strengthen the positions of the Catholic Church, but as this goal had been achieved and the number of clergymen was already sufficient, such donations were not necessary any more. She claimed not only that the clergy did not need further financial support, but even the funds they already possessed “*were not being used as they should be*” (italics added) and thus they became a burden for the public. From these general terms – that apparently expressed criticism of both the secular and the regular clergy – she shifted to a more specific critique of religious orders stating that the monasteries “*did not remain among the limits of their foundations*” (italics added), but accepted idlers. She concluded that these problems required a great remedy, but she postponed an elaboration on the idea for the future.

In the next paragraph she considered the situation of the Church in the Hungarian Kingdom as a separate issue to which the aforementioned principles could not/should not be applied, as it was a territory where the positions of the church should be strengthened as a potential supporter of the endeavors to achieve better education and medical care. She apparently intended to support the religious orders useful for the public and not only for themselves. However, she marked the improvement of the

military and the security of the monarchy as the main priority, to which the support of the church must only be secondary.¹⁰¹

If we want to trace the formation of the rather complex agenda of Habsburg ecclesiastical politics from the 1750s on the basis of Maria Theresa's Political Testament, its text appears to be rather vague, as its hints are not self-explanatory for the nowadays reader. What did Maria Theresa mean by claiming that the funds the church already possessed were not being used *as they should be*? What did it mean that the monasteries *did not remain among the limits of their foundations* and who were the *idlers* Maria Theresa referred to?

¹⁰¹ "Hierbey werde was wenigens von meinen Vorfahren melden: Diese haben aus grosser Pietät viel und zwar die meisten Cameral Güter und Einkommen verschencket, welches zu selber Zeit zu Unterstützung der Religion und zu Aufnehmung der Geistlichkeit wohl hat geschehen können: Da aber Gott uns jetzt und in denen Teutschen Erblanden so gesegnet, dass so wohl die Catholische Religion die florissanteste, als die Geistlichkeit genugsam und wohl fundiret ist, so fallet dieses Principium hinweg: Und wäre nicht allein nicht löblich, sondern hielte es vielmehr für sträfflich, wann an die Geistlichkeit mehrers gegeben und abgetreten würde; weilen einerseits sie solches nicht bedürffen, andererseits aber jenes, so selbte besitzen, leider ! nicht so anwenden, wie sie sollten und anbey das Publicum sehr bedrucken: Dann kein Closter in dem Schrancken der Stifftung verbleibet und viele Müssigänger an genommen werden: Welches alles eine grosse Remedur noch erfordern wird, wo mit der Zeit und nach guter Ueberlegung die Sache weiters auszuführen gedencke.

Jedoch nehme von diessfälligen Maass-Reguln das Königreich Hungarn aus, allwo wegen der Religion noch viel Gutes zu bewürcken wäre, worzu der daselbstige Clerus wohlbeyzuziehen, keinesweeges aber allein mit ihnen, sondern hauptsächlich mit Weltlichen die diessfällige Grund-Sätze zu concertiren seyn, welche fürnehmlich dahin abzielen müssen, wie die Seminaria, Collegia, Academien, Spitäler vor die Krancke und blessirte, Conservatoria vor die ledige Frauen, wie in Italien, zu besseren Erziehung der Jugend einzuführen. Solchemnach sorgfältig dahin den Bedacht zu nehmen, jenes zu unterstützen und zu erweitern, was dem Publico, nicht aber in particulari denen Geistlichen, Mönichen oder Clöstern in allen Ländern zum Nutzen gereicht: wohl verstanden, dass auch diese heilsame Absicht nicht ehender gänzlich zu Stand gebracht werden könne, bis nicht der Militar-Stand der Nothwendigkeit gemäss, zu Erhaltung der Monarchie und zum Besten derer Länder und Unterthaner vollständig eingerichtet worden." "Aus Mütterlicher Wohlmeinung zu besonderem Nutzen meiner Posterität verfasste Instructions puncta, welche nach ihrer Wichtigkeit in verschiedene Abhandlungen abzusondern erachtet", in: Alfred Ritter von Arneth, "Zwei Denkschriften der Kaiserin Maria Theresias," *Archiv für Österreichische Geschichte* 47 (1871): 267–354. the quoted text can be found on pp. 294–295. This passage of the political testament had been quoted by Adam Wolf in 1871. Wolf used only the excerpt referring to the hereditary lands and the following passage about the Hungarian Kingdom is often omitted from studies with a primarily Austrian scope. Wolf, *Die Aufhebung der Klöster in Innerösterreich: 1782–1790; Ein Beitrag zur Geschichte Kaiser Joseph's II*, 2–3.

In my opinion, these references can be deciphered in the broader context of the church policies that were in preparation at that time both in the Austrian Netherlands and in the hereditary lands. The process started with the plan of renewing the law of amortization that initially intended to set limits to the accumulation of inalienable mortmain goods. It forbade clergymen to acquire immovable properties without the ruler's consent and charged the new acquisitions with a lump sum that had to be paid as a compensation for their future exclusion from commercial transactions. The preparation of its renewal induced extensive debates about additional regulations that aimed to extend the scope of the law over various forms of exchanges and contracts through which the Catholic Church could enhance its possessions. However, the discussions did not stop at this point, but also raised the question how the number of clergymen could be reduced, as their mere sustenance was considered as a burden for the society.

But while the clergy was condemned for extracting resources from the secular estates, it should be noted that the Habsburgs received grants from the Catholic Church in support of their wars against the Ottoman Empire from the seventeenth century, and especially from the early eighteenth century. A grant of 120,000 florins was still paid during the reign of Maria Theresa and its term was extended to 15 years from 1 January 1752 (*Quindecennial Collecta*), while, from 1749, the share of the church in a heavier Contribution introduced by Haugwitz was also a significant source of income.¹⁰² Nevertheless, these forms of support had to be negotiated with Rome from time to time

¹⁰² Dickson, *Finance and Government under Maria Theresia, 1740-1780*, 1987, 2. Finance and Credit:265–66.

and, in the long run, the regular taxation of ecclesiastical possessions was a much more attractive alternative. Thus, record keeping practices became tools of the more and more explicit endeavor to tax church property and to enable calculations on the basis of detailed information about its value. However, this was not possible without a comprehensive survey of church revenues, which could not be made without a suitable legal and administrative framework. While it is generally assumed that church property was surveyed only from the mid-1760s and, initially, it was done properly only in Lombardy, thanks to the exemplary activity of a committee called *Giunta Economale*¹⁰³, I will demonstrate that it was a longer process that had its beginnings in the 1750s. In the hereditary lands, as P. G. M. Dickson pointed out, the census and the Contribution provided a framework for data gathering and they contained information also about church property and personnel. However, the collection of the Contribution, and, probably, of any data, was strongly intertwined with gaining power through alternative governmental structures. According to Charles Ingrao, “although the crown never directly challenged the estates’ right to collect the Contribution, Haugwitz established a system of crown deputations (1748) to monitor its local allocation and collection within the *Erblände*. Within three years the government had essentially coopted the estates’ own agents, first by subordinating them to the deputations, then by assuming responsibility for their salaries”.¹⁰⁴

¹⁰³ Ibid., 2. Finance and Credit:266–67; Beales, “Joseph II and the Monasteries of Austria and Hungary,” 168. For more elaborate account on the Italian territories and a comparison with Galicia see: Beales, *Prosperity and Plunder: European Catholic Monasteries in the Age of Revolution, 1650-1815.*, 186–92.

¹⁰⁴ Charles W. Ingrao, *The Habsburg Monarchy, 1618-1815*, 2nd ed, New Approaches to European History 21 (Cambridge [England] ; New York, NY, USA: Cambridge University Press, 2000), 162.

Maria Theresia's Political Testament is dated from this "takeover period" and the design of church policies also took place in this context. The fiscal and administrative changes introduced by Haugwitz in 1748 were followed by a range of ordinances (*Handbilletten*) on 2 May 1749. They were issued without consulting the estates and rearranged both the central and provincial government of the hereditary lands. The Bohemian and Austrian chancelleries were dissolved, and their judicial responsibilities were transferred to the newly created High Court (*Oberste Justizstelle*), while their financial and administrative matters were taken over by the *Conferenz in Internis* (successor of the former *Hofdeputation*). The affairs it discussed were prepared by the *Directorium in Publicis et Cameralibus*, under Haugwitz' presidency.¹⁰⁵ The *Handbilletten* of 2 May 1749 also enlarged the *Deputations* set up in the individual provinces in the previous years and they were renamed as Representations and Chambers (*Repraesentationen und Kammern*). The new name was hinting at the previously established provincial authorities they absorbed and further formalized according to the demands of the centralizing endeavors.¹⁰⁶ With the words of P. G. M. Dickson, even if "the detail, and precise timing, of the local changes of 1748-9 need further investigation, the strategy behind them seems clear. In Contribution and army business, royal nominees, first in the *Deputations*, later in the *Repraesentationen und Kammern*, replaced, or were intended to replace, the councilors of the Estates. The *Repraesentationen und Kammern* also took over many executive duties hitherto performed by other local royal councils."¹⁰⁷ As I will show, these extended

¹⁰⁵ P. G. M. Dickson, *Finance and Government under Maria Theresia, 1740-1780*, vol. 1. Society and Government (Oxford-New York: Clarendon Press ; Oxford University Press, 1987), 224.

¹⁰⁶ Ibid., 1. Society and Government:267-268 és tovább.

¹⁰⁷ Ibid., 1. Society and Government:269.

responsibilities also covered ecclesiastical affairs, and while preparing their policies the central authorities consulted not the estates any more, but the Representations and Chambers, from which the responses received were in accordance with their expectations. Adam Wolf noted that a new court commission of ecclesiastical affairs had been created in 1750 that took over the supervision of the management of ecclesiastical goods.¹⁰⁸ P. G. M. Dickson provides evidence for the existence of a so-called *Religionshofcommission* in 1751 on the basis of a famous memorandum written by Kaunitz on 20 November 1761 in which the state chancellor expressed his views on the situation of the empire and, among many other subjects, he also gave account of the proliferation of newly founded court commissions.¹⁰⁹ Unfortunately, the exact scope of the activity of this new commission of religious affairs has not been studied in detail and its reconstruction is hardly possible on the basis of archival documents anymore:

¹⁰⁸ Wolf, *Die Aufhebung der Klöster in Innerösterreich: 1782-1790 ; Ein Beitrag zur Geschichte Kaiser Joseph's II.*, 3. Unfortunately, Wolf does not provide any reference. Walther Latzke refers to Maria Theresa's ordinances that targeted ecclesiastical foundations among which the first one is from 1750: „Sammlung der alteren kaiserlich-königlichen landesfürstlichen Gesetze und Verordnungen in Publico-Ecclesiasticis (AfNÖ.), II. Teil Nr. 9 (8. April 1750), Nr. 67 (26. Jan. 1760), Nr. 99 (25. April 1767), III. Teil Nr. 29 (18. Mai 1771), Nr. 83 (26. Ang. 1771)“ Latzke, „Die Klosterarchive,“ 318., 1. footnote. I have not managed to identify the ordinance in the published statute books (*Gesetzbuch*), it might be in an unpublished collection of laws in the Archives of Lower Austria (Archiv für Niederösterreich=AfNÖ) A ordinance (*Verordnung*) was issued on 11th October 1753 about the rights of the clergy to acquire properties and included in the „Theresianisches Gesetzbuch“. The text is published in Klueting, *Der Josephinismus: Ausgewählte Quellen zur Geschichte der thesesianisch-josephinischen Reformen*, 38–39. The relevant pages quoted are also available online: *Sammlung aller k.k. Verordnungen und Gesetze vom Jahre 1740 bis 1780 (späterhin "Theresianisches Gesetzbuch")*, Bd. 2. (1753-1754), Wien, 1786. 244-245. (Nr.297)

<http://alex.onb.ac.at/cgi-content/alex?aid=rgb&datum=1755&size=45&page=302>
<http://alex.onb.ac.at/cgi-content/alex?aid=rgb&datum=1755&page=303&size=45>

¹⁰⁹ Dickson, Finance and government under Maria Theresia, 1740-1780, 1987, 1. Society and Government: 231. Cf. Österreichische Zentralverwaltung, Vom Sturz des Directoriums in publicis et cameralibus (1760/1761) bis zum Ausgang der Regierung Maria Theresias. Aktenstücke. Bearbeitet von Friedrich Walter. 1934 2.Abt. 3. 104. Bdhttp://www.oesterreichische-geschichte.at/?page_id=189&lang=en

the documents produced during its operation got lost most probably in the *Justizpalastbrand* in 1927.

In the Austrian Netherlands and in the hereditary lands, the ruler's claim to supervise the management of church goods was negotiated under the label of the legal term "law of amortization" (*Amortisationsgesetze*). In the Austrian Netherlands, this traditional legal claim was joined with the demand for gathering information about church properties and personnel in a way that served as an example for further policy making, too. This endeavor was also accompanied with the changing role of the archives: they became depositories of information and supported the right of the state to interfere with the property relations of the church by contributing to the creation of its image as the holder of the necessary knowledge, expertise and infrastructure, and, as such, they became increasingly significant governmental tools. Power and knowledge became intertwined in the "everyday life" of the state, in transparent and intelligible terms.

2.2. The Law of Amortization in the hereditary lands

The endowed monasteries (*Stiften*) were obliged already on 16 June 1749 to report their new acquisitions to the newly established Representations and Chambers and ask for their consent.¹¹⁰ On 14 July 1753, a more elaborate regulation was issued. Its scope covered already the ecclesiastical estates and referred to the law issued by Leopold I on

¹¹⁰ Peter Karl Jaksch, *Gesetzlexikon im Geistlichen, Religions- und Toleranzsache, wie auch in Güter-Stiftungs-Studien- und Zensurssachen für das Königreich Böhmen von 1601 bis Ende 1800: aus den Originalakten des k. k. Gubernialarchivs. von E - H. Zweiter Band, v. 2* (Prag, 1828), 565, <https://books.google.at/books?id=kkddAAAacAAJ>.

20 October 1669 in which their obligation to request the ruler's consent on the occasion of acquiring immovable goods was prescribed. The rescript listed various abuses, claiming that rented properties and emphyteusis managed by ecclesiastical institutions for ages had been appropriated by them without the consent of the ruler. Or even if they had asked for and received permission upon the condition of having to sell other goods of the same value, they had failed to meet this condition. In order to compensate for these unlawful actions, the ecclesiastical estates were obliged to inform the *Directorium* about the exact title, value and date of their acquisitions in three months. Anybody who knew about such unamortized properties had the opportunity to report secretly about them, and the denouncer could receive one third of the value of the property. The actual patent was issued only on 11 October 1753. It referred again to the law of Leopold I and explained that it was a response to the complaints of the knights and the lords of the hereditary lands initially issued for the duchies above and under the Enns, but also addressed to the *Geistliche Abtheilung* in Bohemia. Leopold I's law of amortization referred to Maximilian I's and Ferdinand I's laws issued in 1580 and 1524, respectively, which regulated the matter in their general mandates (*Generalmandaten*).¹¹¹ Leopold's edict was considered as a valid precedent both in the Austrian Netherlands, where Charles VI proposed its renewal in 1733, and in the hereditary lands as the regulation limiting the dowries and inheritance rights of the regular clergy was being prepared.¹¹² This patent was less elaborate than the law of amortization in the Austrian Netherlands,

¹¹¹ Österreichisches Staatsarchiv – Allgemeines Verwaltungsarchiv – Unterricht und Kultus – Alter Kultus – Katholischer Kultus – Akten 608 – Signatur 61: Generalien 1669-1775: Amortisationsgesetze (Abbreviated later as ÖSta AVA AK)

¹¹² Jaksch, *Gesetzlexikon im Geistlichen, Religions- Und Toleranzsache, wie auch in Güter-Stiftungs-Studien- und Zensurssachen für das Königreich Böhmen von 1601 bis Ende 1800: aus den Originalakten des k. k. Gubernialarchivs. von E - H. Zweiter Band*, 566–67.

its sanctions were given only as a reference to the rescript issued in June 1753. Although it also prescribed reporting to the fiscal authorities, it is unclear if there was a special commission in charge of the examination of the submitted documents and, if yes, to what extent its archival legacy was forwarded to central authorities and whether the Bohemian state archives preserved documents that could inform about their operation in more detail.

Further inquiries at the *Landesarchiven* of Austria can probably also reveal the traces of similar commissions. According to Adam Wolf, whose study focused on Austria, especially Inner Austria, the pious foundations (*Stiftungen*) were examined in 1756 and they received instructions (*Regulativ*) regarding their future management. Wolf argues that the ecclesiastical policies of the 1750s already explicated the idea of using monastic goods to support and improve the secular church and he points out that the ideas on church reform that became dominant in the 1770's had appeared in the first half of the 1750's.¹¹³

Although the archival legacy in Bohemia is not as comprehensive as in the Austrian Netherlands, it can be established that the requirement of written evidence to prove the rightful acquisition of ecclesiastical goods did bring results. According to a protocol of the meeting of the directorate of the *Publico Contentiosis* held on 11 February 1757, the procurator of the Bohemian chamber requested remuneration for the procedures his office carried out in terms of unamortized properties. His petition claimed that 35 procedures had been carried out and they yielded 34888 florins. He also

¹¹³ Wolf, *Die Aufhebung der Klöster in Innerösterreich: 1782-1790; Ein Beitrag zur Geschichte Kaiser Joseph's II*, 3.

attached a list informing about the exact sum received from the individual monasteries and other institutions involved. However, the committee pointed out that fiscal offices were the discoverers of unamortized properties only in three out of the 35 cases, and thus the remuneration they could receive from the tax office of the *Directorium* was merely 500 florini.¹¹⁴

2.2.1. Reducing the numbers of monks and nuns: age limit and capped endowments

It was not only the exchange of material goods that could provide opportunities for the Catholic Church to come into the possession of properties. Similar was the case when a new candidate joined a convent and a deal was settled between the institution and the family regarding a “dowry” or some other form of a lump sum or of a regular payment intended to cover the lifelong sustenance of the new member. Occasionally, the agreement also included promises of the relatives to transfer properties to the convent after their death. These contracts could also provide an opportunity for religious orders to get into the possession of immovable goods.

The regulation of such transactions was part of the broader discourse on the planned renewal of the law of amortization. As the state authorities claimed that this regulation was circumvented in various ways, several forms of potential transactions were included in the scope of the preparatory discussions aiming to renew the law, and, simultaneously, strengthening the image of the ruler as the protector of the secular estates.

¹¹⁴ ÖSta AVA AK – Akten 608 – Signatur 61: Generalien 1669-1775: Amortisationsgesetze

According to the minute book of a meeting that was probably a session of the *Directorium*¹¹⁵, Maria Theresia sent out a rescript on 5 September 1750 in which she requested reports and suggestions from the Representations and Chambers. They had to respond to three main questions: 1. What should be the maximal sum that new candidates can take into the convent? 2. In case of inheritance, should this maximal sum be considered as a limit of the heritage the convent can receive from among the share of collateral and other heirs? 3. From what age should it be allowed to join a convent?¹¹⁶

The University of Vienna¹¹⁷ was also expected to express its opinion on two questions,

¹¹⁵ The minute book is a copy, its original was probably stored in the archives of the Chancellery that was mostly destroyed in the *Justizpalastbrand* in 1927. About the fire and the losses see: Jakob Seidl, „Das Brandunglück im österreichischen Staatsarchiv des Innern und der Justiz“, *Archivalische Zeitschrift* 37 (1928): 184–91. The copy was preserved in ÖSta AVA AK AK – Akten 608 – Signatur 61: Generalien 1669-1775: Amortisationsgesetze – Protocollum Commissionis. Den Eintritt in den geistliche Stifft- und Clöster und was deme anhängt betreffend. The copy was made probably in 1762 as part of the preparation of a more comprehensively formulated law of amortization that was finally issued in 1771. As the copy is disconnected from its original archival context, the circumstances of its creation can be determined only on the basis of the information that was noted in it. It was the 22. session of a committee held on 22nd November 1751 under the presidency of count Haugwitz and Rudolph Chotek (president of the *Finanzkammer* at this time). The latter one's younger brother, Johannes Chotek was also present as vice-president. The main referee of the affairs was Kannegiesser, the co-referee was Doblhofen. Further councilors were Buol, Managetta, Cetto, Kranichstätt, Stupan and Nefzern. It is not specified which commission discussed the matter. It could be a regular session of the *Directorium*, but it is also possible that it was a meeting of the newly created *Religionshofcommission*. Dickson, *Finance and Government under Maria Theresia, 1740-1780*, 1987, 1. Society and Government:231. About the Chotek brothers and their titles see Ibid., 1. Society and Government:341. fn 500. Regarding the councilors of the *Directorium* Dickson writes the following: “Cetto, Holler, Kannegiesser, Neymeyer or Neumayr, and Saffran were five of the seven original councillors of the Directorium, OZV (1925) 290-1. The sixth, Stupan, was in the Bank Deputation in 1754; the seventh, Kranichstatten, does not appear in the 1734 lists. For the four Secretaries of May 1749, see OZV, loc. cit. Buol and Stupan were assigned to the new fiscal consessus of the Directorium in Jan. 1751.” Ibid., 1. Society and Government:344 fn 35.

¹¹⁶ “Primo: Wie hoch die summa auszumessen, die ein Religios dem Closter zueignen könne; Secundo: Ob nicht bis auf diese Quotam die Klöster von allen Collateral- oder anderen Erbschaften auszuschliessen wären; Tertio: In welchen Alter der eintritt in ein Closter zu gestatten seÿe?”

¹¹⁷ The copy bound to the protocols is dated from 11th February 1751. “Collationirt, und ist den bey der Kanzley aufbehaltene orig[inal] gleichlauthend. Wien den 11te febr[uar] 1751, Joseph Gregori Gewey Univers: Syndicus et Notarius“ ÖSta AVA AK – Akten 608 – Signatur 61: Generalien 1669-1775: Amortisationsgesetze – Bericht von seithen deren, so sich gegen wärtiges Jahr 751. auß der Theologischen Facultät in dem Vebli: Consistorio Universitatis Vienn: befunden; wie auch denen jenigen, so selber beygetreten seynd.

namely, what proportion of the paternal heritage should be assigned to those who enter a convent and from what age a candidate should be allowed to join a religious order.¹¹⁸

2.2.2. Responses of the Representations and Chambers

The reports were submitted by the Representations and Chambers of the “German hereditary lands”, as the minute book refers to them, namely Lower and Upper Austria, Styria, Carniola, Carinthia, Bohemia, Moravia and Silesia. The only exception was Tyrol. The “expert opinion” given by the rector of the university was attached to the report of Lower Austria, while the supplements submitted by other members of the consistory of the university were not preserved but compiled into the report.

The starting point of this broad and systematic investigation of the aforementioned questions was the individual case of Johanna von Wallhorn who joined the English Ladies in Sankt Pölten. The underage (*minorens*) baroness appealed to the ruler and asked for her consent to keep her right of disposition over the goods she took with herself into the convent. Further details of the case are not mentioned either in the minute book of the commission or in the report sent in from Lower Austria, where the appeal was made. Nevertheless, the case chosen for the justification of further measurements and the lengthy report submitted by the Lower Austrian local authorities make it obvious that this province – just like in many other cases – played a crucial and exemplary role in the preparation of the policies regulating state-church affairs. Furthermore, the Lower Austrian report submitted upon the aforementioned request¹¹⁹

¹¹⁸ “1mo Was vor ein Antheil von Vätterlichen Erbgüeth denen, so in geistlichen Orden eingehen zugeben
2do Was vor ein Alter die jenige sollen erreicht haben, welche in den geistlichen Stand sich begeben
wollen.”

¹¹⁹ This report dates the ruler’s request from 31 August 1750, i. e. five days earlier than mentioned in the minute book of the commission.

of the ruler on 15th March 1751, was also the most complex among all reports sent in from the hereditary lands. It included the opinion of four parties: the governor of Lower Austria (*Landmarschall*), the magistrate of Vienna, the University of Vienna and the Representation and Chamber. The last one also relied on and summed up the former three responses.

2.2.3. Lower Austria

2.2.3.1. The Landmarschall

The *Landmarschall's*¹²⁰ response to the questions started with a proposition for even more radical and comprehensive changes implied by the inquiry. He suggested that people should be generally forbidden to alienate their own goods to the church, not only through sending children into the convents, but in any other ways, including donations and legacies. He proposed the addition of restrictions to the edict (*pragmatica*) prepared that would not allow anybody to give away more than 10% of his or her full wealth, not even in the form of a testament, without the preliminary consent of the ruler. Similarly, if somebody intended to revive an impoverished church or convent with a larger donation, the donation should be taxed in order to compensate for the loss of the secular estates (*status politicus*). Any transaction made in secret should be sanctioned by declaring it null and void and forcing both the donator and the recipient to pay the equivalent of the donated/received sum to the fiscal authorities.

According to the laws of Albert III issued in 1381 and 1383, a man at the age of 20, a woman at the age of 18 could be at the right of disposal of his or her goods and if

¹²⁰ Ferdinand Bonaventura Anton Graf von Harrach zu Rohrau und Thannhausen (1708–1778)

they joined a convent above the age of majority, their legitimate right share of the heritage, usually referred to as the *legitima*, could also be assigned to them. Nevertheless, if they joined a convent in consequence of misleading persuasion and without the consent of the parents or guardians, the convent could not have any claim for their property. However, the so-called “Albertine law” or *Albertina* was problematic, because no original copy of it could be found and the clergy could easily win litigations with this argument. According to the *Landmarschall*’s proposition, if a candidate (or their parents, grandparents, guardians, etc.), who was the only child possessed at least 18000 fl, only one third of this sum, i. e. 6000 fl could be acquired by the convent. This limit applied even if the property was above 18000 fl. If it was of a lesser value and/or the family had more children, strictly, only the legitimate right share of the heritage could be given to the convent. For example, if the inheritor had 18000 fl and five children, the *legitima* of the children was 9000 fl and each could get 1800 fl and no higher sum than this could be given to the monastery. If both parents died before the child joined a convent (and in case the child was equal to his or her siblings in terms of his or her inheritance rights), the legitimate right share of the child would have been 3600 fl, but he or she could take into the convent not more than 1800 fl. (*stricta portio legitima*). He argued that 6000 fl must be enough for the sustenance of any religious, while those who get the *legitima* would have no right to complain either, as they would not get less than they would receive from the inheritance anyway. If a candidate wanted to take into the convent more than 6000 fl, he or she had to petition for the ruler’s consent.

Another question emerged from the jurisdictional experience of the court of the *Landmarschall*: if a candidate had already inherited property and its value exceeded the limit of the *legitima*, could they keep their free disposition over the rest and determine to whom they would like to hand it over? The majority of the court endorsed this practice and the *Landmarschall* also agreed, as this surplus given to other family members could still support the education or other needs of the candidate or reciprocate the help of the relatives. However, he insisted on strictly regulating that only direct blood relatives (*inter agnatos et attines*) could be the beneficiaries. He justified this suggestion with the argument that any other person could act as an intermediary of a religious order who, after receiving the money and taking a small portion of it, could give it away to the convent as a donation without any restrictions. If a novice inherited goods, the heritage had to be sequestrated and only the *legitima* could be at the disposal of the convent.

The *Landmarschall* also affirmed the proposition implied in the second question of the ruler, according to which the maximal sum – in his proposition 6000 fl – should be applied also in case of inheritance, but he differentiated between intestate succession and situations when the heritage was assigned to the candidate on the basis of a testament (*casus testati oder intestati*). In the latter case, monks and nuns were considered as if they were dead. The *Landmarschall* suggested their exclusion from among collateral heirs, too, in cases of intestate succession.

The third question of the inquiry regarding the age limit for taking monastic vows was answered in a more cautious manner. The *Landmarschall* acknowledged that the various statutes of the religious orders and their differing ways of education could

make it hard to set up a uniform rule that would apply to all of them. He also expressed his doubts whether older candidates could be trained properly for the discipline required in the lifestyle of certain religious orders (e.g. Jesuits, Dominicans, Franciscans) and if it were necessary at all to interfere if the measurements proposed for the first two points of the agenda (maximized dowry/heritage) were carried out.

Nevertheless, he fulfilled the request and suggested the age of 22 for men and 25 for women. But he also added that this is not a dogmatic question and it could be changed by secular authorities easily, as it would be beneficial for young people to consider their decision thoroughly. However, taking the monastic vows in an earlier age could remain an option, too, but its precondition would be the ruler's consent.

2.2.3.2. The magistrate of Vienna

The report immediately pointed out that the Albertine law (*Albertina*) did not determine a maximal sum that a new candidate could take into the monastery and this question belonged to the scope of various authorities. The highest sum given to a convent with the involvement of the magistrate of Vienna was 4000 fl to which a further 1000 fl was added upon the requests of the convent. As this case was rather extreme, the magistrate suggested 3000 fl as the upper limit. By determining the limit, on the one hand, the *titulus mensae* served as a point of reference, as 3000 fl was considered as sufficient for the sustenance of a secular priest (*presbiteri saeculari*), too. On the other hand, another argument for the sufficiency of 3000 fl was the new regulation of succession that prescribed a dowry of 2000 fl for noblewomen and 1000 fl for the daughters of the knighthood (*Ritterstand*) in case they got married or took monastic vows.

According to the Albertine law, after receiving the dowry, no further share of the heritage could be expected. Nevertheless, if the candidate was accepted to a convent fully or partially without a dowry, the heritage could be received as its compensation, but if the heritage exceeded the sum of the dowry that should have been assigned, the surplus had to be distributed among the relatives. However, the Albertine law did not allow the magistrate to interfere in cases when the candidate already reached the age of majority, i.e. he or she had free disposition over his or her goods or if the parents were still alive, i. e. the rules of inheritance could not provide an opportunity to set limits to the transfer of goods. For this reason, the magistrate also advocated for the further extension or a more elaborate formulation of the Albertine law that would allow the authorities to determine the legitimate share of the candidate (*ehrbahre Deputat*) and to set it up as a limit to any transfer of goods related to taking a new candidate. In order to avoid fraud, everything given to a monastery should be reported to the authorities, as only this could guarantee that the children remaining in secular status will have their fair share, too. Nevertheless, if a transaction happens without any notification (*absque insinuatione*), it should be considered as null and void, the whole sum plus a commission should be reclaimed from the convent, and the money should be distributed among the relatives. The same rules should apply not only to the parents, but also to those young people who had reached the age of majority and could offer their own possessions to a monastery.

Finally, the magistrate proposed to raise the age limit for taking vows to 20 in case of men and to 18 in case of women and posed the question whether the sanctions of the

Albertina for “locking up” minors (*Anlokungen*), i. e. convincing them to take vows without the consent of the parents, are also going to be renewed.

2.2.3.3. University of Vienna

The response received from the University of Vienna reflected diverging opinions and the changing power relations in the hierarchy among the faculties of the university and among various fields of expertise. The university had provided an expert opinion on the same matter in 1688, and the superintendent¹²¹ of the university assumed that it could be applied in the actual case, too. Nevertheless, the rector and his adherents (*rector cum adhaerentibus*) contradicted him claiming that the report of 1688 was made without asking for the opinion of the faculty of theology. The theologians called into question the accuracy and validity of the report and insisted on reconsidering the matter. They submitted a new report that expressed their position in the debate.

The report of 1688 was in accordance with Maria Theresia’s agenda as it confirmed the rightfulness of limiting the acquisition rights of the clergy, and referred back to the law of Albert III, Duke of Austria issued in 1381 (*Albertina*) that was later also confirmed by Ferdinand I. According to the report of 1688¹²², the Albertine law had already intended to serve the common good, it was renewed several times with the consent of the Pope (*plenitudo potestatis*) and it was legally valid, as it did not prevent anybody from joining a religious order. The report also emphasized that canonists would not object to it either, as the right of the prince to determine the quantity of the

¹²¹ The superintendent was the representative of the ruler in the consistory of the university, but he was chosen and nominated by the university. He controlled the financial affairs of the university.

<https://geschichte.univie.ac.at/en/topics/universitys-leadership-14th-19th-century>

¹²² The report is not attached to the protocol, but it is summarized in the report of Lower Austria.

possessions taken to the convent by a new candidate essentially served the common good, and especially the protection of the secular estates (*statum publicum et politicum*) that was considered as a sufficient reason to put a halt on the accumulation of mortmain goods.

Then they listed the main points of the report of 1688 in which the university suggested to refine the Albertine law by making distinction between testate and intestate cases. If a candidate at the age of majority (*Vogtbarkeit*) joined a convent, they also gained the right of free disposition over their goods, including the right of bequeathing it in their last will and giving it away either to the convent or to anybody else. If a professed nun or monk at the age of majority inherited goods from their parents or other relatives, not more than the legal right share of the candidate could get into the possession of the convent, or alternatively, if the inheritance originated from other relatives, the convent could get only one third of the *legitima*. The rest of the heritage had to be given to the next relative(s) in the inheritance line or whoever had the right to receive it. If there was nobody, the fiscal authorities could take possession of the legacy. If a minor, who was also a legal inheritor of goods took the vows, only one third of the heritage could be taken into the convent, the rest had to be given to other inheritors or to the fiscal offices. If a minor inherited goods after taking the vows, the legal right share of the legacy of the parents or one third of the goods bequeathed by others could be given to the convent. These rules applied only if the deceased person did not have a last will. If a religious came into possession of goods through inheritance, donation or in any other way, these goods were handed over to the convent and remained there. Finally, if a minor was persuaded to join a religious order and he or she took the vows

without the consent of the parents or of the guardian, the convent had no right to claim any share of the candidate from the possessions of the family, or it could receive only a small portion of it if secular authorities gave permission. In terms of immovable goods, Leopold I's resolution of 1669 was considered as valid regulation. Finally, the report of 1688 already advocated for raising the age limit of taking the vows that was still 16 in 1750s, determined by the Council of Trent.

Nevertheless, the rector of the university and his council did not fulfill the expectation of the state authorities. Instead of endorsing the report of 1688, they called into question the right of the ruler to regulate the affairs discussed. Their arguments were omitted from the report of Lower Austria, but their opinion was attached to the protocol.¹²³

The dean of the faculty of law also gave his opinion on the matter, according to which the theologians mistakenly questioned the right of the prince to regulate how

¹²³ The consistory of the university traditionally consisted of the rector, the deans of each faculty (theology, philosophy, law, medicine) and the procurators of the four nations – Saxon, Austrian, Rhenish and Hungarian – who were elected from among the whole membership of the university. Soon after the case discussed here, the consistory was divided in 1752 (until 1784) into the “consistory for legal matters” being responsible for university jurisprudence (its members, besides the rector, were entirely legal experts) and the “regular consistory” that remained responsible for all other matters. In this case the council consisted of Antonius Vanossi S. J. rector of the Collegium Academicum in Vienna, Josephus Carl S. J., dean of the Faculty of Theology, Fr. Josephus Riedl, prior of the Dominican convent of Vienna and senior member of the theological faculty, Georgius Reinhard, beneficiary chaplain of count Trautson and procurator of the Saxon nation, Wolfgangus Rechtenberg S. J., senior member of the Faculty of Philosophy, Josephus Daniel auxiliary priest of the cathedral St. Stephan and procurator of the Austrian nation and Ignatius Xaverius Stöckl from the Faculty of Law and procurator of the Rhenish nation. About the history of the consistory see: <https://geschichte.univie.ac.at/en/topics/universitys-leadership-14th-19th-century>

Stöckl also submitted a report to the university in which he expressed his dissenting opinion about the matter. The copy of this report is unfortunately not attached to the minute books and it is unclear whether it was forwarded by the university to the central authorities. “Ob multa ex adductis argumenta iudico, ac sentiv, antequam im[m]unitas et libertas, Religionibus huc usq[ue], etiam per observantiam, Competens, sit legitime sublata, ne dum posse abiri in suffragia quibus atas, aut quota bonorum per religiosos acquirendum determinetur; atq[ue] eatenus me refero ad votum a me in scriptis separatim Consistorio Universitatis porrectum.”

much dowry or other goods can be given to a convent. This was partly because this legislative practice had been established by the law of Albert III and then confirmed by Ferdinand I and partly because this regulation would not do any harm to the already possessed properties of the church, but it was meant to regulate the actions of secular subjects. For the same reason, the decrees issued by Albert III and Ferdinand I could not be considered as intrusive towards the church either. The dean also pointed out that it was improper to consult the university in this matter, as its members were not representatives of the clergy, but of a secular political entity (*politische Instanz*), even if some of the individual members of its council were theologians and priests. Consequently, affairs in which the boundaries between ecclesiastical and secular power were at stake, should have been negotiated directly between the ruler and the representatives of the ecclesiastical estates.

The dean's opinion supported the superintendent's position claiming that the report of 1688 provided an appropriate answer to Maria Theresa's questions and could be resubmitted, though he proposed two modifications. First, he suggested that candidates, even at the age of majority, should not be allowed to take into the convent more than one third of the property over which they would have disposition in a secular status. Furthermore, no parent of a professed religious should be allowed to transfer to the child any property in any way (contract, donation, last will), except the *legitima*. Second, monks and nuns should not be able to get into the possession of goods over their rightful share of a heritage that exceeds the value of 1000 fl.

In respect of the age limit, the dean expressed a more cautious opinion, considering this question similar to the purely spiritual affairs (*tanquam in re mere*

spirituali) that could not be regulated without papal consent. He finished his report with enumerating the various ways in which both mendicant and endowed monasteries could increase their wealth despite the restriction regarding their shares from the heritage, and he emphasized the importance of protecting the secular estates that was subject to heavy contributions.

Dr. Stöckl was a member both of the consistory and of the faculty of law (a professor of canon law) and he submitted his opinion separately as he disagreed with the rector. In his opinion, the theologians were not entitled to advocate for the immunity of the church without the consent of their ordinary or the Pope himself, while they could have given their opinion about the modalities of Albert III's decree, as members of a *Forum politicum*. In this respect, he also disagreed with the dean of the faculty of law, as he considered this occasion as an important and legitimate forum to discuss the privileges and immunities of the church and pointed at the general lack of such opportunities, with which, he probably implied that the aggressive response of the rector also missed the chance to influence the decision-making procedure. As a professor of canon law, he emphasized his familiarity with the endless amount of conflicts that the question of ecclesiastical immunity had generated, and he wanted to avoid contributing to such a conflict.

Changing the age limit was in his opinion not possible without papal consent. Limiting the possessions taken into the convent would modify earlier established privileges of the religious, but, in this respect, the regular clergy should be subordinated to the ordinary and the consistory also should (should have) waited until the ordinary's opinion becomes known.

2.2.3.4. Representation and Chamber of Lower Austria

The report of the Representation and Chamber expressed its agreement with the propositions of the *Landmarschall*. The only point where its opinion diverged was his suggestion to maximize the value of any transaction with ecclesiastical institutions at the tenth of all properties the secular party possessed. It postponed further elaboration on this idea by suggesting that it should be the subject of further consideration and that new inquiries would be necessary to learn about other opinions. Count Stella disagreed with the outcome of the discussions and submitted a separate opinion. Count Calviniani and count von Schik also stated that the preliminary suggestions of the *Landmarschall* should not be included in the report. The dissenting opinions of these councilors were not preserved in the files.

Regarding the first question, the Representation and Chamber agreed on the *Landmarschall's* suggestion that the upper limit of the sum taken into the convent should be 6000 if the candidate has a fortune of 18000 fl or more. If it was less, one third of the total sum was the maximum that could go to the monastery. A new element added by the Representation and Chamber to the discussion was the idea of regulating the transitory period while a novice was already in the convent, but still before taking the vows. At some religious orders, like the Jesuits or the English Ladies, this could mean several years. If the candidate entered the convent as an adult with possessions at their free disposal, the goods had to be sequestered and administered by the authorities until the date of the profession. The one/third rule applied only from the date of taking the vows, consequently, the unity of the possessions had to be preserved until that point and the division could take place only later.

Nevertheless, the magistrate pointed out that a dowry of 6000 fl was more the exception than the rule. According to the common practice, the daughters of the nobility were sent to a convent with 2000 fl and the dowry for the equestrian class was 1000 fl. If these sums were taken as a basis for further calculations, one third of them would not suffice for the sustenance of the nuns (*congrua sustentationis*). Taking into consideration the small size of the average dowries, a candidate bringing 6000 fl into the convent would merely compensate for the others' missing assets. If the regular clergy of the land seem to do well, it is because of the various services it provides to the population, while it also bears the burden of various taxes, charges and contributions. In addition, its reserves have served as immediate subsidies for the political estates in times of necessity.

While the Albertine law excluded monks and nuns from the family heritage, this regulation could not be applied if the candidate had already inherited and had free disposal over his or her goods, i. e. was above the age of majority. Furthermore, two members of the Representation and Chamber, named von Schik von Reichmann, and von Bichler, advocated a concession in respect of minors and candidates who expected an inheritance after joining a religious order, also allowing for the inheritance to substitute the dowry if a candidate could not pay upon entering the convent. They claimed that this could not be harmful if the sum of the heritage was also maximized in 6000 fl.

Regarding the age limit of the profession, three options were discussed: first, the *Landmarschall's* suggestion for 22 (men) and 25 (women); second, the limits established in the Albertine law and suggested by a member called Caviani, namely 22

(men) and 18 (women); third, the age of majority, suggested by Kessler, 22 (men) and 20 (women). The majority of the committee supported the first. Regarding the question whether the age limit of the profession could be determined by secular authorities, the Representation and Chamber repeated the arguments about the priority of the common good and about the right of the ruler to regulate the actions of the secular subjects, pointing out that unprofessed candidates also counted as such. Asking for papal consent without the interference of the Jesuits seemed to be too difficult and, based on the previous arguments, simply unnecessary. For the same reason, the opinion of the rector of the university could also be ignored, especially as the report of 1688 was considered as a reasonable and more helpful opinion. Furthermore, a new understanding of the age limit set up by the Tridentine Council appeared in the discourse: the age of 16 was determined by the council as a minimum age, under which no profession can be considered as legitimate. However, this does not mean that no older age can be determined by the ruler. For doing so, the Representation and Chamber referred to the example of France, where in the previous year (1750) the ruler determined the age limit of the profession. Interestingly, another reference point was the Jesuit order itself, where the age limit of the profession was also 22, as the magisters were expected to be older and more mature than the pupils.

2.2.4. The lands of the Czech crown

Bohemia and Moravia sent in their reports on 6 October 1750, Silesia submitted it on 8 January 1751. Bohemia claimed that even if the endowed monasteries could sustain themselves from their funds well, they rarely took candidates who could not bring assets

with themselves to cover their individual sustenance. Thus, children of poorer families were rarely admitted, while the properties they received from the better paying candidates contributed to the accumulation of mortmain goods. A certain sum should be determined, as it was proposed by the ruler.

Bohemia suggested 3000 fl as an upper limit of the properties that future nuns could offer to their convents. It was considered not so much as a dowry, but as an (expected) inheritance and as a potential capital for annuities. The report does not inform about the exact percentage paid regularly for 3000 fl, but it was considered as sufficient for somebody living in a religious community. However, the convents should be obliged to inform the recently established *Foundations-Commission* about the received assets under the penalty of confiscation (*sub poena amissionis*) and acquiring more from new candidates on any pretext should be sanctioned with the same punishment. The Moravian report suggested the *portio canonica*¹²⁴ as a point of reference, i.e. 150 fl that was also the annual amount that could be received with a capital of 3000 fl, if the percentage was 5%. Free disposition over goods before taking the oath was allowed, if it was in accordance with the laws of the land, which, in case of intestate inheritance, enabled the secular heirs to claim their legitimate share. Any transgression of these rules would harm the public, the commerce and the relatives in need, and for this reason her majesty had already ordered with a general clause that any kind of transaction exceeding the 3000-florini limit, may it be short- or long-term, explicit or tacit, had to be

¹²⁴ József Gróh, *Öröklési jog a magyar róm. kath. clerus tagjai után* (Budapest: Kilián Frigyes utóda, 1913); József Gróh, *szerzetesek és szerzetek szerzési képessége és a szerzetesek utáni öröklési jog. Magánjogi tanulmány.* (Budapest: Stephaneum Nyomda, 1930); József Gróh, *Portio Canonica. A Róm. Kath. Egyházat papjai hagyatékából megillető köteles hagyomány jogi természetéről. Egyházzogi tanulmány* (Budapest: Stephaneum Nyomda, 1938).

impounded from their temporalities.¹²⁵ Silesia suggested to set up a limit according to the *legitima* that could serve both as a maximal and a minimal limit. Agreeing on the expected inheritance of the candidate could spare the parents of making overly high payments at the time of admission and obligations regarding the future inheritance share of the candidate, as a case of cession, could serve as a supplementary payment. [explain earlier!] This could apply at any case according to natural law unless the *legitima* could not be paid because of disinheritance (*citra causas exhaeredendi*). In the duchies of Opava (Troppau), Krnov (Jägerndorf) and Cieszyn (Teschen), where the statutes of the land prevented female heirs from receiving an equal share of the inheritance with the male successors (*intestate succession*). The firstborn received the *legitima* according to the common law (*jus commune*). Women were unequal in order to preserve the family property and prevent its fragmentation (*intuitu conservationis familiae*). The planned ordinance should be in accordance with the already established regulations and practices.

Bohemia referred to the passage O 42 in the Renewed Constitution (*verneuerte Landesordnung/Obnovené zřízení zemské*)¹²⁶ in which the laws of succession given by Vladislaus II and confirmed by Ferdinand (II?) would limit the legitimate claim of collateral heirs (brothers, sisters, nieces and nephews, etc.) to inheritance up to the tenth degree of consanguinity, may they be male or female successors. If no heir could be identified below the tenth degree, the goods were declared as vacancies and the fiscal

¹²⁵ Can be a reference to the law of amortization issued in 1749-1750 – see the text about its sanctions

¹²⁶ *Der Röm: Kai: auch zu Hung: und Böheimb/ [et]c. Königl: Maj: Ferdinandi deß Andern/ [et]c. Vernewerte Landes-Ordnung Deroselben Erb Königreichs Böheimb*. Wien in Oesterreich, 1627. [https://gdz.sub.uni-goettingen.de/id/PPN626655234?tify={%22pages%22:\[4\],%22view%22:%22export%22}](https://gdz.sub.uni-goettingen.de/id/PPN626655234?tify={%22pages%22:[4],%22view%22:%22export%22})

authorities could overtake their management. Monasteries were considered as equal to collateral heirs, however, if the degree of kinship of the monk or nun through whom the inheritance could be taken by the monastery was beyond the 10th-degree limit, it was excluded from the inheritance in the same way as the secular heirs. The old royal constitution (*alte königliche Landesordnung*) excluded female heirs who entered a convent. This was corrected by the new constitution, and its paragraph O 46 declared that children who join a religious community had the right to get their legitimate share of the paternal inheritance or even more than that (if they did not get a dowry at the time of taking the oath), no matter if it is a testate or intestate succession. This modification of the old royal constitution explicitly aimed to enrich the church and improve the services it could provide. However, the report of 1751 emphasized that this liberty should not be extended to collateral heirs, as the law does not mention them either. A precedent (*actus praejudicialis*) was provided from the praxis of the magistrate of the Lesser Town (*Malá Strana, Kleinseite, kleine Stadt*) in Prague.¹²⁷ It was a case between the Augustinian hermits and the burgess Theresia Templmannin between 1689 and 1692. The decision was reasoned with two main points: the monastery, according to its own confession, had never got the inheritance of any secular relative of its members, and it had no well-founded right to claim inheritance in cases of collateral succession. The Moravian report also suggested that monks and nuns were and should be excluded from intestate collateral successions. It referred to a precedent from 1718 when the case was decided both on the basis of the court decision and of the Renewed Constitution –

¹²⁷ It was a legally independent free royal city beneath the Prague castle from the date of its foundation (1257) until 1784 when Joseph II merged the formerly independent cities of Prague, namely the Castle district (*Hradschin, Hradčany*), the Lesser Quarter (*Malá Strana, Kleinseite*), the Old and the New Towns (*Altstadt, Staré Město* and *Neue Stadt, Nové město*).

it referred here probably O 42 – that enabled monks and nuns to inherit goods through direct succession, but not through collateral one. In cases of testate succession, there was no obligation to include collateral heirs into the last will and, consequently, it could not be attacked for the exclusion of collateral heirs. Simultaneously, in cases of testate succession, there also were no restrictions applied if somebody bequeathed to heirs or legatees living in a monastery. The Silesian report claimed that beyond the legitimate share received from the parents, may it be testate or intestate succession, only one third of the inheritance could be given to monks and nuns, the rest had to be distributed among siblings or other relatives. If there were no other secular heirs, it had to be given to the fiscus.

Bohemia suggested the age of 18 for men and 15 for women as the limit for entering a monastery, that could be pragmatically laid down and claimed that the probation time should be sufficient for both sexes to consider their decisions. The answers of Moravia and Silesia were more elaborate and daring in terms of raising the age limit. Moravia suggested the age of 20 for male and 18 for female candidates, which were also the age limits of majority. As an example for even stricter regulations, the Jesuit practice was mentioned, where candidates took their solemn vows only above the age of 30 or even 40, until which point it was possible for them to leave their order. Nevertheless, as the age of 16 was determined by the Council of Trent, it could not be changed without papal consent. The report of the Moravian Representation and Chamber also expressed concerns about the education in philosophy and theology that took place in the monasteries and some of the religious orders prescribed participation in the studies from the age of 15. It pointed out that it might be very difficult to remain a novice for about

five years and to continue with the studies of the specific religious order (*Ordensstudien*) only after they had professed and they would give preference to religious orders in which they could proceed with their education in a secular status. It was a common practice to send women at an early age to a convent in order to receive their education, and they often decided to become nuns without knowing anything of the outside world. Thus, it was suggested that such female candidates should spend at least two years in a secular environment with their parents or in the house of other relatives before taking their vows. Silesia also referred to the Jesuits who admitted candidates earlier than any other religious order, usually between the ages of 8 and 10, but it took them a very long time to become priests and full members of the Society of Jesus. In respect of this religious order, there was nothing to be done by secular authorities. Regarding all the other orders, where the profession immediately followed the novitiate, the age limit should be set between the age of majority, i.e. 21 and the age of puberty that was 14 for men and 12 for women. The age of majority was ordered pragmatically in 1717 and it meant that one could assume the management of his estates by that age and became eligible to be elected to the estates (*Standeserwählung*). Choosing the age of puberty was in the interest of the public, too, since less well-to-do families with many children could be relieved by sending their children at an earlier age into a monastery, so that they also did not need the support of the state in the form of tax alleviations. The age of majority considered only the ability of managing one's estates and property, while the age of puberty was the prescribed age limit for concluding a marriage. While the first one was not regarded as necessary or relevant for making the decision to take monastic vows, the latter one was considered to be too early,

so the report suggested that the golden mean should be found (*ein temperament zu treffen*) by the legislators for the future regulation of the matter.

2.2.5. Upper Austria

The Representation and Chamber of Upper Austria submitted the report on 14th September 1750.

Interestingly, it started with references to Roman and canon law: The *lex Valentiniana* and *Theodosiana* deprived monks and nuns of the right of inheritance, while the holy fathers Jerome and Saint Augustine restored this right. According to the common law (*allgemeine Rechte*) *juxta constitutiones conciliorum* they had to receive their legitimate share of the parental goods. How much the legitima should be can be determined on the basis of the local statutes (*ex lege statuaria loci decidiren*). In Upper Austria, it was calculated according to the Roman law (*secundum jus romanum computirt*) for the bourgeoisie (*Bürgertum*), while the daughters of the nobility received the *legitima* according to the customary law (*ex consvetudine*) since centuries, in respect of the paternal inheritance, not more than 2000 fl. In other lands, just like in Bohemia and Moravia, the daughters could not inherit immovable goods if there were male heirs in the family but got their share strictly in the form of movable goods. If the family had no or not enough movable assets, immovable goods could be given as a dowry (*competenten dote ex immobilibus*). This regulation was introduced in order to preserve families (*ad conservationem familiarum*) partly by written laws (*per leges scriptas*), partly by customary law (*consuetudines*). The report argued that this regulation was considered to be useful in secular affairs, consequently, applying the same restrictions

to the male and female candidates of the regular clergy cannot be condemned either. The Representation and Chamber in Linz suggested that a capital of 4000 fl should be defined as the upper limit for the following reasons: (1) it could serve as an annuity that would yield 200 or 160 fl, (5 or 4% of the capital) that was more than enough, as the convents usually required a sum between 120-150 fl for the sustenance of the individual candidates; (2) this capital remained in the possession of the monastery after the death of the religious, (3) while most of the monasteries had foundations that would secure their operation anyway, but the new acquisitions made them even wealthier. (4) The endowed monasteries of Upper Austria took over several parishes during the times of Lutheranism with the consent of the ruler and merged their revenues (especially the tenth) with their own funds that enhanced their riches to such an extent that they could sustain more members than it was initially intended at their foundation. The Representation and Chamber advocated for ignoring the claims that the preclusion of inheritance rights would be disadvantageous for the public contribution (*onera publica*) including funded hospitality (*fundirte Hospitalität*)¹²⁸, it would prevent the admission of poor but talented candidates, or no aid could be expected from the clergy in emergency situations. On the one hand, the public dues could not be beyond the capacities of the monasteries, as they were proportionate to their possessions. (5) On the other hand, the hospitality and the admission of candidates in need could be covered from the already possessed funds, while, in case of necessity, the capacity of the church to provide support for the public could be preserved if it handled its goods well (*durch*

¹²⁸ Accommodation for travelers and pilgrims financed from alms and donations. A. E. Dünzelmann, *Krumme und gerade Wege: Pilgern Alternativ* (Books on Demand, 2017), 13, <https://books.google.hu/books?id=LiNiDgAAQBAJ>.

gute Wirtschaft). (6) The Albertine law prescribed that only immovable goods could be offered to a monastery. Even if this restriction applied only to burghers and it was transgressed in many ways, it still had not lost its force entirely and its extension to the nobility would be desirable. Other countries, such as France, Savoy, the Electoral Palatinate (*Kurpfalz*) had introduced restrictive regulations regarding the inheritance affairs of clergymen, and even the archbishop-elect of Mainz, i.e. a prince-bishop limited the inheritance to 1500 fl, no matter to which estate the candidate belonged. Following the example of Mainz, the Representation and Chamber also suggested that the capital should be deposited into a public fund in order to prevent its merging with the possessions of the monastery and its too early depletion.

Regarding the second question, namely, whether the heritage the convent can receive from among the share of collateral and other heirs should be maximized, the following suggestion was made: as Upper Austria had no statutory law (*lex statutoria*) some modifications would be advisable, namely monks and nuns could be collateral heirs only if they had not inherited their paternal legal right share. After receiving the *legitima*, they could have been excluded from collateral inheritance. However, inheritance affairs could not be controlled if the authorities were not informed about them, so the “publication” of the official last wills at the *Landeshaupmannschaft* should be introduced. This would prevent other abuses, too, because the testaments made in the presence of only private people could be easily dismissed or falsified, especially if they devoted possessions for pious causes or the disposition of goods did not correspond to the heirs’ preferences. The Upper Austrian estates would probably welcome such a law and, last wills confirmed by the authorities could be implemented more efficiently,

while the obligation of republishing the hand-written last wills at the *Landeshauptmannschaft* could also yield income for the otherwise not very well-paid auxiliary officials of the court (*Gerichts-Assessor*).

In respect of the age limit for entering a monastery, the report was seeking a compromise by suggesting that allowing to start a novitiate at the age of 16 could remain in accordance with the decision of the Council of Trent , but the age limit of taking the vows should be raised to 20 for men and 18 for women, as it is ordered in the Albertine law.

2.2.6. Inner Austria

In the report of Styria, Count Breuner had a dissenting opinion, but the rest of the members of the Representation and Chamber unequivocally agreed that candidates should receive not more than 3000 fl from their family either in the form of already possessed or only expected goods. If there was a surplus, that should be assigned to less well-to-do candidates in order to prevent the exclusion of poorer families. This obligation should be included in the *Generalien*. The proposed maximal sum, i. e. 3000 fl, should be considered as a capital for annuities and calculated with the usual interest rate, namely 5%. Thus, the capital yielded 150 fl, an annual sum that was comparable to the income of a secular priest. Consequently, this sum had to be enough to cover the sustenance of individual monks and nuns as well, especially because the endowed monasteries had other sources of income and emoluments, too. Count Breuner suggested 6000 fl, or at least 4000 fl, because not all monasteries were so well endowed, and both the number of the members of religious communities and their living costs increased over the time.

Except another member called von Burmeister, the report of Styria also expressed the opinion that even in case of collateral succession – may it be testate or intestate – the inheritance cannot be more than 3000 fl. Unlike this, *ad omnem successionem ab intestato*, the inheritance can serve as a supplementary payment, if at the time of entering a convent, the 3000 fl was not or was only partially paid. The members of those religious orders that allowed their monks or nuns to possess some money on their own, usually used it as a capital, and the interests they received could cover some of their expenses (e.g. clothing, medicaments, etc.). The report suggested that the religious could still maintain this practice, but the capital should be kept in secular hands, and after the death of the person, it should be handed back to the next kin and could not be appropriated by the monastery. Finally, they posed the question whether a last will could be considered as valid if a monastery or convent was named in it as the universal heir (*Universal Erbe*) or an inheritance of significant value (above 20000 gulden) was assigned to them? The committee had the opinion that in such cases only a certain percentage of the inheritance should be given to the monastery and it should be obligatory to request the ruler's consent, to pay the usual fees, and the assets should be invested in an institutional way (*institutionsmässig*), because otherwise “one single holy mass could be celebrated for a donation of 30 or even more thousand guldens.” Burmeister suggested to exclude both monks and nuns from collateral inheritance in case of intestate succession and to allow testators to decide freely if they wanted to include collateral heirs into their testament. If the collateral testator bequeathed a monastery with a “pious annuity” (*proportionierte pia onera*), the monastery could

receive it as a regular annuity (*proportionato onere*), but it could not be considered as an inheritance.

The report of Styria proposed 18 for men and 15 for women as the age limit of joining a religious order, and it argued that older candidates would be difficult to handle both in terms of disciplining and education. The head of the committee (*Mittels-Praeses*), von Burmeister, had a dissenting opinion. He suggested to follow the example of other countries, where the age limit was 21 and change it to 20 and 18 for men and women, respectively, and he claimed that their studies in philosophy and theology could be accomplished in secular status, too. Von Burmeister referred to the religious orders that “taught these subjects not in the same way as the rest of the clergy”, i. e. the candidates could proceed with their studies only after having professed. However, von Burmeister argued that if the candidate was seriously devoted to his vocation, he should be allowed to study according to the methods of the religious order he chose. He also wanted to prescribe for female candidates to spend at least two years in a secular environment – with their parents or other relatives – after turning 15 or 16.

The report of Carniola was submitted on 5 October 1750. It is unclear if there was really no consensus but only dissenting opinions – expressed by count Barbo von Waxenstein, freyherr von Reigersfeld and Bechinie von Laschan had–, or only the dissenting opinions of these three persons were accessible for the compilers of the protocol in which the reports of the hereditary land were preserved.

Count Barbo proposed that if somebody entered a non-endowed monastery, 2000 fl should be given to the monastery in order to cover living costs (1700 fl) and for the installation/furnishing (*Einrichtung*). This should be applied to endowed monasteries,

too, if a candidate was admitted above the number of monks or nuns whose sustenance was supposed to be covered from the endowment/foundation. If a candidate had no siblings and had disposition over his or her goods before taking the vows (*ein eigenes peculium hätte, disposition ante professionem*), he or she should be allowed to donate the monastery maximum 5000 fl in total. However, in such a case, the parents should also be allowed to do as they wished, by which the referee probably meant that they had no further obligations to include the child in their last will, he or she did not have to receive a legitimate share of the inheritance, and they could decide freely if they wanted to bequeath anything to the child or the monastery. Reichersfeld also suggested that a monastery could receive a dowry from a candidate only if it had no foundations for new members, so that the new candidate was admitted above the number of funded places. In his opinion, raising the number of the members of the regular clergy was beneficial for the public. Other sources of income, e.g. mass foundations or alms could not cover the new member's sustenance. If these preconditions were met, the sum of the dowry could be maximum 2000 fl. According to Bechinie von Laschan, a candidate should not take into the monastery more than the *legitima* usually assigned to the children according to the laws of the land, and the rest of the possessions of the candidate should be distributed among secular people according to the laws of the land (*secundum leges patriae*) before the profession. If the *legitima* were an unusually big sum, it would be necessary to ask for the ruler's opinion, whether the whole sum or, if not, how much of it could be given to the monastery.

Barbo held the view that monasteries should receive inheritance through collateral succession only up to the 5000 fl limit. Reichersfeld agreed, but with a limit of 2000 fl.

This would compel the monasteries to select the candidates more according to their qualities than their wealth. Bechinie von Laschan also agreed on excluding the monasteries from collateral succession.

Responding to the question that intended to determine the age of taking religious vows, Barbo suggested the age of 17 for men and 16 for women. According to Reigersfeld, the candidates should profess twice. The first one should take place at the age of 25, this would be binding only for the religious order not to dismiss the candidate, while the candidate would be obliged to stay in the monastery for a lifetime only after the second profession, i.e., after the age of 30. If the candidate decided to leave the monastery before the second oath, he also had the right to get his money back. If he were already *in sacris* and if he entered the monastery without a dowry, he would receive a *titulus mensae*. Finally, the number of the members of mendicant orders should be restricted and the limit should be proportionate to the population and territory of the land. At the countryside, where there were generally no clergymen, they could instruct the people in the Christian faith and teach the youth how to write and read. Bechinie von Laschan referred to *the juris civilis et canonici* in which the age of entering a monastery was determined between 17 and 18 years.

The report of Carinthia was submitted on 17 September 1750 in response to the inquiries sent out on 5 September. It pointed out that if the admission of the candidate was possible without exceeding the number of members secured by the endowment of the monastery, no dowry was necessary, but his or her sustenance should be covered from the proportionate share of the fund calculated per capita. In order not to shrink the size of the religious communities through this regulation that could potentially make

them incapable of recruiting the number of candidates they would be obliged to have according to their foundation documents, a comprehensive survey would be necessary to identify and maintain this number. If the new candidate was admitted above the limit of the foundation or the monastery had no funds dedicated to the sustenance of the members of the community, but had the right to possess goods, the candidate was allowed to take with himself or herself a maximum of 6000 fl from the paternal and/or maternal inheritance. This sum corresponded to the *portio canonica* and it could be transferred to the monastery. Any further collateral inheritance could be assigned to the members of the regular clergy only if their dowry and/or *legitima* did not exceed 6000 fl, and they could receive it only up to this limit. The capital of the individual members should not be handled by the monasteries, but it should be invested into public funds and a certain interest of them should be paid to the monasteries annually. The reception of the capital should be reported to the state authorities and received only with the consent of the ruler.

The diversity of the religious orders would make it very difficult to set up an age limit uniformly in agreement with the Pope. For men, the age of 22 and for women, the age of 20 was the age limit of legal maturity (*maturitatem iudicii*). However, if the quota of the congrua were stabilized (*quota congrua*), the monasteries would be not so eager to attract well-to-do young people, but could expect a uniformly assigned, sufficient “dowry” that could also reduce the pressure to get new candidates at an early age. It would be probably useful to issue a general statute that would prohibit new candidates from joining a religious community without informing the Representation and Chamber

about their decision beforehand. Failing to fulfil this obligation could be sanctioned with the confiscation of the dowry and a penalty of 100 ducats charged at the monastery.

2.3. The Law of Amortization in the Austrian Netherlands

2.3.5. Preparation

The Treaty of Utrecht (1713) brought the Catholic Netherlands under the authority of the Habsburgs. In 1733, Charles VI still insisted on strict compliance with Leopold I's edict issued in 1669¹²⁹ concerning the acquisitions of mortmain goods and reminded the Finance Council to its duty of taking the necessary measures in order to reveal the abuses committed, either by avoiding the payment of fees or otherwise.¹³⁰ A proposal of Count Harrach, aiming to find resources for financing the army, suggested in 1742 that the church properties should be investigated and the illegally acquired property should be charged, but the plan was finally dropped. The French seized a great part of the Netherlands after the battle of Fontenoy in 1745. Three years later, they decided to collect amortization fees and an ordinance of the French *Conseil d'Etat*, dated 29 January 1748 regulated the process.¹³¹ It declared that both immovable property and annuities acquired by the clergy since 1700 in the countries that were under French rule before the Treaty of Utrecht, and since 1662 in the rest of the conquered country, were subject to amortization. The Archbishop of Malines, the Cardinal of Alsace, the states of Brabant, Flanders, Hainaut, and Namur all intervened and appealed for the revocation of the edict. Consequently, the publication of the ordinance was postponed and finally

¹²⁹ The edict was issued under Spanish rule, but Charles VI. considered it as being in force.

¹³⁰ Richard Koerperich, *Les lois sur la mainmorte dans Les Pays-Bas Catholiques: Étude sur l'édit du 15 Septembre 1753, Ses précédents et son exécution* (Louvain: Imprimerie P. Smeesters, 1922), 84–85.

¹³¹ *Ibid.*, 85.

dropped, as the territory was handed over to the Habsburgs a few months later in the Treaty of Aachen.¹³² Nevertheless, the attempt of the French government attracted the attention of the Austrian government to the question of unamortized property again.

In 1749, the Austrian governor, Charles of Lorraine conducted a survey on the revenues of abbeys and bishoprics, with the aim of proportioning the taxes payable at appointments to the value of the profits. According to his account, the survey also revealed that most abbeys had acquired goods clandestinely, without authorization and enjoyed their yields under various pretexts. In January 1750, the governor proposed to convene a council to discuss the issue.¹³³

A simultaneously running litigation between the chapter of Sainte-Gudule in Brussels and the priest of La Hulpe at the Council of Brabant provided another opportunity to emphasize the importance and necessity of governmental supervision of transactions carried out among clergymen. The conflict between the chapter and the parish emerged because the chapter had handed over tithes to the parish, but it was unclear whether it was only a temporary alienation valid only for the lifetime of the parish priest or the revenues had to remain at the parish for good. The Brabant Council decided the dispute in favor of the parish, but the chapter appealed to the government, which asked for the opinion of the fiscal councilor of Brabant, W. J. de Limpens in order to decide the question.

Limpens took this opportunity to make a proposal that went beyond the scope of the individual case: he proposed the enactment of a new law that would declare null

¹³² Ibid., 85., 87.

¹³³ Ibid., 89.

and void any form of alienation of ecclesiastical property without governmental authorization. He claimed that regulating the conditions of alienation would be of equal importance as the supervision of acquisitions and it would be beneficial both for the church and for the state: it could protect the church from the malpractices of incompetent administrators and ensure a steady income for its operation, while it could also spare lawsuits for the state and the uneasy task of supporting impoverished clergymen. The Council of Brabant supported Limpens's suggestion and affirmed that it would be advisable to issue a new law that would prohibit the acquisition of immovable goods by clergymen. To make their request even clearer, a preliminary version of the new ordinance was also attached, and this document can be regarded as the first draft of the later edict of 1753.¹³⁴

The two documents were submitted in October 1750. Charles of Lorraine wrote to Vienna in December that he had instructed the Council of Brabant to prepare the law. The text was reviewed again by the head of the Supreme Council of the Netherlands (*Conseil suprême des Pays-Bas*) and councilor of the Council of the State (*Conseil d'État*) Patrice-François de Nény before it was discussed in Vienna in November 1752. The publication of the edict was delayed because of controversies regarding the right of clergymen to acquire redeemable annuities: Brussels argued for keeping this right while Vienna suggested its abolition. Finally, the Supreme Council let the governor, Botta-Adorno decide. He convened a special commission twice, composed of the main members of the general government, which finalized the edict of 15 September 1753.¹³⁵

¹³⁴ Ibid., 89–91.

¹³⁵ Ibid., 92.

The preamble of the edict initially proposed by the Privy Council justified its publication with the necessity to preserve the dignity of the Catholic Church, claiming that the excessive number and unsuitability of clergymen whose preoccupation with the acquisition of goods instead of performing the sacred duties of their profession could be especially harmful to it. De Nény changed the wording of the Privy Council and emphasized the ruler's role as the "protector of the families" instead.¹³⁶

2.3.2. The edict of 1753

The so-called *Amortisationsgesetz* was issued in the Austrian Netherlands with the consent of the Privy Council and the plenipotentiary minister, Antoine Othon.¹³⁷ It made not only the acquisitions of immovable goods, but also the acquisition of annuities based on real estates dependent on the ruler's consent. Even if the latter ones were redeemable, if the capital was in kind, no mortgages, yields or any other kind of allocations were allowed to be handed over to clergymen without the previous authorization of the sovereign. The same applied to the establishment of new chapters, convents, schools, infirmaries and almshouses, benefices, offices, churches, chapels and foundations, confraternities and any kind of religious corporations or communities, may they be lay or ecclesiastical.¹³⁸

¹³⁶ Ibid., 93.

¹³⁷ Antoine Othon, marquess of Botta-Adorno was the plenipotentiary minister of the Austrian Netherlands from 1748 to 1753. He was born in Pavia, he was also Knight of the Order of Malthe and served as an imperial military and state officer. His successor was Cobenzl until his death in 1770. S. Clark, *State and Status: The Rise of the State and Aristocratic Power in Western Europe* (MQUP, 1995), 256, <https://books.google.at/books?id=ObzOH-NfLFwC>.

¹³⁸ "Les loix fondamentales de quelqu'unes de nos provinces de nos Païs-bas et les édits des princes nos prédécesseurs ont interdit et considéré comme nulle et sans effet, non seulement les acquisitions que feraient les gens de main-morte des biens immeubles et des rentes, qui, quoique rachetables, en tenent nature, par hypothèque, rapport ou autre affectation, mais aussi toutes nouvelles érections des chapitres, couvents, colleges, hôpitaux et maisons-Dieu, bénéfices, offices, églises, chapelles et fondations, confrairies, corps ou communautés ecclésiastiques ou laïques, sans le consentement des souverains." Karl

The preamble of the edict meticulously listed all possible forms of acquisitions including “purchases, exchanges, pledges; consolidation of serf’s plots; confiscation or withdrawal of goods that had been redeemed from the church in fief, tax, emphyteusis or any other form of renting; seizure, divestiture, investiture of mortgaged property or yields of annuities; debt holding, revenue leasing or other means”.¹³⁹ This broad definition of acquisitions could serve a double purpose. On the one hand, it made sure that any way in which immovable properties could be acquired will be prohibited and no loopholes remained that would allow abuses. On the other hand, it also depicted a disordered marketplace where the boundaries of various types of transactions were rather fluid and no protection was guaranteed to the weak.¹⁴⁰

The edict referred to the law of amortization issued by Charles V on 19 October 1520 as its main precedent and it reaffirmed its validity. The date of Charles V’s edict also marked out a starting point of a time span of 233 years, expanding until 1753, during which the properties acquired by the church were subject to amortization and if the ruler’s consent could not be proved, further sanctions – charges, obligation to sell

Holder, „Beiträge zur Geschichte der Amortisationsgesetzgebung unter der Regierung der Kaiserin Maria Theresia (1740—80).“, *Archiv für katholisches Kirchenrecht, mit besonderer Rücksicht auf Deutschland, Oesterreich-Ungarn und Schweiz* 84. Band, sz. 2. Heft (1904): 288.

¹³⁹ “Quelque salutaires que soient ces loix fondées sur le bien commun de la Société, l’expérience ne fait que trop voir, qu’on a trouvé des moyens de toute espece pour en éluder l’exécution, tellement que les gens de main-morte ont scu continuer de parvenir a la jouissance de quantité de biens immeubles ou réputés tels par des achapts, échanges, engageres, consolidations des biens de servile condition, par confiscation ou retrait des biens, qui étaient mouvants d’eux en fief, en cens, en emphyteuse ou autre arentement, par saisies, desaisissements ou immission des biens hypothéqués ou rapportés pour rentes, par detention pour dettes, par fermes et autres voyes contraires aux dites loix et edits.” Ibid., 288.

¹⁴⁰ This meticulous listing of all possible actors and transaction types can be observed also in the sanitary regulation issued in 1770. Its tableau-like description of the medical marketplace obviously aimed to provide a full inventory of all the licensed and unlicensed healers. Lilla Krász, “Quackery versus Professionalism? Characters, Places and Media of Medical Knowledge in Eighteenth-Century Hungary”, *Studies in History and Philosophy of Science Part C: Studies in History and Philosophy of Biological and Biomedical Sciences* 43, no. 3 (2012): 700–709, <https://doi.org/10.1016/j.shpsc.2012.02.006>.

the property or even confiscation – could be applied. In accordance with Charles V's law of amortization, the empress prohibited again the foundation of "new chapters, convents, schools, infirmaries and almshouses, benefices, offices, churches, chapels and foundations, confraternities and any kind of religious corporations or communities, may they be lay or ecclesiastical."¹⁴¹ The already existing institutions of the "dead hand" were expected to create exact and detailed lists of their unamortized immovable properties and all kinds of incomes based on some kind of right to receive the yields of immovable goods. The lists had to inform about the exact location and size of the properties and they also had to contain the names of farmers and any kind of intermediaries from or through whom the incomes were received. In case of annuities that had not been amortized and were regarded as irredeemable, information about the residence of the debtor(s) was also requested. The lists had to be submitted in three months – this deadline was later modified to six months – to the fiscal authorities. Original documents or authentic copies of documents related to the various kinds of acquisitions also had to be attached to the reports or presented to the same authorities. Non-compliance with these instructions could be sanctioned with the confiscation of the goods not included in the requested lists.¹⁴²

If the same institutions sold immovable goods or "put them into living hands" in some other way, such as exchange or long term lease in the last twenty years without the involvement of fiscal authorities, as it would be required in such cases, the documents of the transactions also had to be presented to the fiscal authorities,

¹⁴¹ Holder, "Beiträge zur Geschichte der Amortisationsgesetzgebung unter der Regierung der Kaiserin Maria Theresia (1740—80).", 289.

¹⁴² Ibid., 289–90.

otherwise the price of the sold goods could be confiscated. The “unamortized” properties and incomes identified this way, i.e. the immovable goods acquired without the consent of the ruler, had to be sold in one year. If not, they could be confiscated.¹⁴³

The edict also explicitly claimed that clergymen used intermediaries, or, rather strawmen to hide the fact that their transactions were turning properties and incomes into mortmain goods. They were obliged to declare all their activities to the fiscal councilors under whose jurisdiction the goods were located within three months and inform them about the quality, quantity, location, purchase price of the goods or about any other commitment, exchange or agreement in which they were involved. They had to announce the date of the contracts and by whom they were concluded. If they did so, they could receive one third of the value of the property in question, and their names were kept in secret. The law also sanctioned future transactions with annulment and confiscation. Nevertheless, whether the fiscal authorities were informed about such transactions depended not merely on the honesty of the intermediaries, who were also threatened with losing on their business, if illegal transactions were revealed: anybody could and was expected to report illegal acquisitions of the clergy. Such actions were also encouraged by the promise of handing over one third of the value of the property to the reporters and keeping their names in secret.

Those convents, schools or other institutions to which an earlier permission was granted to acquire or possess immovable property up to a certain quantity or annual income, the authentic copies of the documents testifying their right to do so also had to

¹⁴³ Ibid., 290.

be presented in three months. If they failed to meet this requirement, the same sanctions applied to them as in the case of illegally acquired, unamortized goods.

Another incentive for denouncements and (re)claims of illegally acquired mortmain possession was the declaration of no prescriptive period for amortization affairs, so that even late descendants of sellers could claim their former properties back. This was beneficial for feudal landlords and those who had the right of redemption (*retrait lignager*). Even if the illegally acquired mortmain goods were confiscated first of all to the benefit of the state, former secular owners of the lands still had a chance to restore their properties. This induced an intensive search in family archives and served as a strong incentive to look for documents that testified former transactions.

The only concession was made in respect of the redeemable annuities. Although they were also prohibited in the law of 1520, Maria Theresa still allowed church institutions to provide annuities in exchange for mortgaged properties, but only upon the condition that if the mortgaged property “reached the hands of clergymen”, e. g. in consequence of the insolvency of the buyer, it had to be sold within one year, otherwise it had to be confiscated.

The edict also prohibited notaries, lawyers, magistrates, secretaries or clerks to cooperate with or assist clergymen in the transactions prohibited by the law. If they did so, they had to expect an annulment of the contract and serious fines.

It was still encouraged to make donations or to create pious foundations in favor of the church or of individual members of a religious community if it was made in cash or in any form of immovable goods. However, it was subject to charges in the same way as any transactions or inheritance affairs of secular members of the society. If the sum

deposited in favor of one person exceeded a limit of 525 florins or the annually paid sum was over 25 florins, the transaction had to be announced to and registered with secular authorities. For this reason, judges and lawyers were obliged to create registers in the future for this purpose. If the sum exceeded a limit of 1000 florins or 50 florins per year, the ruler's (or fiscal councilors') consent had to be obtained as well. Donations made in support of poor relief, hospitals, almshouses, infirmaries, schools, the University of Louvain, or of houses and sites acquired by the cities for public use, were exempt from the afore-mentioned obligations.

Finally, the edict also reinforced the ban on the alienation of church goods and their exemption from any other charges after they had been amortized.¹⁴⁴

2.3.3. Jointe des amortissements

At the beginning, the government attempted to execute the edict to the letter, however, the demands of the clergy and the criticisms that these draconian measures provoked on the lower levels of the administration of the country, led to concessions. The religious orders and other communities were allowed to retain their properties upon the condition that they paid a considerable tax for them. In order to ensure the execution of the measures concerning mortmain property, a decree of Charles of Lorraine was issued on 22 November 1753 by which a committee (*Jointe des amortissements*) was created that operated until 1759.¹⁴⁵ The Commission consisted of four councilors appointed by the decree of 22 November 1753. Two were chosen from among the councilors of the Privy Council: Arnould de Limpens who was nominated as the president of the commission

¹⁴⁴ Ibid., 291–94.

¹⁴⁵ P. Lefèvre, *Inventaire des archives de la jointe des amortissements*, J. Cuvelier, *Travaux du cours pratique d'archivéconome...*(1920-1925), n.d., 7.

and Gilles de Streithagen; the two other councilors, Louis de Keerle (1705-1781) and Henri de l'Escaille were members of the Financial Council (*Conseil des Finances*). The rapporteurs proposed on the first session that the secretary of the Privy Council, François-Joseph Misson should be also added as secretary. The composition of the commission remained unchanged until Limpens' death (Oct. 14, 1757). He was not replaced.¹⁴⁶

The Commission received and archived the property lists submitted by the different institutions to the provincial fiscal councilors who pre-examined and then forwarded them. The requests were consulted, the decision about them was recorded and the local authorities were informed about it. The commission also processed cases relating to sales, confiscations, exchanges, withdrawals of unamortized property and new foundations. The formalities required for these latter operations were substantially the same as those prescribed for the amortization.¹⁴⁷

The accumulation of archival evidence about ecclesiastical goods equipped the state with an administrative power over the church affairs. The operation of the committee was focused on the examination of written evidence testifying transactions of immovable goods, and its operation heavily relied on and produced archival documents: it requested copies of relevant documents from church archives or issued the proofs of the necessary consent after the payment of the obligatory fee. Thus, the activity of the commission can be also seen as an exemplary attempt for producing a comprehensive

¹⁴⁶ *Inventaire des archives de la Jointe des Amortissements*, 8–9.

¹⁴⁷ *Inventaire des archives de la Jointe des Amortissements*, 8.

survey that targeted mainly ecclesiastical goods and could serve as a basis for further calculation and design of policies.

2.4. Memoirs and pamphlets of the 1750s

The implementation of the law of amortization in the Austrian Netherlands triggered further proposals. An anonymous memorandum from 1755 called for amendments both in terms of the handling of church property and regarding the laws that regulated individuals' rights to join a convent. The author distinguished between the law of amortization and prohibiting the acquisition of church goods. He claimed that the traditional understanding of the law of amortization was originally a kind of compensation that was paid because the goods acquired by the clergy were no longer in commerce and they ceased to be a basis for transferable seigneurial rights. But the prohibition on the acquisition of new property by the clergy was more of an issue that belonged to the domain of the state's policy and good government. The author referred to the law issued by Charles V on 19 October 1520 that extended its scope both over immovable and movable goods, while the recently issued edict did not cover the latter one, and, thus could not efficiently prevent the further enrichment of the clergy.¹⁴⁸ He suggested various ways to remedy this problem in a programmatic way. He proposed a prohibition on the endowment of monks and nuns claiming that “nothing could be more

¹⁴⁸ Koerperich, *Les lois sur la mainmorte dans les Pays-Bas catholiques: étude sur l'édit du 15 septembre 1753, ses précédents et son exécution*, 208–9. (His reference to the document *Réflexions sur quelques dispositions du placard du 15 septembre 1753 touchant les acquisitions des biens par les mains mortes*. Bibliothèque royale, manuscrit n° 12791)

About the issues related to redeemable annuities see also: R. Taveneaux, *Jansénisme et prêt à intérêt: Introduction, choix de textes et commentaires*, Bibliothèque de La Société D'H (J. Vrin, 1977), 145, <https://books.google.at/books?id=Omg5ZE15UzEC>.

in conformity with the rules of good politics than to maintain in this regard what is prescribed by the Council of Trent.¹⁴⁹ Furthermore, he considered the mendicants as a burden for the public, especially in the countryside and their number should be reduced to the limits that were initially set up for their convents at the time of their foundations. He also criticized the bishops for not selecting the candidates carefully enough and admitting people who then become bad and dishonorable priests, while they could be useful subjects of the state if they chose another profession. Similarly, he claimed that the convents were full of men and women who took their vows at the age of 16 and 18, before really understanding what they commit themselves to and before having free disposal over their own goods. The author also considered them as potentially valuable subjects lost for the state and criticized the laws that regulated only the handling of properties and did not consider the individuals (*personnes*), who should be “much more precious, and worthy for the attention of a wise legislation.”¹⁵⁰

This anonymous proposal deserves attention especially because it provides a clue that makes it possible to examine the claims of Maria Theresa’s Political Testament in a relevant context. Maria Theresa’s hints most probably referred to mendicants and to the agenda of reducing their number by examining the founding documents of their monasteries and maximize their number according to the value of the donation they initially received for their sustenance. Nevertheless, even if such a regulation was on the agenda of the empress already in the early 1750s, its realization was not possible yet and one of the main obstacles was the lack of reliable information about the value of

¹⁴⁹ Koerperich, *Les lois sur la mainmorte dans les Pays-Bas catholiques: étude sur l’édit du 15 Septembre 1753, ses précédents et son exécution*, 211.

¹⁵⁰ Ibid., 211–12.

the founding capital and the number of the personnel in the individual institutions. As I have demonstrated in respect of gathering information about unamortized properties and about the dowries and heritage shares assigned to the individual monks and nuns, state authorities were still at the beginning of establishing informational channels and depositories of relevant records in the early 1750s. The ambitions explicated in respect of the mendicants could be translated into practice only at the turn of the 1760s and 1770s.

The discussions triggered by the preparation and publication of the laws of amortization, especially at the time when their implementation was already in progress, as well as their impact and the anticipation of further policies gained publicity in pamphlets, too. Their (usually anonymous) authors advocated both extending the scope of the law over the personnel of religious orders and preventing even more radical restrictions that would result in reducing the number of monks and nuns. The preamble of the law of amortization issued in the Austrian Netherlands initially proposed by the Privy Council but then substituted with less offensive claims justified the publication of the edict with the necessity to preserve the dignity of the Catholic Church and claimed that the excessive number and unsuitability of clergymen was especially harmful to it because of their preoccupation with the acquisition of goods instead of performing the sacred duties of their profession. The same idea appeared in the aforementioned anonymous memoir dated 1755 and preserved in the National Library in Brussels¹⁵¹ and it seems to have common passages with a pamphlet published anonymously in 1756.

¹⁵¹ Ibid., 92-94., 208. The title of the memoir: *Réflexions sur quelques dispositions du placard du 15 septembre 1753 touchant les acquisitions des biens par les mains mortes*. Bibliothèque royale, manuscrit n° 12791.

According to its title, *Bedenken über die Nothwendigkeit, die die Anzahl der geistlichen Ordenshäuser zu mündern und deren Verfassung anderst einzurichten. Aus dem französischen Original ins Deutsche übersetzt*, it was a translation from a French pamphlet issued in 1755 entitled *Mémoire sur la nécessité de diminuer le nombre, & de changer le système des maisons religieuses*. Despite the fact that the French version was also published anonymously, it is attributed to Louis-Etienne Arcère (1698-1782), a French historian and superior of the oratory of Jesus of La Rochelle.¹⁵²

It requires further investigation to clarify if it was a response to a pamphlet also published anonymously in 1755 in German, entitled *Vernünftiges Bedenken über die Nothwendigkeit die Anzahl der geistlichen Ordenshäuser zu vermehren*.¹⁵³ According to Gerhard Winner, the French translation was faked, and it was written by the *Landschaftssekretär* Franz Christoph von Scheyb (1704–1777). Winner evidenced his argument with a note found among the documents of Viennese censors, van Swieten and Stock.¹⁵⁴

The pamphlets captured the attention of ecclesiastical authorities, too, and they can be found in diocesan collections in any part of the Habsburg realms: both a handwritten copy of the French, and a print of the German version was preserved in the

¹⁵² The General Biographical Dictionary, 1812, 399–400, <https://books.google.at/books?id=D4pRjn7G0eMC>.

¹⁵³ *Vernünftiges Bedenken über die Nothwendigkeit die Anzahl der Geistlichen Ordenshäuser zu Vermehren* (Auf Kosten Johann Jacob Stahel, 1755), <https://books.google.at/books?id=s8gDAAAACAAJ>.

¹⁵⁴ Winner's reference: 1756, Diözesanarchiv Sankt Pölten, Wiener Neustadt K 13/5. Gerhard Winner, *Die Klostersaufhebungen in Niederösterreich und Wien* (Wien-München: Verlag Herold, 1967), 49–50, fn. 1.; Olga Surinás, “Deutschsprachige Klosterromane um 1800 - Versuch einer Gattungsbestimmung im historischen Kontext”, *Acta germanica iuvenum*, no. 1 (2015): 75–76.

Cathedral Library of Esztergom, in the collection of the archbishop of József Batthyány (1776–1799).¹⁵⁵

2.5. From the protection of families towards financing social care

The way in which the questions of the inquiry were formulated reflected concerns about the vulnerability of families *vis-à-vis* the Catholic Church. The role of monasteries as institutions that offered an option to families to spare costs and prevent the fragmentation of their property was initially not considered. This perspective appeared only in the further negotiations and it implicitly undermined the agenda of creating an image of the ruler as the protector of families.

Furthermore, the accumulation of mortmain goods was considered as a tendency that prevented the circulation of immovable goods and reduced the land that could be (re)distributed among mortal subjects and ensured the sustenance of the other two estates. The threatening picture of an immortal, predatory church that step by step “eats up” the lands and resources of the country appeared on a temporally and spatially large scale, while it was in contrast with the “everyday church” that successfully met the demands of families looking for economical solutions to manage their properties and making their decisions with consideration to the future of one or two generations.

Harmonizing the age limit of taking vows with the age of majority induced discussion over the boundaries between secular and ecclesiastical power. While the age limit of taking vows was bound to the question whether older candidates can be trained

¹⁵⁵ At the time of the publication of the pamphlet, the archbishop was Miklós Csáky, who was succeeded by Ferenc Barkóczy. Batthyány served as provost (Propst) in Bartislava in 1755, he became the archbishop of Transylvania in 1759. Esztergomi Főszékesegyházi Könyvtár, Batthyány collection, Cler ex Reg a/1.

for the monastic lifestyle and discipline to the same extent as those of a younger age, the age of majority was connected to the ability of making mature decisions both about one's own life and possessions.

Even if no comprehensive surveys of the revenues and personnel of the Catholic Church could be carried out in the 1750s yet, through the various problematic issues, the secular governmental authorities could start accessing information about specific types of possessions (unamortized goods, dowries, heritage). While doing so, they also gained the opportunity to examine agreements between donators and ecclesiastical institutions that involved calculations about the expenses of the lifelong sustenance of individual monks and nuns. As I will demonstrate, this could also serve as a basis for the economic planning of the later monastic policies of Joseph II, as the dissolution of monasteries not only provided a significant source of income, but also created new forms of expenses, among which the pensions assigned to ex-monks and nuns also necessitated careful calculations with resources and their expenditure on human (in)capacities.

3. POLICY MAKING FROM 1762

3.1. Memoirs, reports, legal and historical studies in the first half of the 1760s

The introduction of the new laws of amortization in the Austrian Netherlands triggered – or, at least, came along with – discussions on the relations between ecclesiastical and state power that could serve as precedents for other parts of the Habsburg realms. The lessons learned in this province were supposed to be distilled into educational materials for the young Joseph II and the Austrian Netherlands could serve as an exemplary case and point of departure for the design of further church policies introduced in Lombardy at first and then for Austria and Hungary. At the same time, the record keeping practices established there and an increased reliance on archives as governmental tools can also be considered as the forerunners of the later, more extensive data gathering projects.

Kaunitz requested a memoir from the minister plenipotentiary of the Austrian Netherlands, Johann Karl Philipp Cobenzl in 1758 that was supposed to inform about the ecclesiastical matters of the country and serve for the education of the young Archduke Joseph. Kaunitz wanted to commission a member of the Privy Council, named Wavrans¹⁵⁶ with responsibility for the report. Nevertheless, Cobenzl favored the

¹⁵⁶ Louis François Julien de Wavrans (1715-1785) was appointed to the presidency of the Chamber of Accounts (*Chambres des Comptes*) by Maria Theresa in the next year, in 1759, while his brother, Henri-Jacques-Hyacinthe Wavrans (?-1776) was a member of the Privy Council. A. Pinchart, *Inventaire des archives des Chambres des Comptes, Precede d'une notice historique sur ces anciennes institutions: 1, I-5*, *Inventaire des Archives de la Belgique* (Hayez, 1837), 47, <https://books.google.at/books?id=SDZSAAAACAAJ>. It is unclear which of the two brothers was supposed to prepare the memorandum. Apparently, Kaunitz gave preference to statesmen who were involved in financial and administrative affairs and who could have given account of the implementation of the law of amortization on the basis of firsthand experiences and/or whose expertise could have paved the way to further policies that would ensure even more extensive control over the funds of pious foundations. Henri-Jacques-Hyacinthe de Wavrans was later also a member of the committee coordinating the dissolution of the Jesuits in the Austrian Netherlands from September 1773. M.

learned clergyman, Felix Brenart,¹⁵⁷ the dean of the Saint Gummarus church in Lier. His outline of the project, presented to Cobenzl in early 1759, was carefully corrected and a series of modifications were requested. Brenart probably disliked this close supervision. In 1761, despite Cobenzl's urgings, the memorandum was not yet completed. Finally, by the end of 1768, he produced a historical study about the rights and prerogatives of the state and the Belgian Church instead of the initially expected study, entitled *Memoire sur L'État et l'Église belge, ses droit et ses prerogatives*.¹⁵⁸ Brenart's work was the history of the church up to the reign of Charlemagne and carefully avoided contemporary disputes between the government and the clergy, even if he had gathered plenty of documents extending to contemporary affairs. As the preparation of issuing a new edict of amortization in the hereditary lands and in the Italian territories gained impetus from 1762 again, the demand for producing legal and historical arguments for its justification also increased. For this reason, Vienna suggested to Cobenzl to commission Patrice François de Neny¹⁵⁹, the president of the

Whitehead, *English Jesuit Education: Expulsion, Suppression, Survival and Restoration, 1762-1803* (Taylor & Francis, 2016), 83, <https://books.google.at/books?id=e1cfDAAAQBAJ>.

¹⁵⁷ Felix Brenart (1720-1794) became member of the Great Council of Malines in 1759, but he also took legal actions to keep his income from his ecclesiastical position. His appointment to the bishopric of Brugge in 1777 enabled the Great Council to exchange a clerical member to a lay one, thus his promotion also contributed to the trend of substituting clerical councilors with lay advocates or other experts on legal and administrative affairs. An Verscuren, *The Great Council of Malines in the 18th Century: An Aging Court in a Changing World*, 2015, 52., 86., 146, <https://doi.org/10.1007/978-3-319-09638-4>. Cf. F. Vande Putte, "Brenart (Félix-Guillaume-Antoine)," in *Biographie Nationale* (Bruxelles, 1868), <https://www.academieroyale.be/Academie/documents/FichierPDFBiographieNationaleTome2043.pdf>.

¹⁵⁸ Ghislaine de Boom, *Les ministres plénipotentiaires dans les Pays-Bas Autrichiens. Principalement Cobenzl* (Bruxelles: M. Lamertin, 1932), 123–24.

¹⁵⁹ Patrice François de Neny (1716-1784). For a short bibliography see: Renate Zedinger, "Carrieres de fonctionnaires au service des Habsbourg," in *Social Change in the Habsburg Monarchy = Les transformations de la société dans la Monarchie des Habsbourg*, ed. Harald Heppner, *Das achtzehnte Jahrhundert und Österreich. Internationale Beihefte* 3 (Bochum, 2011), 180–83. For further bibliographical references see: Whitehead, *English Jesuit Education: Expulsion, Suppression, Survival and Restoration, 1762-1803*, 82.

Privy Council with the task, who could clearly and precisely determine the right of the sovereign in ecclesiastical affairs. The main conclusions of this study were largely predetermined. In Kaunitz' understanding, the Austrian government had moved to application before the theory was formulated: "The principles which will determine the Comte de Neny's considerations are, in essence, the same as the General Government already follows in matters jurisdictionally conflicting with the ecclesiastical power; but what should eliminate many confusions when these principles are applied, is that His Majesty had not only adapted them to the laws of other lands, but that he had made no secret of this in front of the Roman Curia either."¹⁶⁰

In 1758, De Neny had already prepared a historical work entitled *Mémoires historiques et politiques sur les Pays-Bas autrichiens*, written directly upon the request of Maria Theresa for the sake of Joseph II's education. In it he claimed that the Habsburg dynasty and the person of the ruler was essential in creating a union among the provinces of the Netherlands and their belonging to the monarchy as a whole.¹⁶¹ The

¹⁶⁰ "Les principes qui fixeront le point de vue sous lequel Monsieur le comte de Neny devra envisager les choses sont, dans le fond, les mêmes que le gouvernement général suit déjà en matière de conflit de juridiction avec la puissance ecclésiastique; mais ce qui doit, lever bien des embarras dans leur application, c'est que Sa Majesté, non seulement les a adoptés pour ses autres États, mais qu'Elle n'en a pas fait mystère à la Cour de Rome." Boom, *Les ministres plénipotentiaires dans les Pays-Bas Autrichiens, Principalement Cobenzl*, 124.

¹⁶¹ The manuscript was copied and circulated widely, but it was first printed in 1784-1785 in two volumes. For this reason, determining the dates of its production and completion depends on the first copies and other sources identified. The date 1758 is provided by Whitehead, *English Jesuit Education: Expulsion, Suppression, Survival and Restoration, 1762-1803*, 82. 1759/60 is given by Johannes Koll, „Revolution und Nation. Zur Entstehung von belgischem Nationalbewußtsein im späten 18. Jahrhundert“, in *Nationale Bewegungen in Belgien*, szerk. Johannes Koll (Münster: Waxmann Verlag, 2005), 19–20, <https://books.google.hu/books?id=7JEPPYMhsNkC>; Johannes Koll, „Die belgische Nation“: *Patriotismus und Nationalbewusstsein in den Südlichen Niederlanden im späten 18. Jahrhundert* (Münster: Waxmann, 2003), 63–65. Cf. Claude Sorgeloos, *Les mémoires historiques et politiques sur les Pays-Bas autrichiens de Patrice François de Neny: rédaction, diffusion et publication* (Bruxelles: Archives générales du royaume, 1989). Digitized copies of the first prints are available as: P.F. de Nény, *Mémoires Historiques et Politiques Des Pays-Bas Autrichiens*, Mémoires Historiques et Politiques des Pays-Bas Autrichiens, v. 1 (chez B. Le Francq [...], 1784),

study he produced upon Kaunitz' request about ecclesiastical affairs was entitled *Mémoires sur le Droit public Ecclesiastique des Païs-Bas pour le Gouvernement de l'Eglise belgique*. It is dated from 1763, the same year when the bishop of Trier, Johann Nikolaus von Hontheim (under the pseudonym Justinus Febronius) published his *De statu ecclesiae et legitima potestate romani pontificis liber singularis*. In a similar vein as Febronius, de Neny also discussed the relationship between state and church and advocated the right of the state to interfere with ecclesiastical affairs as long as it does not concern dogmatic questions. He also argued for the limitation of the Roman Curia's political influence. De Neny referred to Hontheim in the introduction of his memoir and explicated the idea of a "Belgian Church" and enumerated its traditional liberties while connecting them to the principles of Gallicanism. He advocated the restriction of ecclesiastical governance to the realm of the spiritual that should not interfere with the temporal, and he claimed that the Pope should act out his power only in agreement with the majority of the church and of its councils. The church should strive for uniformity in terms of its discipline, but it should comply with the governance and legislative traditions of the individual countries. Consequently, just as the papal ordinances could be implemented in France only after examining if they complied with the laws of the country, it should happen in the same way in the Austrian Netherlands, too.¹⁶²

<https://books.google.at/books?id=Hr9BAAAacAAJ>; P.F. de Nény, *Mémoires Historiques et Politiques Des Pays-Bas Autrichiens*, v. 2 (Le Francq, 1785), <https://books.google.at/books?id=B0dbAAAAQAAJ>.
¹⁶² Johannes Koll, "Die Belgische Nation": *Patriotismus und Nationalbewusstsein in den Südlichen Niederlanden im Späten 18. Jahrhundert*, (Münster, 2003), 60–61. The manuscript is still unpublished, it can be found in the Library of Katholieke Universiteit Leuven, Maurits Sabbe Library (Research and Heritage Library of the Faculty of Theology and Religious Studies), GBIB: Godgeleerdheid PM0026/Q° Patrice François De Neny, *Mémoires sur le droit public ecclésiastique Des Païs Bas Pour Le Gouvernement de l'Eglise Belgique*, 1763, https://limo.libis.be/primop-explorer/fulldisplay?docid=32LIBIS_ALMA_DS71186625850001471&context=L&vid=KULeuven&search_scope=ALL_CONTENT&tab=all_content_tab&lang=en_US.

The production of studies and expert opinions in which political-diplomatic negotiations, legal claims and new policies were supported with systematically collected and organized historical evidence became an empire-wide phenomenon in the first half of the 1760s. Not only pretensions for contested border territories were supported with historical arguments and archival evidence, but the claim for investigating, taxing and/or confiscating immovable ecclesiastical properties, too.

Ferdinand Maaß has pointed at the close cooperation among Kaunitz, his faithful and proactive governor (*Statthalter*) of the Duchy of Milan, count Karl von Firmian (1716-1782) and his closest collaborators, the archivist Ilario Corte (1723-1786) and the general treasurer (*economo generale*) of the *Giunta Economale*, Monsignore Michele Daverio.¹⁶³ As the negotiations about determining the boundaries of the authority of the ruler, the archbishops and the Pope in Grisons (Graubünden) seemed to be stuck at the end of the summer of 1764, Kaunitz asked for archival documents from Milan to prove that precedents to the law of amortization can be evidenced there from the sixteenth century and regulation the acquisition of immovable goods by clergymen had been the right of the ruler for centuries. Kaunitz also requested an investigation of the archives of the districts Chiavenna, Bormio and Valtellina in Grisons in September 1764. The investigation of the statutes of Grisons yielded favorable results, and the material found hinted at the existence of practices similar to the laws of amortization. But, first of all, the archives of the senate of Milan provided evidence to secular prohibitions that intended to prevent the accumulation of mortmain goods in the Duchy

¹⁶³ Maaß, “Vorbereitung und Anfänge des Josefinismus im ämtlichen Schriftwechsel des Staatskanzlers Fürsten von Kaunitz-Rittberg mit seinem bevollmächtigten Minister beim Governo Generale der Österreichischen Lombardei, Karl Grafen von Firmian, 1763 Bis 1770,” 299.

of Milan, and they proved that the laws of amortization preceded the New Constitution of Milan issued in 1541.¹⁶⁴

According to Maaß, the discussions between Kaunitz and Firmian about the planned reforms in the Duchy of Milan in the second half of 1765 heavily relied on the results of the research on ecclesiastical possessions and legal affairs carried out by Corte continuously since the negotiations about Grisons.¹⁶⁵ On 3 February 1766, an ordinance was issued, according to which all church goods acquired after 1716 were subject to heavy taxes or, in exceptional cases, they had to be sold, while the acquisition of immovable goods by the clergy was also restricted.¹⁶⁶

While Neny prepared his historical study in the Austrian Netherlands and Corte searched through the archives of Milan, the librarian of the Viennese Court Library (*Hofbibliothek*), Adam František Kollár played a similar role in respect of the Hungarian Kingdom. Kollár considered and presented himself as a learned man who formulated his individual opinion on the basis of his professional activity and expressed them in publications and letters exchanged within his scholarly and personal network. Lajos J. Csóka has also called attention to Kollár's role in the operation of the State Council and other commissions or offices where his expertise merged with the knowledge production mechanisms and epistemology-shaping work of the evolving state apparatus.¹⁶⁷ Csóka showed that Kollár was recommended as a reliable expert and

¹⁶⁴ Ibid., 306, 352–56, 358–61.

¹⁶⁵ Ibid., 308–9.

¹⁶⁶ Ibid., 309–10.

¹⁶⁷ J. Lajos Csóka, “Kollár Ádám Ferenc hatása az Államtanács Magyar Kamerális tárgyalásaira,” in *A Gróf Klebelsberg Kuno Magyar Történetkutató Intézet Évkönyve*, 5., 1935, 150–73, http://epa.oszk.hu/02600/02604/00003/pdf/EPA02604_klebelsberg_evkonyv_1935_150-173.pdf; J.

received requests and instructions mainly from the state councilor, Baron Egyd von Borié (1719-1793) and considered these tasks as complementary to his role as the custos of the Court Library. Győző Ember's studies on the operation of the State Council were published simultaneously with Csóka's works in 1935-1936¹⁶⁸, in which he focused on Borié's role and presented him as the mastermind of several initiatives regarding Hungarian affairs, including fiscal, legal and ecclesiastical matters, in an intertwined way. His studies ignore Kollár's scholarly image and he appears slavishly following Borié's commands and delivering reports and evidence upon his requests.¹⁶⁹ Borié was invited to Vienna by Kaunitz in 1760 because of his expertise on constitutional law and he was appointed as councilor of the newly founded State Council by Maria Theresa. He kept this position until 1770, when he (was) moved to Regensburg as the envoy of Austria and Burgundy (*österreichischer und burgundischer Comital- und Directorialgesandter*) and a representative (*Stimmführer*) of Bamberg, Würzburg, Fulda, Dietrichstein and Thurn-Taxis at the Imperial Diet (*Reichsversammlung*).¹⁷⁰

On the basis of the files of the State Council, Ember reconstructed a complex program from Borié's contributions that translated the principles of the Habsburg

Lajos [VerfasserIn] Csóka, *Mária Terézia iskolareformja és Kollár Adám* (Pannonhalma: Magyar Tudományos Akad., 1936).

¹⁶⁸ During the second World War, 1550 fascicles of the archival legacy of the State Council were destroyed and its operation between 1761-1833 can be reconstructed only on the basis of its indices. The archivist Győző Ember intensely researched the files of the State Council in the interwar period and his studies and legacy inform about the content of files that does not exist anymore. Coreth, "Das Schicksal des k. k. Kabinettsarchivs seit 1945.," 515; István Fazekas, *A Haus-, Hof- und Staatsarchiv magyar vonatkozású iratai* (Budapest: Magyar Nemzeti Levéltár, 2015), 379, 416.

¹⁶⁹ Győző Ember, "Magyarország és az Államtanács első tagjai," *Századok* 69 (1935): 640-648 [128-135]; Győző Ember, "Egy katolikus államférfi a XVIII. században," *Regnum (Egyháztörténeti Évkönyv)* 1 (1936): 327—345.

¹⁷⁰ Heinrich Benedikt, "Borié, Egyd Valentin Freiherr Von," in *Biographisches Lexikon zur Geschichte Südosteuropas*, ed. Mathias Bernath and Felix von Schroeder (München, 1974), <https://www.biolex.ios-regensburg.de/BioLexViewview.php?ID=600>.

ecclesiastical reforms into the multi-confessional setting of the Hungarian Kingdom. The reconfiguration of the power relations between secular and ecclesiastical authorities unavoidably triggered debates from which new notions of statehood evolved. In respect of the Hungarian Kingdom, a new vision of state power was explicated, as Borié challenged the legitimacy of the privileges of the Hungarian nobility and the validity of István Werbőczy's early sixteenth-century collection of customary law, the *Tripartitum*. Since it was the main point of reference for the nobility to protect its tax exemption as its ancient right, Borié and Kollár turned around the Hungarian arguments by responding to them with archival evidence and precedents. On the one hand, this happened on a case by case basis, through searching for and citing various sources in ongoing litigations. Borié suggested already in 1761 that no more estates should be granted to the nobility and pawned lands should be returned to the fiscus. Thus, not only their yields would go directly to the chamber, but also the policies could be carried out that were banned by the nobility. Lawsuits also provided opportunities for the crown to get back immovable goods and rights connected to them.¹⁷¹ On the other hand, "mistakes" and gaps were found in the legal foundations of the noble and ecclesiastical privileges that were published addressing a wider audience.

In both ways, Borié extensively relied on Kollár's expertise: his opinion was asked in various affairs in which legal and historical arguments could serve state interests. A comprehensive list of the reports and expert opinions provided by Kollár is still missing, as he submitted his contributions often anonymously. According to a list

¹⁷¹ Ember, "Magyarország és az Államtanács első tagjai," 623–24, 645–46; Ember, "Egy katolikus államférfi a XVIII. században."

from 1772, Kollár produced 34 reports, translations and expert opinions.¹⁷² In 1777, in the attachment of one of his letters to Maria Theresa, he enumerated again in which ways he served the ruler. Besides his studies on the problematic border region in Spiš, Kollár also made efforts to provide evidence for the rights of the Hungarian crown to lay claims on Halych and Volhynia/Lodomeria and, in a different context, on Dalmatia.¹⁷³

In 1762, Kollár published a book entitled *Historiae diplomaticae iuris patronatus apostolicorum Hungariae regum* in which he discussed the ruler's patronage rights in respect of the Catholic Church. His next book, *De originibus et usu perpetuo potestatis legislativae circa sacra apostolicorum Regum Ungariae* (1764) carried further his arguments for the rights of the ruler to regulate ecclesiastical affairs in the

¹⁷² Österreichisches Staatsarchiv – Haus-, Hof- und Staatsarchiv – Sonderbestände R – Registratur des Haus-, Hof- und Staatsarchivs – Kurrentakten 13/1772 – Vortrag der Staatskanzlei betreffend Belohnung für Rosenthal, Kollar und Spielmann wegen ihrer Deduktion betreffend die Ansprüche auf Galizien, 1772.11.10 – Verzeichnis der von mir, Ad. Fr. Kollar auf allerhöchsten Befehl entworfen und meistens bey der Staatsrathskanzley eingereichten allerunterthänigste-unmaßgeblichsten Meynungen, Deductionen und anderen Schriften. Csóka, *Mária Terézia Iskolareformja És Kollár Ádám*, 79; Csóka, “Kollár Ádám Ferenc hatása az Államtanács magyar kamerális tárgyalásaira.”

¹⁷³ “Allerunterthänigste Anmerkung. Meine obwohl wenige, jedoch der Wahrheit angemessene Verdienste sind Erstens: daß ich dem allerhöchsten Hofe schon von Anno 1748, folglich schon in das 30ste Jahr getreu und ohne einem einzigen Vorwurf zu dienen die allerhöchste Gnade habe. Zweitens: daß ich nebst der Einrichtung des grösten Theils der Apostolischen Kaiserlichen Hofbibliothek verschiedener, dieselbe betreffende Werke herausgegeben habe. Drittens: daß ich ausser der Bibliothek in verschiedenen Hofkommissionen gebraucht worden bin. Viertens: daß ich die Gerechtsame der Königlichen Kronn Ungarn nicht nur wegen Halitzien und Lodomerien, wegen der Ungarischen und Pohnischen Gränzen, und der XIII Zipser Städte, sondern auch diejenigen Rechte, welche das ganze Dalmatien betreffen, auf allerhöchsten Befehl mit von mir verfaßten Schriften vertheitiget habe. Fünftens: daß ich den berühmten Streit des Hauses von Brandenburg wegen der präterdirten Rechte auf Schlesien in das wahre Licht gesetzt zu haben scheine. Sechstens: daß ich in Ansehung dieser meiner Verdienste sowohl als auch jener übrigen, welche ich mit Stillschweigen übergehe, niemals den Allerhöchsten Hof nur im mindesten um eine Vergeltung belästiget, sondern mich vollkommen auf die weltbekannte Gerechtigkeit Ihrer Kaiserlichen Königlichen Apostolischen Mayestät der Allergnädigsten Frau verlassen habe, Allerhöchst welche auch zu meinem und meiner Nachkommenschaft grösten Ruhm mir dieses Gut Keresteny aus eigenem und mildherzigen Antriebe in Allerhöchsten Gnaden zu ertheilen geruhet haben.” Adam František Kollár and István Soós, *Kollár Ádám Ferenc levelezése*, Magyarországi tudósok levelezése 4 (Budapest: Universitas Könyvkiadó, 2000), 377–376.

Hungarian Kingdom.¹⁷⁴ While the first book still referred to papal authority as the ultimate source of the ruler's *jus patronatus*, namely a bull issued by Pope Sylvester II for the first Hungarian king, St Stephen, the second one already advocated the ruler's right to regulate the mundane aspects of ecclesiastical affairs – including taxing the clergy and interfering with the property relations of the church – that could not be restricted by the Pope either.¹⁷⁵ Simultaneously, Kollár claimed that church affairs can be managed without the consent of the estates, too.¹⁷⁶ His arguments alarmed the Hungarian estates that were aware of Maria Theresa's intention to tax the nobility. At the diet of 1764/65, the assembly started with a huge turmoil around Kollár's new book. The court in Vienna withdrew from supporting it and dispensed its distribution claiming that its content needs further investigations, while Kollár was instructed to defend his book as a scholarly work in an apology. The book was put on the index in Rome, too.¹⁷⁷

Even if Kollár complied with the request, his apology was not a withdrawal of his statements, but an attempt to support it with further evidence. The scandals continued with an anonymously published and radically formulated counter opinion

¹⁷⁴ The shift can be attributed to the publication of Febronius' influential work in 1763, but Kollár also found scholarly arguments specific to the Hungarian Kingdom. He claimed that the Croatian canon and historian, Baltazar Adam Krčelić supplied him with evidence from which he concluded that the papal bull was a forged. Adam František Kollár, *Historiae Diplomaticae Iuris Patronatus Apostolicorum Hungariae Regum* (Vindobonae: typis Geo. Ludou. Schulzii, 1762); Adam František Kollár, *De Originibus et Usu Perpetuo Potestatis Legislatoriae circa Sacra Apostolicorum Regum Ungariae* (Typis-Joannis Thomae Trattner, Caes. Reg. Majest. Aulae Typogr. Et Bibliopolae, 1764), <https://books.google.cz/books?id=ufNgAAAAcAAJ>.

¹⁷⁵ Andor Csizmadia, "Egy kétszáz év előtti országgyűlés évfordulójára. A „Kollár Contra Status et Ordines”,” *Jogtudományi Közöny* XIX új évfolyam, no. 3 (1964): 219; Benedek Konrád Stefancsik, *Az 1764/65-i pozsonyi országgyűlés* (Kassa: Nyomta a "Szent Erzsébet" nyomda R. T., s. d.), 22–23.

¹⁷⁶ Csóka, "Kollár Ádám Ferenc hatása az Államtanács magyar kamerális tárgyalásaira," 152; Csóka, *Mária Terézia iskolareformja és Kollár Ádám*, 79; Stefancsik, *Az 1764/65-i Pozsonyi Országgyűlés*, 22–23; Csizmadia, "Egy kétszáz év előtti országgyűlés évfordulójára. A „Kollár Contra Status et Ordines”,” 216, 219.

¹⁷⁷ Csizmadia, "Egy kétszáz év előtti országgyűlés évfordulójára. A „Kollár Contra Status et Ordines”,” 220–23.

entitled *Vexatio dat intellectum*. It was attributed to a clergyman, a canon of the primate, György Richwaldszky (?-1779). This work was not only prohibited by Vienna, but publicly torn apart and burned.¹⁷⁸ During the investigation of the *Vexatio*, Borié drew the conclusions that the Hungarian nobility does not understand and does not know its own constitution. This should be remedied by providing suitable education for young Hungarian noblemen in the state sciences, and Kollár's book should serve as a textbook.¹⁷⁹ Borié also pursued further his program of getting back as many goods as possible to the fiscus and paired this endeavor with raising the standards for mapping, registering and administering the cameral goods. However, his plans to make Kollár an archivist of the Hungarian Chamber failed, as the president of the Chamber, Antal Grassalkovich managed to convince the empress to keep the archivist Benedek Szendrey instead of substituting him with the highly unpopular Kollár. Szendrey's dismissal would have been justified with his lack of knowledge in legal matters, which implied his ability to select and interpret documents as Kollár did in order to find evidence in the archives deployable in lawsuits and thus to protect the interests of the fiscus. Grassalkovich considered Szendrey's incompetence rather as a merit – no wonder, if we consider that the litigations in question usually challenged the property rights of Hungarian noblemen – and he noted that Szendrey was a hard-working, discrete person who had achieved far more than his forerunners in ordering the

¹⁷⁸ Stefancsik, *Az 1764/65-i Pozsonyi Országgyűlés*, 22; Csizmadia, "Egy kétszáz év előtti országgyűlés évfordulójára. A „Kollár Contra Status et Ordines”,” 220–25.

¹⁷⁹ Ember, "Magyarország és az Államtanács első tagjai,” 611–12.

archives.¹⁸⁰ In respect of Transylvania, Kollár still could appear as an authority at the selection of the administrator of the fiscal archives, László Bisztriczey, who got the position upon his recommendation.¹⁸¹

While Kaunitz – who was also appointed to supervise and direct the state archives (*Oberaufsicht und Direction*) in 1762¹⁸² – managed to find local collaborators in the Austrian Netherlands and Lombardy who supplied his endeavors with their expertise, the Hungarian Kingdom remained less accessible, not only the ruler's rights remained contested, but also the archives and their management. A double structure evolved, in which the main experts resided in Vienna relying on Viennese collections, their own scholarly correspondence networks, or copies, extracts, lists requested from and submitted by various archives. Occasionally, commissioners were also sent out who were not trained for archival work but kept contact with Kollár or with the competent councilors during their work.¹⁸³

¹⁸⁰ Ferenc Eckhart, "A Magyar Kamarai Levéltár szervezése a XVIII. században.," *Magyar Könyvszemle* Új folyam XXIII., no. 3–4 (December 1915): 151–69; Ember, "Magyarország és az Államtanács első tagjai," 647–48.

¹⁸¹ Ember, "Magyarország és az Államtanács első tagjai," 648.

¹⁸² L. Bittner, *Gesamtinventar des Wiener Haus-, Hof- und Staatsarchivs. Einleitung. Die geschichtliche Entwicklung Des archivalischen Besitzstandes und der Einrichtungen des Haus-, Hof-, und Staatsarchivs*, vol. 4, *Inventare österreichischer staatlicher Archive*, V. *Inventar des Wiener Haus-Hof- und Staatsarchivs* (A. Holzhausens Nachfolger, 1936), 66.

¹⁸³ A report from Ádám Kollár dated from January 1764 was produced in order to support the reclaim of the 13 Spiš towns and the dominion belonging to present-day Stará Ľubovňa pawned to Poland in the 15th century. From September 1769, Josephus Török, a commissioner of Maria Theresa, was sent to the region to search through local archives. Török kept informing not only the state authorities, but also Kollár about his findings and mediated sources towards the court Librarian. Österreichisches Staatsarchiv – Haus-, Hof-, und Staatsarchiv – Länderabteilungen – Ungarische Akten – Specialia: Zipser Städte – Fasc. 263. Konv. 1.; Österreichisches Staatsarchiv – Haus-, Hof-, und Staatsarchiv – Länderabteilungen Außerdeutsche Staaten – Polen III 15-2 Zipser Städte (1749-1755) Allerunterthänigste Übersetzung zweyer unterthänigster Relationen wie auch eines Briefes, an den ungarischen Hofkanzler die Grenz-Strittigkeiten zwischen Pohlen und Ungarn betreffend vom Comissario Regio Joseph Török. Adorján Divéky, *A Lengyelországnak elzálogositott XVI szepesi város visszacsatolása 1770-ben*, 1929, 34., 36–37, https://adtplus.arcanum.hu/hu/view/MTA_Konyvek_277353/?pg=0&layout=s; Horst Glassl, "Der Rechtsstreit um die Zips vor ihrer Rückgliederung an Ungarn," *Ungarn-Jahrbuch* 1 (1969): 38–42.; Kollár and Soós, *Kollár Ádám Ferenc levelezése*, 294-295., 306-307., 413. Research in local archives

3.2. 1760s: statutes and foundation documents in Joseph II's and Kaunitz' memoranda

The idea of reducing the number of monks and nuns to the numbers determined for the personnel of a convent at the time of its foundation appeared already in the Political Testament and in the reports of the Representations and Chambers of the hereditary lands in which they expressed their opinions on the maximal sum a potential novice could offer to his or her religious order as dowry or heritage. The debates revolved around the same idea explicated in the anonymous memoir of 1755 in the Austrian Netherlands and in contemporary pamphlets all around the Habsburg realms. The discussion continued between Joseph II – who became his mother's coregent in 1764 – and the State Chancellor Wenzel Anton Kaunitz-Rietberg in the mid-1760s. In his memorandum “on the defects of the present system and the most effectual means of remedying them,” written in 1765, Joseph proposed that the age limit of ecclesiastical vows should be increased to the age of 25 in order to preserve more talented people for the service of the state. That would probably cause a decrease in the number of the regular clergy, but it could also facilitate an increase in the devotion of the individual monks and nuns, which would compensate for the shortage occurring in their numbers. He suggested the creation of a commission that would examine the founding documents of ecclesiastical foundations in order to gain reliable information about the intentions of the founder and the originally determined number of the necessary personnel. In case

was carried out by commissioners in other contested border regions, too. Stephan Lutsch von Luchsenstein searched through Transylvanian archives between May 1769 and March 1770 in order to determine the border between Transylvania and Moldavia. Simultaneously, he also received copies of documents from Vienna. Veres, “Constructing Imperial Spaces: Habsburg Cartography in the Age of Enlightenment,” 229–31.

the commission detected deviations, the ruler had the right to interfere. In his opinion, by reducing the number of the personnel to the initially determined quota, it was possible to put a halt to the proliferation of clergymen and the surplus of revenues could be spent on the education of children in order to make them good subjects of the state. Finally, Joseph concluded that the “reformation” of one out of every twenty monastery could supply the countryside with priests, as there were several places where there was a great shortage of them.¹⁸⁴

Maria Theresa commissioned Kaunitz to respond to Joseph’s memorandum and he fulfilled the request in February 1766.¹⁸⁵ In the overture of his memoir, Kaunitz called into question the idea that celibacy causes significant deficits in the productivity of the population and the monasteries distract the most valuable or talented people from serving the public good. He warned instead that monasteries might be considered also

¹⁸⁴ The original text of the memorandum: “Quarto. Pour conserver à l’Etat plus d’hommes de génie, capables de le servir, j’établirais, quoiqu’en pourrait dire le Pape et tous les moines de l’univers, qu’aucun de mes sujets ne pût embrasser aucun état ecclésiastique avant l’âge de majorité de vingt-cinq ans accomplis. Les tristes effets, tant en hommes qu’en femmes, que la précoce vocation a souvent causés, devraient seuls nous convaincre de l’utilité de cet établissement, outre toutes les raisons d’Etat. Je ne nie pas qu’il y aura peut-être moins de moines, mais outre que le mal n’en est pas grand, ils répareront par la bonté et vraie vocation, que chacun d’eux aura, le manque du nombre. Je permettrais aux évêques de tenir quelques jeunes gens, qui se vouent à cet état, et de leur faire apprendre les sciences nécessaires, mais point de profession avant la majorité. Le bon sens et nos propres lois le dictent. Car on ne laisse point disposer un jeune homme avant ce temps de sou bien, ce qui pourtant est une bagatelle en comparaison de sa personne et de son âme, qu’à quatorze ou quinze ans il lie à jamais.

Quinto. Je ferais examiner par une commission impartiale toutes les fondations qui existent. Dans les endroits où on agirait contre les intentions du fondateur, je les réformerais et les employerais pour des pieuses causes, qui fussent en même temps utiles à l’Etat, nommément l’éducation des enfants, qui, en faisant des chrétiens, les feraient en même temps des bons sujets. Là où les fondations seraient de beaucoup augmentées au-dessus du nombre fondé, je ne croirais pas mal faire que de les réduire au nombre fixé, et employer le surplus pour les usages ci-dessus mentionnés. Je crois qu’on ne manquera pas son objet, et qu’on ferait une action méritoire, si entre vingt couvents on en réformerait un pour tenir plus d’ecclésiastiques répandus dans le pays, où actuellement nous en avons en plusieurs endroits un grand manquement.” Alfred Ritter von Arneth, ed., “Denkschrift des Kaisers Joseph über den Zustand der österreichischen Monarchie,” in *Maria Theresia und Joseph II. Ihre Correspondenz sammt Briefen Joseph’s an seinen Bruder Leopold*, vol. 3, 3 vols. (Wien, 1868), 335–61, <https://archive.org/stream/mariatheresiaun00thergoog#page/n357/mode/2up>.

¹⁸⁵ Beales, “Joseph II and the Monasteries of Austria and Hungary,” 166.

as the places that collect and take care of those whom the society could not employ otherwise.¹⁸⁶ He then pointed out that the monks gain public revenue by providing ecclesiastical services and unless it is not aimed to reduce the pastoral care, their services are indispensable. He allowed that there could be more secular priests than monks, but he also added that it would not be necessarily cheaper: three monks can be sustained from the revenues of one priest – while one priest cannot provide as much service as three monks. Thus, substituting monks with priests might even be disadvantageous for the state.¹⁸⁷ According to Kaunitz, the improper use of the funds that secured the existence of the monks and facilitated the spread of bigotry was also the fault of the ordinaries.¹⁸⁸ If they would provide a “reasonable catechism” not only for the regular, but also for the secular clergy and compel the monks to follow it, it would improve the clergy and pastoral care in general.¹⁸⁹ Kaunitz raised the rhetorical question, if one out of ten mendicant convents was abolished, who would replace the

¹⁸⁶ “S’il étoit question de fonder un nouvel Empire, il faudroit assurément prendre les plus fortes précautions contre le Célibat, ou diminuer tout de suite le nombre des Célibataires: mais malgré la faiblesse de notre Population, avons nous déjà de quoy employer tous nos bras, chaque Classe d’Artisans, chaque Classe de Bourgeois n’abonde-t-elle pas en Sujets, qu’elle ne fait occuper, combien la Classe des Employés et Officiers du Prince ne presente-t-elle pas de Concurents chaque fois qu’il vauque un Emploi, combien de sollicitations et de brigues pour l’emporter: Il est vrai, qu’il n’y en a gueres d’habiles, et dans ce sens les Couvents rendent encore un grand service à la Société en se chargeant de ceux qu’elle ne sauroit employer”

¹⁸⁷ Si les Moines vivent aux dépends du public, ils lui rendent aussi des services, et cela est si vrai, qu’à moins de vouloir diminuer les devoirs du Culte, on ne sauroit gueres se passer de leur secours ou Ministère. Il est vrai qu’il pourroit y avoir moins de Moines, s’il y avoit plus de prêtres séculiers; mais il n’est pas moins vrai que l’Entretien des prêtres coute aussi bien plus que celui des Moines; Car il est de fait, que trois Moines subsisteront en Communauté de ce qu’il faudroit payer à un Prêtre vivant en son particulier; et que moyennant cela ce Prêtre ne pouvant cependant, par impossible, suppléer aux fonctions de trois Moines, il est encore fort douteux, si l’Etat ne seroit peut-être pas encore bien plus mal.”

¹⁸⁸ the bishop or the representative of episcopal authority

¹⁸⁹ “Si, pour avoir des charités, qui font le fond, dont ils subsistent, les Moines repandent et favorisent l’esprit de bigoterie, il ne faut s’en prendre, qu’à la paresse ou à la négligence des Ordinaires; qu’on établisse et enseigne avec soin un Catechisme raisonnable, qu’on oblige même les Moines de prêcher en conséquence à la Campagne et à la Ville, sous peine d’être chassés en cas d’infraction de cette Loy, on parviendra peu à peu à changer l’Education publique, et par conséquent on tirera la source de tous ces abus, dont non seulement le Clergé regulier, mais aussi le Clergé séculier fait son profit.”

monks' services both in the cities and in the countryside? And where could the benefactors be found who would finance the necessary number of secular priests?¹⁹⁰

Kaunitz finally endorsed Joseph II's suggestion to determine the limits of the possessions and of the personnel according to the foundation documents by explicitly referring to the *Edit d'amortissement*, issued in 1753 in the Low Countries as an exemplary case.¹⁹¹

While the young co-regent's proposal revolved around the reduction of the number of clergymen and the different means (age limit, return to the original quota) with which it could be achieved, Kaunitz reversed the question by shifting the focus from surplus to shortage. The pastoral care of the countryside was a multifaceted problem as it encompassed not only the concerns for the spiritual well-being of the subjects, but also the possibility of enhancing the governmental infrastructure of the state by integrating the parishes and securing a territorially more even outreach to the population. In contrast to Joseph's assumption that one out of twenty monasteries were sufficient to fill the gaps of the parish network, Kaunitz' calculated in a more circumspect manner. By taking into consideration multiple factors, such as the economic basis of pastoral care, the "convertibility" of monks into suitable priests with the help of a catechism, or the ratio between the costs and performance of monks *vis-à-*

¹⁹⁰ "Mais supposons pour un moment, que malgré ces Considérations, de dix Couvents de Moines mendiants on en abolisse un, par qui remplacera-t-on tant en ville, qu'à la Campagne, les services, qu'ils rendent? Et où trouvera-t-on de quoi doter les Prêtres seculiers, qu'il faudroit leur substituer?"

¹⁹¹ "Mais il y a pourtant un milieu entre le parti de les éteindre et entre la nécessité de les empêcher d'étendre leurs Possessions ou d'augmenter leur nombre, ce seroit un Edit d'amortissement, semblable à celui qu'on a publié en 1753 aux Pais-Bas, et le soin de les réduire insensiblement au nombre fixe par leur premier Etablissement." "Denkschriften des Fürsten Wenzel Kaunitz-Rittberg", *Archiv für österreichische Geschichte* 48 (1872): 107–9.

vis parish priests, the state chancellor brought into the discussion not only new aspects, but also a new way of thinking and planning that Lars Behrisch termed as “the first breakthrough of systematic quantification, calculation and statistical reasoning in politics.”¹⁹² While Maria Theresa applied distinction in her ecclesiastical politics according to the different lands she ruled, such differentiation cannot be traced in the memoirs written by Joseph and Kaunitz. At the same time, another kind of spatial division appears, namely the concern for the countryside that also implied a more “map-minded” understanding of state territory and provided a spatial framework for data gathering.¹⁹³

3.3. Commissions in the Duchy of Milan

Between 1753-1759, the *Jointe des Amortissements* had been in charge of examining mortmain goods in the Austrian Netherlands.¹⁹⁴ In the Duchy of Milan, on the occasion of signing the concordat of 1757 with Rome, the Junta of Stewardship was created, and it served as an advisory board for Vienna in respect of state-church affairs. It was also the model for the Supreme Junta of Sovereign Jurisdiction appointed in Modena in

¹⁹² According to Behrisch this breakthrough happened in the 1760s first in France and in the German principalities and then in the Northern principalities of Italy. Lars Behrisch, “Statistics and Politics in the 18th Century”, *Historical Social Research* 41, 2 (2016): 245, <https://doi.org/10.12759/hsr.41.2016.2.238-257>.

¹⁹³ Michael Mann considers “unified territorial reach” as the distinctive attribute of state power that also implies the state's capacity “to focus the relations and the struggles of civil society onto the territorial plane of the state, consolidating social interaction over that terrain, creating territorialized mechanisms for repressing or compromising the struggle” Michael Mann, “The Autonomous Power of the State: Its Origins, Mechanisms and Results”, in *States in History*, ed. John A. Hall (Oxford: Blackwell, 1986), 109–36. For a historical application of this concept to the Habsburg territories see MacHardy, *War, Religion and Court Patronage in Habsburg Austria*, and Madalina Veres, “Constructing Imperial Spaces: Habsburg Cartography in the Age of Enlightenment” (University of Pittsburgh, 2015)

¹⁹⁴ Koerperich, *Les lois sur la mainmorte dans les Pays-Bas catholique*, 223–58; P Lefèvre, “Inventaire des archives de la Jointe des amortissements”, in *Travaux du cours pratique d'archivéconome donné pendant les années 1928-1931*, ed. Joseph Cuvelier (Bruxelles: Stevens frères, 1926).

1758.¹⁹⁵ In November 1765, i. e., about the time when Joseph wrote his memoir, the Supreme Council of Economy (*Giunta Economale*) was set up in the Duchy of Milan that later became an exemplary governmental organ for Joseph II's Ecclesiastical Court Commission (*Geistliche Hofkommission*) responsible for the implementation of his church policies both in the hereditary lands and in the Hungarian Kingdom.¹⁹⁶ After an expansion of the scope of the *Giunta Economale* in 1767-68, it carried out extensive investigations of church properties, and its authority grew further from 1769, as it became responsible for the management of economic tasks related to the closing down of monasteries and the expropriation of their goods.¹⁹⁷

On 25 June 1767 an ordinance of the ruler (*dispaccio*) requested visitation of all the “pious places” (*lougo pio*) in the Duchy of Milan that included all the institutions (schools, hospitals, orphanages, etc.) operating thanks to pious foundations. The secular administration of these places also had to be investigated.¹⁹⁸ This comprehensive survey

¹⁹⁵ The English translation of the name of the offices is provided by Woolf. Stuart J. Woolf, *A History of Italy, 1700 - 1860: The Social Constraints of Political Change*, Repr (London: Routledge, 1991), 100., 115–16; Carlo Capra, “Habsburg Italy in the Age of Reform,” *Journal of Modern Italian Studies* 10, no. 2 (June 1, 2005): 225, doi:10.1080/13545710500111355; R.J.P. Kain, E. Baigent, and University of Chicago, *The Cadastral Map in the Service of the State: A History of Property Mapping* (University of Chicago Press, 1992), 186, <https://books.google.at/books?id=iEjA-FIn5zIC>. For a detailed study see: M. Taccolini, *L'esonzione Oltre Il Catasto: Beni Ecclesiastici e Politica Fiscale Dello Stato Di Milano Nell'età Delle Riforme*, Contributi Dell'Istituto Di Storia Economica e Sociale: Istituto Di Storia Economica e Sociale (Vita e pensiero, 1998), <https://books.google.hu/books?id=h3aoiNJ02U0C>.

¹⁹⁶ Marczali, *Magyarország története II. [i.e. Második] József korában [The History of Hungary during the Reign of Joseph II]*; Beales, “Joseph II and the Monasteries of Austria and Hungary,” 161–184.

¹⁹⁷ Derek Edward Dawson Beales, *Joseph II.*, vol. 1. In the shadow of Maria Theresa, 1741–1780 (Cambridge: Cambridge University Press, 1987), 445–500, https://books.google.cz/books?id=Iq049fDt300C&printsec=frontcover&hl=hu&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false; Beales, *Prosperity and Plunder: European Catholic Monasteries in the Age of Revolution, 1650-1815.*, 187–90; Carlo Capra, *La Lombardia austriaca nell'età delle riforme (1706-1796)*, Storia (Torino: Utet Libreria, 1987), 236–44.

¹⁹⁸ The committee appointed for the investigation of the “pious places” of Milan consisted of seven patricians and seven burghers. its members were also instructed to make suggestions how the administration of these places could be improved and what kind of measurements would be necessary. Capra, *La Lombardia austriaca*, 239.

provided information to the governmental organs not only about funds and their management, but also about the whole population of the duchy from various perspectives. A few weeks later, on 3 August 1767, a conscription of the goods and personnel of the Catholic Church was ordered. The reports were expected annually in tabulated forms and they had to include the incomes and expenses of monasteries, too. Three days later, on 6 August 1767, the law of amortization was also issued in Milan. Unlike in the Austrian Netherlands, it included restrictions regarding not only immovable, but also movable properties that was the strictest version of the law in the Habsburg realms paired with the comprehensive survey of church goods.¹⁹⁹

Count Karl Joseph von Firmian, the governor of the Duchy of Milan, sent a memorandum to Vienna in which he discussed several topics considering the governance of the duchy. He also pointed out that the number of monasteries was too high, while the communities were quite small, as often only 4-5 monks lived in the individual houses.²⁰⁰ The extensive survey of church goods and personnel requested in 1767 could support this claim with exact data and justify the closing down of small monasteries starting from 1769. Most of the houses were formally not dissolved, but only merged with the consent of the newly elected pope, Clement XIV (1769 – 1774). Bishops were actively involved in the procedures and the number of monasteries was significantly reduced in accordance with the constitutions of Pope Innocent X (1644 –

¹⁹⁹ Ibid., 237–38.

²⁰⁰ Capra refers to Firmian's memoir as an autograph manuscript in which a series of questions were responded. He does not clarify if the text was composed according to the requests or instructions of higher authorities. The governor was especially critical regarding the activity of the mendicants and the management of the goods of female convents. Ibid., 238.

1655) issued in 1652, in which he claimed that a monastery is not viable if the number of its inhabitants was less than twelve.²⁰¹

3.4. State apparatus and Ecclesiastical Affairs in the Hungarian Kingdom

In the Hungarian Kingdom, the Catholic Church was still recovering from the long-lasting warfare with and occupation by the Ottoman Empire in the previous centuries.²⁰²

Monasteries located in the former Ottoman territories were destroyed and/or left by their inhabitants, except the Franciscan monasteries of Gyöngyös and Szeged that remained in operation under Ottoman supremacy. Simultaneously, the medieval monasteries of Habsburg Hungary had to cope with the challenges of the Reformation. In the Habsburg territories, Lutheranism challenged Catholicism from the second half of the sixteenth century and a few decades later Calvinism also found converts nearly everywhere. It became widespread in Hungary “where it was flanked by a variety of religious movements, such as the Trinitarians and Unitarians in Transylvania”.²⁰³ Protestants became dominant in the Hungarian political sphere from 1608 in consequence of the

²⁰¹ Beales, *Prosperity and Plunder: European Catholic Monasteries in the Age of Revolution, 1650-1815.*, 189–90; Domenico Sella and Carlo Capra, *Il Ducato di Milano dal 1535 al 1796*, Storia d'Italia, v. 11 (Torino: UTET, 1984), 398–99.

²⁰² The dates 1526 (battle of Mohács) and 1686 (reconquest of Buda) are considered in Hungarian historiography as the emblematic starting and ending points of Ottoman era and of a long-lasting division of the country. The territory of the medieval Hungarian Kingdom was divided into three main parts: the Hungarian Kingdom (Northwestern part of the medieval kingdom ruled by Habsburg rulers), the Principality of Transylvania under the rule of formally independent princes, but, *de facto*, also under Ottoman influence, and the middle-southern territory as part of the Ottoman Empire, with a large (buffer) zone of constant warfare. For a concise summary see: Robert John Weston Evans, *The Making of the Habsburg Monarchy, 1550-1700: An Interpretation* (Oxford-New York: Clarendon Press; Oxford University Press, 1984), 235–74.

²⁰³ Karin J MacHardy, *War, Religion and Court Language in Habsburg Austria*. (Basingstoke: Palgrave Macmillan, 2002), 48–49.

1604-1606 uprising led by István Bocskai (1557-1606), but their influence was significantly diminished from the 1670's.²⁰⁴

In consequence of the lack of support and patronage, religious orders declined and lost several houses even in the spared territories, and the tendency changed only from the mid-seventeenth century, when the Counter Reformation gained impetus. As the territories lost earlier were reconquered from the Ottomans from 1686 on, and the Rákóczi's rebellion (1703-1711) was closed by the Treaty of Szatmár, the revival of cities and the reorganization of dioceses and estates went along with the (re)foundation of monasteries as part of a new, missionary impetus of Catholic confessionalization.²⁰⁵

The reoccupied territories also crossed the borderline of Latin and Eastern Christianity. Greek Catholics were present in the empire partly in Hungary, subordinated to Catholic bishops, and partly in consequence of the acquisition of Galicia in 1772 and of Bukovina in 1775. Furthermore, in Transylvania, a group of the

²⁰⁴ Győző Ember, "A Helytartótanács Egyházügyi Bizottságának kialakulása," in *Regnum, Egyháztörténeti Évkönyv 1942-1943 5* (Budapest: Stephaneum Nyomda, 1943), 231–34. See also: Robert John Weston Evans, "Hungary: Limited Rejection," in *The Making of the Habsburg Monarchy, 1550-1700: An Interpretation* (Oxford-New York: Clarendon Press ; Oxford University Press, 1984), 235–74.

²⁰⁵ Derek Beales speaks about a belated Counter-Reformation in Hungary referring to the still developing building projects and flourishing practices of baroque pietism. Beales, *Joseph II.*, 2009, 2. Against the world, 1780-1790.:298–302. A range of publications was recently issued in Hungarian thanks to the formation of a research group focusing on the Catholic renewal in the early modern era. A fairly comprehensive presentation of the state of the art can be found in the thematic issue entitled "Konfesszionalizáció: Felekezeti és politikum a kora újkorban," *Korall* 15, no. 57 (2014). For specific regions see the following collections of studies: István Hermann and Balázs Karlinszky, eds., *Megyetörténet: egyház- és igazgatástörténeti tanulmányok a Veszprémi Püspökség 1009. évi adománylevele tiszteletére*, A Veszprém Megyei Levéltár kiadványai 22 (Veszprém: Veszprémi Érseki és Főkapitányi Levéltár, 2010); Hermann István et al., eds., *Padányi Biró Márton veszprémi püspök emlékezete* (Veszprém: Magyar Nemzeti Levéltár Veszprém Megyei Levéltára, 2014); Zoltán Gőzsy, Szabolcs Varga, and Lázár Vértési, eds., *Katolikus megújulás és a barokk Magyarországon: különös tekintettel a Dél-Dunántúlra (1700-1740)*, *Seria historiae dioecesis Quinqueecclesiensis* 7 (Pécs: Pécsi Püspöki Hittudományi Főiskola, Pécsi Egyháztörténeti Intézet, 2009); Balázs Karlinszky, ed., *Szerzetesrendek a veszprémi egyházmegyében: a Veszprémi Érseki Hittudományi Főiskolán 2014. augusztus 27-28-án rendezett konferencia előadásai [Religious Orders in Veszprém County]* (Veszprém: Veszprémi Főegyházmegye, 2015).

Orthodox clergy declared the union with Rome in 1698 and an Orthodox diocese was established in Sibiu in 1761 subordinated to the Serbian Metropolitanate of Karlovci.²⁰⁶ Thus, territories reoccupied from the Ottoman Empire could experience not only a delayed Catholic confessionalization after 1686, but also a late educational and ecclesiastical development of the Orthodox and Greek Catholic religious communities.

The support of the Catholic church and the suppression of Protestantism became part of the tasks of the Gubernium set up in 1673 and of the Chambers operating in Pressburg (Bratislava) and Zips (Spiš). Their duties regarding church affairs were taken over by the Chancellery created in 1690 in close connection to the court in Vienna. The laws accepted at the diet of 1715²⁰⁷ reinforced the ruler's supervisory rights and the necessity of his consent both in terms of handling mortmain goods (16th, 71st and 97th articles)²⁰⁸ and making foundations for schools, convicts and colleges (74th article).²⁰⁹ It also legitimized the settlement of new religious orders in the country (Camaldolese monks, Trinitarians and Piarists), but forbade them to take possession of secular foundations, except as pledges.²¹⁰

²⁰⁶ Mircea Pacurariu, "Romanian Christianity," and Radmila Radić, "Serbian Christianity," in *The Blackwell Companion to Eastern Christianity*, ed. Kenneth Parry, Blackwell Companions to Religion (Malden, MA: Wiley-Blackwell, 2010), 197., 234–35.

²⁰⁷ A detailed account of the diet from the perspective of religious orders is provided by András Forgó, *Egyház, rendiség, politikai kultúra. Papok és szerzetesek a 18. század országgyűlésein* (Budapest, 2017).

²⁰⁸ Sándor Daempf, *A holt-kézi törvény (lex amortisationis) Magyarországon. magánjogi tanulmány.*, p. (Pécs, 1891), 102–15, //catalog.hathitrust.org/Record/100353127.

²⁰⁹ Ibolya Felhő and Antal Vörös, *A Helytartótanácsi Levéltár*, Magyar Országos Levéltár Kiadványai I., Levéltári Leltárak 3. [Catalogue of the Archives of the Consilium Locumtenentiale] (Budapest: Akadémiai Kiadó, 1961), 123, http://library.hungaricana.hu/hu/view/MolDigiLib_MOLkiadv1_03/?pg=2&layout=s.

²¹⁰ The diet of 1723 ordered the same in respect of the Brothers Hospitallers of Saint John of God, the Knights of the Red Cross, Carmelites and Ursulines. The Augustinian canonesses (also known as Notre Dame nuns) introduced in 1764 were explicitly prohibited to possess immovable goods. daempf, *a holt-kézi törvény (lex amortisationis) Magyarországon. magánjogi tanulmány.*, 114.

The Locotenential Council was set up in 1724 and it provided a new bureaucratic basis for the implementation of the ordinances in the territory of the country that opened up new possibilities in respect of managing ecclesiastical and religious affairs, too. Its three members – Ádám Draskovich, László Szörény bishop and János Antalsics – formed the Commission of Pious Foundations endowed with the ruler's supervisory right over Catholic seminaries, convicts, colleges and other pious foundations including orphanages, hospitals and religious orders. The commission received its instructions in 1724.²¹¹ The founding document of the committee listed its duties, including the investigation of reports requested from the bishops and counties and informing about pious foundations, ecclesiastical properties. It was also expected to study the founding documents of church institutions; if the bishops could not submit the original documents, copies had to be requested from the chamber or the chancellery.²¹² The similarity of these instructions to the laws of amortization prepared at the Austrian Netherlands is obvious, and shortly after issuing the law in 1753 – not only in the Low Countries, but also in the lands of the Bohemian Crown²¹³ – the Hungarian commission also received instructions in 1754 in which the aforementioned tasks were reinforced. The bishops were expected to examine the foundations made to the benefit of schools and convicts and check if the intentions of the founders were fulfilled. Financial

²¹¹ Ember, "A Helytartótanács Egyházügyi Bizottságának kialakulása," 237–38. A detailed description of the scope of operation of the commission with a strong emphasis on education is provided by Ibolya Felhő and Antal Vörös, "Acta Fundationalia (Alapítványügyi Iratok) 1724-1783," [Documents of Pious Foundations] in *A Helytartótanácsi Levéltár*, Magyar Országos Levéltár Kiadványai I., Levéltári Leltárak 3. (Budapest: Akadémiai Kiadó, 1961), 123–26.

²¹² Felhő and Vörös, *A Helytartótanácsi Levéltár*, 124.

²¹³ Kamil Henner, *O rakouských zákonech amortisačních* (V Praze, 1892), https://digi.law.muni.cz/bitstream/handle/digilaw/11211/Cirkevni_pravo_1801_1918_0042-1892-1.pdf?sequence=1&isAllowed=y.

statements were also requested from the managers of the funds, and the committee had to collect and sum up the reports in tabulated forms, listing the type of the foundation, the way of its handling, the number of pupils and potential mistakes.²¹⁴

As Győző Ember has pointed out, only one member of the commission was a clergyman, and the two other, secular members were representatives of the upper and lower estates, despite the fact that the Locotenential Council had four prelates among its members. This might hint at the ambition of establishing a secular dominance in the management of ecclesiastical affairs and laid down the foundations of political and administrative structures that later served Josephist church politics.²¹⁵

A few years later, in 1731, the Commission of Religious Affairs (*Commissio Religionaris*) was also created and its main task was the implementation of restrictive instructions targeting non-Catholics, i.e. mainly Protestants, but it dealt with the affairs of Greek Catholics and Anabaptists, too.²¹⁶ The scope of its operation was not determined in advance, unlike in the case of the Commission of Pious Foundations, but developed gradually from practical challenges resulting from the implementation of Charles III's *Carolina Resolutio* (1731) that introduced restrictions on the Protestants' freedom of religious practice.²¹⁷ Both commissions received instructions that regulated their scope of operation in 1754. Regarding the Commissions of Pious Foundations, the

²¹⁴ Felhő and Vörös, *A Helytartótanács Levéltár*, 124.

²¹⁵ Ember, "A Helytartótanács Egyházügyi Bizottságának kialakulása," 241.

²¹⁶ Religious affairs' referred to the affairs of non-Catholic religious communities, while 'ecclesiastical affairs' meant the affairs related to the Catholic Church. Ember, "A Helytartótanács Egyházügyi Bizottságának kialakulása," 241–42. For a detailed description of the archival unit produced by the commission see: Ibolya Felhő and Antal Vörös, "Acta Religionaria (Vallásügyi Iratok) 1724-1783," in *A Helytartótanács Levéltár*, Magyar Országos Levéltár Kiadványai I., Levéltári Leltárak 3. [Catalogue of the Archives of the Consilium Locumtenentiale] (Budapest: Akadémiai Kiadó, 1961), 127–30.

²¹⁷ The consequentially appearing vacuum in pastoral care provided an opportunity for Catholic priests to gain space and, thus, it also ensured indirect support for Catholicism.

new instructions were based on and repeated the instructions given at the foundation of the commission in 1724, while, in respect of the Commission of Religious Affairs, it was the first clear explication of the duties and rights of the commission that still reinforced the *Carolina Resolutio*.²¹⁸

In 1733, Charles III also created a Parish Fund (*Cassa Parochorum*) in order to provide financial support for Catholic parishes.²¹⁹ Its supervision was the duty of a newly founded commission that was already the third one in the Locotenential Council dedicated to church affairs. Instructions for its operation were issued in 1733 and repeated in 1754, when each commission of the Locotenential Council received instructions in which its responsibilities and modes of operation were defined. The duties of the three committees overlapped from the very beginning of their foundation, and they were defined in accordance with the envisioned state-led management of church affairs and goods.²²⁰

The members of the committees were mostly identical, thus, when they were merged in 1769, it did not radically change, but rather simplified their operation. Unlike in the Austrian Netherlands and in the Duchy of Milan, there was no need to set up a

²¹⁸ Felhő and Vörös, *A Helytartótanácsi Levéltár*, 124., 127.

²¹⁹ He also renewed a 17th-century law of amortisation in the same year in the Netherlands.

²²⁰ Ember, “A Helytartótanács Egyházügyi Bizottságának kialakulása,” 242. About the creation and various sources of the fund and about the allocation of payments see: Gábor Salacz, “A Vallásalap kezdeteinek története. III. Ferdinánd alapítványa,” in *A Bécsi Magyar Történeti Intézet Évkönyve*, ed. Dávid Angyal and Árpád Károlyi (Budapest, 1932), 95–112; Gábor Salacz, “A Cassa Parochorum története,” in *A Gróf Klebelsberg Kuno Magyar Történetkutató Intézet Évkönyve*, ed. Dávid Angyal (Budapest, 1933), 121–54; Zoltán Gözsy, “Szempontok Az 1733-as Cassa Parochorum összeírások vizsgálatához Baranya és Tolna megye példáján,” *Levéltári Közlemények* 84, no. 2 (2013): 113–44. About the archival fonds produced by the commission of the Parish Fund see: Ibolya Felhő and Antal Vörös, “Acta Cassae Parochorum (Lelkészpénztári Iratok) 1733–1780,” [Documents of the Pay of Office of the Parish Fund] in *A Helytartótanácsi Levéltár*, Magyar Országos Levéltár Kiadványai I., *Levéltári Leltárak* 3. [Catalogue of the Archives of the Consilium Locumtenentiale] (Budapest: Akadémiai Kiadó, 1961), 118–22.

new committee in the Hungarian Kingdom during the reign of Maria Theresa. The three aforementioned commissions had been created only a few decades earlier in accordance with Habsburg church politics and they were suitable for implementing the policies for which new commissions were set up in other parts of the Habsburg realms.

The formation of state organs devoted to the support of the Catholic Church unavoidably increased the power of secular authorities to interfere into church affairs. Though the Locotenential Council had four ecclesiastical and ten secular members out of its twenty-two members in total, the Commission of Pious Foundations was not managed exclusively by the clerical councillors, but by three members of the council, each representing one of the three estates of the realm (clergy, nobility, commoners). The same pattern can be discovered at the establishment of the Parish Fund (*Cassa Parochorum*): it was managed by a distinct commission headed by the archbishop of Esztergom, while its members were chosen from the representatives of the three estates of the realm.²²¹

The administrative reforms of 1769 reduced the number of commissions and shifted the emphasis on the role of referees.²²² The three commissions dedicated to church affairs were united under the name of the Commission of Religious Affairs (*Commissio Religionis*) which became responsible for tasks related to every religious community present in the territory of Hungary (Roman and Greek Catholics, Calvinists,

²²¹ Ember, "A Helytartótanács Egyházügyi Bizottságának kialakulása," 238., 242–44; Felhő and Vörös, *A Helytartótanácsi Levéltár*, 26.

²²² Ibolya Felhő and Antal Vörös, "Előadók szerinti állag," [Fonds According to Referees] in *A Helytartótanácsi Levéltár*, Magyar Országos Levéltár Kiadványai I., Levéltári Leltárak 3. [Catalogue of the Archives of the Consilium Locumtenentiale] (Budapest: Akadémiai Kiadó, 1961), 135–39, http://library.hungaricana.hu/hu/view/MolDigiLib_MOLkiadv1_03/?pg=2&layout=s.

Lutherans, Orthodox Christians), and it was in charge of the implementation of educational policies, too. It consisted of 7 councillors and a secretary, its head was the primate, but the majority of its members were secular noblemen.²²³

In accordance with Maria Theresa's agenda explicated in her Political Testament, the Piarists and the Ursulines, as the two most important religious orders providing education (especially after the dissolution of the Jesuits in 1773) and the Brothers Hospitallers of Saint John of God operating hospitals were still founding new houses in the Hungarian Kingdom in the 1760s and 1770s.²²⁴ The empress supported especially actively the establishment of convents providing education for women. Her autograph letters written to the Augustine canonesses of Notre Dame in Pressburg (nowadays Bratislava) testify her devotedness to facilitating their settlement in the city in the 1750s²²⁵, while the royal palace in Buda (hardly used as a royal residence), gave home to the English Ladies from 1770 until their relocation to Vác in 1777.²²⁶ Even

²²³ Ember, "A Helytartótanács Egyházügyi Bizottságának kialakulása," 243–45. Ember lists the names of the members of each commission before the unification and points at significant overlaps. The primate, Miklós Csáky was the head of all the three commission and count József Illésházy, bishop Károly Zbiskó, count Daniel Esterházy, bishop János Stehenics were also present in each of them. Beales, *Prosperity and Plunder: European Catholic Monasteries in the Age of Revolution, 1650-1815.*, 189.

²²⁴ About the Piarist order see Riedel, *Bildungsreform und geistliches Ordenswesen im Ungarn der Aufklärung*. There are not comprehensive studies about the history of the Brothers Hospitallers and Ursulines in the Hungarian Kingdom. A concise summary is given about the Brother Hospitallers in [sine nomine], *Emlékirat az Istenes Szent Jánosról nevezett irgalmasrend magyar tartománya Budapest (budai) rend és kórházának újjáépítése és 1903. szeptember 29-én történt ünnepélyes felavatása alkalmára. [Memoir about the reconstruction and reopening of the hospital of the Brothers Hospitallers in Budapest in the Hungarian province on 29th September 1903]* (sine loco, sine dato). About the Ursulines: András Koltai, "Orsolyita rend", *Szerzetesség a korai Magyarországon: Összehasonlító rendtörténeti blog* (blog), 2016. szeptember 11., <https://szerzetes.hypotheses.org/noi-rendek/orsolyita>.

²²⁵ András Koltai, "Ágostonos kanonisszák Miasszonyunk kongregációja", *Szerzetesség a korai Magyarországon: Összehasonlító rendtörténeti blog* (blog), 2016. szeptember 11., <https://szerzetes.hypotheses.org/noi-rendek/miasszonyunk-kongregacio>. The letters were preserved in the city archives, later moved to the state archives: Ministerstvo vnútra Slovenskej republiky, Štátny archív v Bratislave, Kanonistky (notrdamky) v Bratislave, box 26.

²²⁶ The palace was then occupied by the university moved from Trnava to Buda. M. Sarolta M. Richter, *Az angol kisasszonyok budapesti Sacra Maria intézetének története 1770-1937 [The History of the Sacra*

during the reign of Joseph II, i. e. while the suppression of several monasteries was already in progress, a new hospital and convent of the Saint Elisabeth Order was founded in Buda in 1785.²²⁷ As the central governmental offices (Locotenential Council, Hungarian Chamber) of the Hungarian Kingdom were moved from Pressburg to Buda in 1783/1784 and the city became the capital of the country after two and a half centuries again, not only medical care was secured still with the help of religious orders, but education for women, too: the English ladies were moved to Pest in 1787.²²⁸

Nevertheless, the religious orders contributing to medical provision and education constituted only a small fragment of the monastic landscape of the country that was largely dominated by mendicant monasteries.²²⁹ Their image was far more ambivalent than that of the aforementioned religious orders. On the one hand, they were considered as a burden for the society, as they collected alms and were often accused of spreading misbeliefs and practicing quackery. On the other hand, their contribution to pastoral care, especially in the countryside seemed to be indispensable.

Maria Institute of the English Ladies of Budapest 1770-1937], Angolkisasszonyok B. M. V. Intézete (Budapest, 1937).

²²⁷ They occupied the former Franciscan monastery on present-day Batthyány square and reconstructed the building according to their needs. The Franciscans were moved into the building of the dissolved Augustinian monastery of Buda. Emánuel Pokorny, *A Szent Erzsébet-szerzet tekintettel budapesti kolostorára, templomára és női kórházára* [*The convent, church and hospital of the Saint Elisabeth Order in Budapest*] (Budapest: Szent István-Társulat, 1935); Margit Beke, "A budai Erzsébet apácák megtelepedése és élete 1785-től, in *A Dunántúl településtörténete 9.: város – mezőváros – városiasodás: a Magyar Tudományos Akadémia veszprémi és pécsi bizottságának IX. konferenciája: Veszprém, 1990. november 8–9.*, szerk. László Solymosi és Balázs Somfai, MTA VEAB (Veszprém, 1992), 137–42.

²²⁸ M. Richter, *Az Angolkisasszonyok budapesti Sacra Maria Intézetének története 1770-1937* [*The History of the Sacra Maria Institute of the English Ladies of Budapest 1770-1937*], 40.

²²⁹ István Katona, *Historia critica regum Hungariae ex fide domesticorum et exterorum scriptorum concinnata a Stephano Katona: Stirpis Austriacae. Ab anno Christi Ad annum MDCCXL usque MDCCCLXXX.*, vol. XX, ordine XXXIX (Buda: Typis et Symptibvs Regiae Vniuersitatis Pesta, 1809), 782–87, <https://books.google.cz/books?id=3sgpAAAAYAAJ>; Márta Velladics, "A II. József korabeli szerzetesrendi abolíció statisztikája (1782-1847) [The statistics of secularization in the age Joseph II. and between 1782-1847]", *Századok* 133., 6. (1999): 1259–78.

4. THE EVOLUTION OF THE ADMINISTRATIVE APPARATUS DEDICATED TO CHURCH AFFAIRS

This chapter seeks answer to the following questions: How did the development of the administrative apparatus, i. e. a set of more and more specialized bureaucratic units make individual clergymen “visible” and traceable for the state in more and more complex ways? Through what kind of mediators did the new commissions and departments of the central offices receive information about monks and nuns and how did their operation change in relation to the evolution of new networks of experts considered as reliable sources of information?

Although P. G. M. Dickson’s “Joseph II’s Reshaping of the Austrian Church” investigated the proportionate changes between the secular and regular clergy, he himself used the tabulated forms preserved in the Finanz- und Hofkammerarchiv in the files of the Oberster Rechnungshof und Vorgängerinstitutionen (ORH).²³⁰ They were the final results of extensive surveys processed on multiple levels of state administration. However, the question how the necessary channels of power and communication, of gathering and processing information were established and operated, is still largely unexplored.²³¹

Dickson put the total number of the regular clergy in the hereditary lands, Hungary and Transylvania to 24.248 in 1780/81. In respect of Hungary, he calculated with 5061. According to his calculation, the total number was 11.290 in 1790, and in Hungary the number of the regulars was reduced to 2411. Márta Velladics included a

²³⁰ AT-OeStA/FHKA ORH Akten 87-92 Klösteraufhebung und Pfarreinrichtung (A.94), 1782-1785).

²³¹ Dickson, “Joseph II’s Reshaping of the Austrian Church.”

broader set of sources. According to Velladics, there were 5700-5800 male and female religious in the territory of the Hungarian Kingdom (including Croatia but excluding Transylvania) living in 315 monasteries. This number was reduced to 3800, after 140 monasteries were dissolved and 176 remained in operation. Both Dickson and Velladics considered that the members of dissolved monasteries joined another religious order or relocated into a spared house of his own religious order. Velladics estimated the number of monks and nuns who had to leave their own monastery as 2300, but this number does not necessarily correspond to the number of people who fully abandoned the regular clergy.²³²

Velladics suggested that the data used by the authorities at the beginning of the 1780s could be already at the disposal of the central offices on the basis of earlier surveys.²³³ P. G. M. Dickson pointed out that the endeavors to tax church revenues motivated surveys and conscriptions in the Habsburg territories. From the time of the reforms of Haugwitz, i.e. from 1748/49, conscriptions were made that included data about the members of the clergy and could serve as a basis for further calculations. Dickson also reminds that the census provided data about clergymen from 1762 and Maria Theresa urged a survey of church properties from 1763, in order to use it as a basis for calculating taxes proportionately.²³⁴ In Austria, a general survey informing about church revenues and personnel was requested from the bishops from the 1770s,

²³² Velladics, “A II. József korabeli szerzetesrendi abolíció statisztikája (1782-1847) [The Statistics of Secularization in the Age Joseph II. and between 1782-1847]”; Dickson, “Joseph II’s Reshaping of the Austrian Church,” 95–100.

²³³ Velladics, “A II. József korabeli szerzetesrendi abolíció statisztikája (1782-1847) [The Statistics of Secularization in the Age Joseph II. and between 1782-1847],” 1259–60.

²³⁴ Dickson, “Joseph II’s Reshaping of the Austrian Church,” 93., 96. Cf. Dickson, *Finance and Government under Maria Theresa, 1740-1780*, 1987, 2. Finance and Credit:266.

but he could not find archival evidence to its realization except an ambassadorial report.²³⁵

The reports preserved in the Archives of the Commission of Pious Foundations (*Acta fundationalia*) of the Hungarian Locotenential Council provide evidence to the existence of surveys from the second half of the 1760s in the Hungarian Kingdom. However, the number of monks and nuns was rarely in the main focus of the surveys, it was a question that usually appeared in the context of economic considerations and the inquiries changed according to the rules of the religious orders themselves, as their regulations regarding common and individual possessions could vary. For this reason, there was no single inquiry, but several ones and the groups of religious orders that received a common questionnaire themselves inform about the endeavors how state authorities categorized religious orders and divided them into larger groups. The information the surveys provided about the individual members appear as “partial results” from the perspective of “historical statistics” but adding them together was probably not a high priority for the contemporaries, for whom carrying out measurements that would reduce the number of the regular clergy was of greater importance. To put it simply, they did not care so much about knowing how many monks and nuns lived in the country as long as they were strongly convinced that the reduction of their numbers is necessary and the policies facilitating this goal could be implemented. For this reason, raising the age limit of taking monastic vows, prohibiting the admission of novices could be put forward even without knowing the exact and total

²³⁵ Dickson, *Finance and Government under Maria Theresia, 1740-1780*, 1987, 1. Society and Government:65 lj. 20. Dickson’s reference seems to be mistaken or imprecise, The National Archives at Kew, London, could not identify the document.

number of monks. This was especially the case because administering each person in detail was also burdening the administrative apparatus and required capacities it not always had.

4.1. Reports requested from Hungarian bishops from the mid-1760s

The Committee of Pious Foundations started to survey the personnel of mendicant monasteries from 1766 and made inquiries about the necessary number of monks in pastoral care. From 1769, only the Commission of Religious Affairs remained in operation, but the records informing about the goods and personnel of monasteries were preserved among the files of the Commission of Pious Foundations including documents until the late 1770s. I managed to identify three files in which surveys about various groups of religious orders could be found. First, inquiries were made about the mendicant monasteries from 1766, second, about the Poor Clares' convents from 1769, third, the property relations of endowed monasteries, i. e. Benedictine, Cistercian, Premonstratensian convents were investigated between 1772-1779.²³⁶ These three files also illustrate how the surveys were tailored to the specificities of the various religious orders (male and female, mendicant or endowed monasteries) in which the personnel appeared to varying extent and detail.

4.1.1. Reports about the mendicants

The most comprehensive survey was made about the mendicant monasteries²³⁷.

The file starts with a report and a letter written by János Gusztinyi, vicar in the diocese

²³⁶ Magyar Nemzeti Levéltár, Országos Levéltár – Magyar Királyi Helytartótanács – Alapítványügyi iratok (C 39) Ladula D, Fasciculus 13. (mendicants), Ladula D, Fasciculus 40. (Poor Clares), Ladula C, Fasciculus 49. (endowed monasteries)

²³⁷ Magyar Nemzeti Levéltár, Országos Levéltár – Magyar Királyi Helytartótanács – Alapítványügyi iratok (C 39) Ladula D, Fasciculus 13.

of Nitra in October 1766. The report was prepared upon the request of the Locotenential Council issued on 18 April 1766 and it had to conscribe the ecclesiastical goods, buildings and desolations of the diocese.²³⁸ According to the letter of the vicar, the requested information was further specified with a range of questions sent to the diocese on 12 August that strongly resonated with the program explicated in the memoranda written by Joseph II and Kaunitz: (1) Which places can be found in the diocese? (2) How many Catholics are in the diocese? (3) Are there teachers/schools at the parishes and how are they financed? (4) How far are the filias from the mother parish? (5) How is the condition of the church? (6) Where are Catholics more, and where less numerous? (7) What kind of pious foundations are there? (8) Is there a catechism given by the bishop and is it in use?²³⁹ While these questions surveyed the general condition of the

²³⁸ Magyar Nemzeti Levéltár, Országos Levéltár – Magyar Királyi Helytartótanács – Alapítványügyi iratok (C 39) Ladula D, Fasciculus 13. – Super Statu et Desolatione non nullum Bonorum et Aedificiorum in hujus Almae Dioecesis Nittrien[is] et Co[mi]t[at]us Trenchiniens[is] gremio repertorum ad Tenorem Gratosi Intimati Regij dje 18a Aprili[bus] 1766 Emanati Circumstantialis eaq[ue] humillima per Deputatos ad id Conscriptores facta Relatio. Qvaliter item Bonorum, et Aedificiorum illoru[m] melioration prospici possit aeq[ue] submississima opinio proponit[ur] sequentibus.

²³⁹ “Virtute Benigna Gratosi Intimati 12a Mensis Augusti expediti praeceperat mihi Regia Seremitas vestra & Ex consilium: qvatenus genuinam, & specificam informationem submitterem. Quae nempe Loca reperiantur in Dioecesi mea? Qvis numerus illic Catholicorum? An dentur Parochi Ludimagistri, et cum qualum subsistentia? Filiales qvam procul a Matre dissitae? Ecclesiae in quo statu? Qvo numero Catholici aucti, diminuti? A qvo pro bono Religionis aliquis fundatum? qvis a qvovis Ep[iscop]o Salubriter ordinatum et an catheceses debite habeantur, et frequententur?” This set of questions also prefigure the main points of the *Pfarrtopographie* prepared between 1782 and 1785. Reports were requested from and sent in by the local authorities, namely by the officials of the counties to the Ecclesiastical Commission of the Locotenential Council. The content of the reports was extracted and summed up in tabulated forms according to the following questions: (1) Name of the parish, its filial churches, pusztas and other inhabited places, titles of the churches and chapels, monasteries; (2) distance of the filial church from the parish church (in hours); (3) number of priests and (4) chaplains; (5) number of families living in the settlement; (6) number of Catholics living in the settlement; (7) number of parishes and chaplaincies to be organized. The results of the survey were preserved at MNL OL C 104. Helytartótanács Levéltár, Számvevőség, Alapítványi Ügyosztály, Acta regulationis parochiarum. Until now, only the data about the diocese of Eger were published in Béla Kovács, *Az egri egyházmegye plébániái és filiái a XVIII. század második felében a Pfarr-Topografie alapján [Parishes and filial churches in the diocese of Eger in the second half of the eighteenth century according to the Pfarr-Topografie]* (Eger: Érseki Gyűjteményi Központ, 2003), https://library.hungaricana.hu/hu/view/HEVM_EgriEgyhMegyTortForr_08/?pg=0&layout=s.

diocese and the preparation of the report was still in progress, the vicar received further instructions to inform the Locotenential Council about the mendicants from the diocese and to give his opinion about the options of reducing the number of mendicant and other kinds of monks and about their possible employment in pastoral care. Gusztinyi did not include his response in the forthcoming general report but answered in his letter immediately. He listed the monasteries of his diocese, first the four Franciscan monasteries. One of them in Nitra belonged to the Marian Province, the other three in Pruské, Beckov and Žilina were part of the Salvatorian province. His estimate of the total number of inhabitants including lay brothers was 34 in Nitra and 36 both in Beckov and Žilina. He could not give the exact number of monks with full certainty, as it could change throughout the year. He emphasized that they teach philosophy in each monastery. In Pruské, there were usually 36-40 inhabitants, and this monastery had a novitiate for Moravia, too. Gusztinyi avoided answering the question how many of them would be needed for pastoral care. In his hazy answer he suggested that it would be difficult to estimate, on the one hand, because the monks' activity could transgress the boundaries of the diocese and he was not informed about the services they provided for the neighboring dioceses, and on the other hand because the demand for their help could be also changeable throughout the year: it could depend on the celebration of feast days or on environmental circumstances, too. He generally praised the Franciscans – and especially the monasteries of Pruské and Žilina – for being helpful in providing pastoral care for the diocese, especially if a parish was responsible for the parishioners of a larger territory in mountainous areas where smaller settlements were difficult to access.

Gusztinyi also listed the contribution of religious orders to education. He especially praised the Piarists of Nitra teaching rethorics, theology and philosophy on a high level. The bishop sent the alumni of his own seminary to the Piarists to study philosophy and appreciated their outreach to the people claiming that they provided spiritual services to thousands of parishes, noblemen and aristocrats of the archdiocese. In respect of the Trinitarians of Ilava, he admitted that they do not contribute to pastoral work, but added that they do not collect alms either, as they can live on donations received from parishes and noblemen.

Gusztinyi's report also gave insight into the economy of the cooperation between the secular and regular clergy. If a parish priest or a secular chaplain needed auxiliary help, he had to compensate the services of the monks with donations. If he failed to do so, they refused to help. A possible way of compensating the services of mendicant monks without offering them donations or remuneration was granting them permission to collect alms in the district of the parish. Especially those monasteries could afford sending out monks to parish services in which students or novices were educated who could maintain the choral services on a satisfying level and the thus emerging "surplus" of priests could be channeled to chaplaincies.

Gusztinyi sent his letter in October 1766. On 30 December in the same year, a royal rescript was sent to the Locotenential Council and it forwarded its request to the counties from which it expected answer to detailed inquiries about mendicant houses, hermits and Nazarenes.²⁴⁰ Landlords were deliberately excluded from the survey

²⁴⁰ The Nazarens or Brothers of Penitence (Congregation de Fratrum de Poenitentia/Ordo Poenitentium a Jesu Nazareno) were a mendicant religious order founded by Juan Alfonso Varela de Losada in Salamanca at the beginning of the 1750s. similarly to the Franciscans, they combined the contemplative

because of the assumption that they admitted mendicant religious orders in their estates under the pretext of private devotion and without asking for the consent of the ruler.

The bishops were ordered to obtain the copies of the founding charters of mendicant monasteries – if they had any – and send them to the Locotenential Council. It was expected that these documents would also provide further information about the founder, the foundation, the number of monks determined in accordance with the foundation, the goal of the foundation and the obligations the monks were expected to fulfill. The bishops also had to inform the council about the number of inhabitants in each monastery – including lay brothers, novices and clerics, too –, if their minimal number was determined in the founding documents and how many monks would be needed in each house in order to satisfy the demands of the diocese.

Hermits were also conscribed: their name, place of origin, the permissions and funds they received in order to maintain their activities also had to be included in the report. It also had to be clarified if they were collecting alms, if they lived according to the rules of any religious order – and if yes, which one – and whether they provided

lifestyle of hermits with active participation in pastoral work. They settled in the Hungarian Kingdom in the diocese of Eger, under the patronage of the bishop Ferenc Barkóczy. They received an abandoned former Carthusian monastery in Segedelemvölgy, near the summer residence of the bishop in Felsőtárkány and they moved in in May 1756. After Barkóczy had become the archbishop of Esztergom in 1761, the new bishop of Eger, Károly Eszterházy was rather hostile to the Nazarens and they followed their patron to the territory of the archdiocese of Esztergom: they moved to Péliföld-Szentkereszt in 1763. As Barkóczy died in 1765 and the Nazarens were not approved by the Pope either, they were abolished in Hungary in 1767. Its members could decide if they want to return into secular status, join another religious order or continue working as priests. They were also allowed to live in solitude, if they wanted, but it was forbidden to recruit new novices. The survey can be also regarded as a preparation of their dissolution. Haiczl Kálmán: “A nazarénus szerzetesek Péliföldön”. *Magyar Sion* 5. (1891) 481-490.; Mónika Lipp, “Az egri irgalmasrendi kolostor, templom és kórház XVIII. századi berendezése” (Eötvös Loránd Tudományegyetem, Bölcsészettudományi Kar, 2012), 137, <http://doktori.btk.elte.hu/art/lippmonikamaria/diss.pdf>. Another settlement of the Nazarens was founded by the general vicar of the diocese of Nitra, near his seat at the Kövesdi mountain. Károly Lányi, *Magyarföld Egyháztörténetei Ausztria-Házi Korszak. 1711-Től 1840-Ig.*, vol. 3 (Pesten: Landerer-Heckenast, 1844), 123, <https://books.google.at/books?id=BwINAAAacAAJ>.

services that made them indispensable. The reports were not preserved, but they must have been submitted in the first half of 1767. Their content was extracted and compiled in a tabulated form under the following headings: (1) Name of the religious order (2) Location of the monastery (3) or residence (4) Number of inhabitants determined in the founding charter (5) Actual number of inhabitants (6) Do they collect alms? (7) Are they all needed? (8) Name of the founder.²⁴¹ At the end of the figures of each diocese, the Nazarenes and hermits were also listed, and their numbers were added to the mendicants. Thus, the total number of the people listed in the report of 1767 was 3781.²⁴² The table was completed and updated on the basis of further reports requested in 1768 and received from the archbishops of Esztergom and Kalocsa and from the bishops of Pécs, Srem and Bosnia. The updates of the five dioceses slightly modified the figures of the tables, but the final result of the survey – 3824 mendicants, Nazarenes

²⁴¹ Nomen ordinis; Habent Conventum in Loco T.; ver Residentiam in Loco T.; Fundatis sunt pro Personis No. T.; Nunc sunt religiosi No. T.; Utrum Mendicent? Utrum sint tot necessarii? Nomen Fundatoris

²⁴² Archdiocese of Esztergom: Minorites: 68, Franciscans: 885, Capuchins: 156, Dominicans: 14, Carmelites: 63, Minims: 10, Trinitarians: 84, Brothers of Mercy (=Brothers Hospitallars of Saint John of God): 61, hermits: 92, Nazarenes: 13; Total: 1446 – Archdiocese of Kalocsa: Franciscans: 107, hermits: 2; Total: 109 – Diocese of Csanád: Minorites: 29, Franciscans: 54; Total: 83 – Győr: Minorites: 16, Franciscans: 211, Capuchins: 50, Dominicans: 35, Carmelites: 28, Servites: 52, Camaldolese: 25, hermits: 36; Total: 453 – Pécsi: Franciscans: 229, Capuchins: 25, Dominicans: 8, Augustinians: 9, hermits: 13; Total: 284 – Bosnia: Franciscans: 15, Total: 15 – Oradea: Minorites: 6, Franciscans: 39, Capuchins: 24; Total: 69 – Eger: Minorites: 193, Franciscans: 351, Capuchins: 22, Servites: 10, Trinitarians: 22, Brothers of Mercy: 22; Total: 620 – Vác: Franciscans: 87, Capuchins: 22, Dominicans: 14, hermits: 10; Total: 123 – Veszprém: Franciscans: 180, Capuchins: 37, Trinitarians: 6, hermits: 21, Nazarenes: 6; Total: 250 – Srem: Franciscans: 60, hermits: 2; Total: 62 – Nitra: Franciscans: 146, Trinitarians: 31, Nazarenes: 4, Total: 181 – Senj: Franciscans: 56, Capuchins: 19, Nazarenes (actually a hermit mistakenly put into the column): 1; Total: 76.

According to religious orders: Minorites: 312, Franciscans: 2420, Capuchins: 355, Dominicans: 71, Carmelites: 91, Augustinians: 9, Minims: 10, Servites: 62, Camaldolese: 25, Trinitarians: 143, Brothers of Mercy: 83, hermits: 176, Nazarenes: 24; Total: 3781

The data of the reports of 1767 were published by István Katona as if they would be the results of a survey conducted in 1770 István Katona, *Historia critica regum Hungariae ex fide domesticorum et exterorum scriptorum. Stirpis Austriacae. Ab anno Christi Ad annum MDCCXL usque MDCCLXXX.*, köt. XX, ordine XXXIX (Buda: Typis et Svmptibus Regiae Vniversitatis Pesta, 1809), 783–85, <https://books.google.cz/books?id=3sgpAAAAYAAJ>; MNL OL (C 39) – Lad D, Fasc. 13. Tabella Ex Conscriptionibus Conventum, et Residentiarum omnium Ordinum Mendicantium elaborata.

and hermits in total – was not very different from that of 1767.²⁴³ The number of hermits and Nazarenes added together was 200 and apparently remained unchanged in the second survey. Excluding them, the Locotenential Council was informed about 3581 mendicant monks in 1767 and 3623 in 1769.

The number of Franciscans was especially high, 2420 in 1767 and 2454 in 1769 out of which 885/882 belonged to the archdiocese of Esztergom. This high number can be partly explained by the fact that certain monasteries were exempt from the authority of the diocese to which they territorially belonged, and they were subordinated directly to the primate.

The reports with which the tabulated form of 1767 was updated informed about the conditions and demands of individual dioceses, but the problem of common terms, categories and commensurable data can be also detected in the form: some of the reports

²⁴³ Archdiocese of Esztergom: Minorites: 70, Franciscans: 882, Capuchins: 154, Dominicans: 15, Carmelites: 65, Minims: 10, Trinitarians: 85, Brothers of Mercy: 62, hermits: 92, Nazarenes: 13; Total: 1448 – Archdiocese of Kalocsa: Franciscans: 113, hermits: 2; Total: 115 – Diocese of Csanád: Minorites: 29, Franciscans: 54; Total: 83 – Győr: Minorites: 16, Franciscans: 211, Capuchins: 50, Dominicans: 35, Carmelites: 28, Servites: 52, Camaldolese: 25, hermits: 36; Total: 453 – Pécs: Franciscans: 240, Capuchins: 25, Dominicans: 9, Augustinians: 11, hermits: 13; Total: 298 – Bosnia: Franciscans: 19; Total: 19 – Oradea: Minorites: 6, Franciscans: 39, Capuchins: 24; Total: 69 – Eger: Minorites: 193, Franciscans: 351, Capuchins: 22, Servites: 10, Trinitarians: 22, Brothers of Mercy: 22; Total: 620 – Vác: Franciscans: 87, Capuchins: 22, Dominicans: 14, hermits: 10; Total: 123 – Veszprém: Franciscans: 180, Capuchins: 37, Trinitarians: 6, hermits: 21, Nazarenes: 6; Total: 250 – Srem: Franciscans: 76, hermits: 2; Total: 78 – Nitra: Franciscans: 146, Trinitarians: 31, Nazarenes: 4, Total: 181 – Senj: Franciscans: 56, Capuchins: 19, Nazarenes: 1; Total: 76.

According to religious orders: Minorites: 314, Franciscans: 2454, Capuchins: 353, Dominicans: 73, Carmelites: 93, Augustinians: 11, Minims: 10, Servites: 62, Camaldolese: 25, Trinitarians: 144, Brothers of Mercy: 84, hermits: 177, Nazarenes: 23; Total: 3823

MNL OL (C 39) – Lad D, Fasc. 13. *Tabella Ex Conscriptionibus Anni 1767. Conventuum & Residentiarum omnium ordinum Mendicantium elaborata, et evoad Archi-Dioeceses Strigoniensem, Colocensem, Dioeceses Qvin[ue]-Ecclesiensem, Syrmiensem, Bosnensem auditis etiam Anno 1769 Religiosorum Superioribus correctis.* Copies of the tabulated forms created from the reports of 1767 and 1769 were also preserved in the Manuscript Collection of the Hungarian National Archives (Országos Széchényi Könyvtár, Kézirattár) entitled: *Tabella Conventuum et Residentiarum omnium Ordinum Mendicantium ex Conscriptionibus Anni 1767 elaborata*. Fol. Lat. 4017. and *Tabella Conventuum ordinum mendicantium Hungariae 1769*. (with pencil: Cod. Sec. XVIII. A. 1781) Fol. Lat. 2045. fol. 29–32. owe thanks to Dániel Siptár for calling my attention to the two copies and for unselfishly sharing not only the references, but also his notes and observations with me.

quantified and expressed in numbers how many people would be necessary from the inhabitants of a given monastery. At some places, the merging of residences and smaller, nearby monasteries was suggested, but without mentioning concrete numbers, but it also happened that the demand for the activity of the monastery was declared and even an increase of the number of monks was suggested.

From November 1770, the focus of the inquiries shifted towards the incomes and alms collection districts of the mendicants. A questionnaire was created with which the authorities intended to reveal all the otherwise only speculatively calculated (and often condemned) costs of sustaining mendicant monasteries. Based on the previously established pattern, the name of the religious order, the location of the monastery or residence (specified with the county), the number of inhabitants (monks, lays, novices and clerics separately) had to be listed. The subsequent inquiry explored the resources ensuring the sustenance of the monasteries: besides the annual incomes they could receive from various sources, such as immovable goods, pious or any other foundations, donations of the landlord or any other kind of capital or property, the details of alms collections had to be listed, too: places where the monks were permitted to collect alms, (specified with the name of the diocese and the county), their distance from the monastery measured in hours necessary to get there on foot), and all the goods they received as alms including grain, animals or any kind of food exactly quantified.²⁴⁴ The reports about alms collection districts of mendicants were sent to the Locotenential

²⁴⁴ Habet annui proventus ex fundis immobilibus; ex summis capitalibus; ex piis legatis; ex DD. terrestrium Deputatis; ex aliis Titulis. Assignata sunt pro mendicationis in comitatu; in dioecesi; distans a conventu Horis; in hoc mendicatur.

Council annually by some of the dioceses until 1779, including Kalocsa, Nitra, Bosnia, Vác and Veszprém.

Regulating the districts of alms collection was an issue that made all parties interested in providing information and the state offices got a clearer picture of how much the sustenance of mendicant monasteries cost, even if it was not a comprehensive survey and its results should not be generalized. The monetary value of the incomes received by the monks in kind was calculated according to standardized prices for the whole country, which enabled commensurability and calculations with uniform units. It is still a question to what extent these pieces of information corresponded to a socioeconomic reality that was much less monetized.

The collection of alms was also a way for the monasteries to keep contact with the local society and economy. The activity of the monks could carry symbolic and spiritual values exchangeable for real goods in the form of alms and donations. While the elusiveness of these transactions made any estimations on the mendicants' "profit" largely speculative, calculations on regular salaries and pensions were also not free from fictional elements.

4.1.2. Reports about the Poor Clares

Maria Theresa ordered the investigation of three Poor Clares' convents on 9 December 1769 including Bratislava, Trnava and Buda.²⁴⁵ She commissioned Franciscus Berchtold, councilor of the Locotenential Council (*Ungarische Statthaltere*) and

²⁴⁵ MNL OL (C 39) Lad. D Fasc. 40. The Poor Clares had two more convents in the Hungarian Kingdom, namely in Pest and Zagreb. I could not find any trace of including them into the investigation.

bishop of Novi to report about the convents of Bratislava and Buda, while Johannes Galgóczy, the provost (*praepositus maior*) of the Chapter of Esztergom and bishop of Trogir was put in charge of Trnava.²⁴⁶

Maria Theresa's instructions were structured into 10 paragraphs among which the fifth point required not only the exact number and name of the nuns, but also the year of entry into the monastery and the exact amount of the "dowry" they brought with themselves. In addition, the commissioners also had to examine whether the dowries were preserved and used as a capital for investments or they had been used up in some way; whether each member of the community was well-supplied with food, clothing or other necessities.

Both of them sent out questionnaires to the convents in Hungarian following the instructions of Maria Theresa. They inquired into different aspects of the operation of each house apparently wishing to get to know every little detail related to their economic management. The nuns submitted their answers to the commissioners in Hungarian in a written form from which Berchtold and Galgóczy both compiled their report in Latin, added their own opinion and submitted it to the Locotenential Council in 1770.²⁴⁷

²⁴⁶ The Chapter of Esztergom operated in Trnava at this time that could make the investigation easier. Jakab Rupp, *Magyarország helyrajzi története, fő tekintettel az egyházi intézetekre, vagyis nevezetesen városok, helységek, s azokban létezett egyházi intézetek, püspökmegyék szerint rendezve*. [Historical Topography of the Church Institutions of Hungary], köt. 1. (Pest: Kiadta a Magyar Tudományos Akadémia Történelmi Bizottsága, 1870), 96. It is notable that both commissioners were only titular bishops at the time of the investigation, but both of them received a newly organized diocese in 1776: Berchtold became the bishop of Banská Bystrica, while Galgóczy was appointed to the bishopric of Rožňava, but he died before he could have occupied his seat. Joachim Bahlcke, *Ungarischer Episkopat und österreichische Monarchie: von einer Partnerschaft zur Konfrontation (1686-1790)*, *Forschungen zur Geschichte und Kultur des östlichen Mitteleuropa*, Bd. 23 (Stuttgart: Steiner, 2005), 81., 114–15.

²⁴⁷ Galgóczy's report is dated from 20 June 1770. It was preserved in two copies: one of them was part of the files archived by the Commission of Pious Foundations at the Locotenential Council, the other one was archived among the documents of Franciscan province and it can be found nowadays in the Slovakian State Archives in Bratislava. Štátny archív v Bratislave – Archív Mariánskej provincie františkánov – Ladula 30. Extra ordinem No. 4. (28. box). Abbreviated as: ŠAB MPF.

The questionnaires of the two commissioners slightly differed from each other: Berchtold's questionnaire consisted of 24, Galgóczy's of 15 paragraphs, each containing very specific questions about the individual topics.²⁴⁸ Thus, the commissioners not only translated but also expanded and further elaborated on Maria Theresa's instructions, they not merely carried out the investigation, but actively shaped the procedure.

Berchtold requested a list of their names and their status in order to learn how many choir and lay sisters were in the convent. He also wanted to know who gave the convent how much dowry or other possessions and whether the dowry was preserved or spent. As much as the records of the convent made it possible, a catalogue had to be compiled in which all the dowries ever received from new candidates were listed, and the abbess had to give account of the ways in which the convent used these sums. He also inquired whether there were fixed sums the new choir or lay sisters had to pay when they joined the convent. Did they have to bring anything with themselves, such as any equipment for their cells, beddings, clothes, etc.? How much would they usually cost and what kind of customs or traditions prescribed such donations from the novices?

He expected detailed account on the meals, clothes and other necessary things the convent had to provide for its members: he requested a detailed description of the meals consumed at lunch or dinner, on ordinary, feast and fasting days, and the exact

Berchtold's undated report about the Poor Clares of Buda was also added to the file of the Commission of Pious Foundations, while his other report about the convent of Bratislava could not be found. Fortunately, the nowadays researcher can still be informed about the latter one thanks to the report submitted by the Poor Clares of Bratislava in Hungarian. MNL OL (C 39) Lad. D Fasc. 40.

²⁴⁸ Berchtold's questionnaire: MNL (C 39) Lad. D, Fasc. 40. Galgóczy's questionnaire was not preserved, but its content can be deduced from the correspondence between the abbess of the convent in Trnava and the provincial of the Franciscans that included drafts of the report prepared by the abbess and sent to the provincial asking for his advice. ŠAB MPF Lad. 30. Extra ordinem No. 4. (28. box).

quantity of the wine portions. He wanted to know if everybody received equal portions and whether proper medical care was provided if somebody fell ill. By the latter one was meant the expert opinion of a doctor and, following his prescription, the necessary diet, medicaments and nursing in the infirmary. Similarly, a detailed list was requested about the clothing the nuns received including the type and material of the clothes, the regularity of their renewal. If there were any kind of differences among the members of the community in this respect, that had to be recorded, too. If there were nuns who received regular donations or any kind of income from their relatives, their names and the annual sum had to be listed. After considering all the expenses related to the individual nuns, the abbess was expected to estimate how much their sustenance per capita costed in a year. If there was some kind of deficiency in the convent in this respect, she was also expected to suggest how the problems could be remedied.²⁴⁹ The

²⁴⁹ “Hány szerzetes személyek, kik nevezet szerint, Chorusbéliek, a vagy Laikak vannak mostanában ezen Conventben? Mellyik esztendőben ki ki minémű Dossal, avagy Conventhez hozot értékkel vétetett bé? Meg vagyone minnyajoknak egészen az Ő Dossa, avagy micsoda szükségre fordéttatott? Visgáltassanak megh azutan Conventnek Protocollumi, avagy feljegyző Könvei, és ezekből egy Lajstrom tsináltassék, mellyben fel légyen szorgalmatossan jegyezve, régtől fogva mind mostanaig, melly Chorusbeli, avagy Laika Apacza által micsoda summa pénz, mellyik esztendőben hozatott az Conventben? meg vagyone mostanában is ez a pénz, hol, á vagy talán el vészett, el költetett? Hova, s mi különös, vagy Közönséges Szükségre fordéttatott? [...] Midőn valamely szűz bé vétetik Chorusra, Dos gyanánt micsoda summa pénzt kíván az illyentül a Convent? Mennyit ha Lajkák Közé befogattatik? Továbba: az Doson kívül Kelé az illyen Személyeknek magokkal á Coventben bevinni valamely más készületett, ugy mint tzéllában szükséges dolgokat, ruhát, agybeli és más eféle eszközöket? Közönségessen mennyi telnek ezek? Mi okra nézve, micsoda rendelésbül, avagy régi szokásbül kívántatnak az illyen adományok a Convent által azoktól, á kik Szerzetben bé menni kívánnak. [...] Eledeleiben, ruházatban, és más szükséges dolgokban nincsené valami fogytkozás közönségessen, ávagy különössön az Apáczák közt? Irattassék itten le száma és minéműsége az étkeknek, mellyek Délbe, és Estve napról napra, az hétben, Sátoros Ünnepeken, böjti napokon adatni szoktanak: Téessék fel az is, menyit egyszerre és minémű bor adatik, kinek kinek? vagyone az ételben, és italban valami különbözés, avagy fogytkozás az apáczák közt. [...] Beteges Apáczáknak micsoda gondviselések vagyon? Adatnaké azoknak az Doctor javaslasából különbözö étkek, vagyone különös szobajok? Vannaké mindenkor rendelve akik az illyeneknek szolgáljanak, s reájok vigyázzanak? [...] Az Convent micsodás ruhát szokot adni esztendőnként különösen minden Apáczának? Számláltassanak iten elől minden ruházatok, és azoknak minéműsége, mellyeket esztendő által adni szokot á Convent, vagyone ebben valami különbség, á vagy fogytkozás az Apáczák közt. [...] Vannaké valamely Apáczák, akik az Atyoktól, vagy Atyafiaiktól esztendőnként bizonyos adományokat nyernek, s vesznek fel? nevezet szerint kik azok?

reports submitted by the convents of Buda and Bratislava were prepared according to the amount of details in their questionnaires. The draft report of the abbess of Trnava seemingly followed very similar guidelines, however, they were probably not expected to give account of the “pocket money” the nuns could receive from their relatives and the lack of providing an estimation of the sustenance costs per capita also suggests that this question was not raised by Galgóczy.

Rosalia Perényi, the abbess of the convent in Trnava, was afraid that the investigation would result in the closing down of her convent²⁵⁰ and she tried to avoid raising the appetite of the authorities for the goods of the monastery. For this reason, she consulted with the provincial in detail how to respond to the questions and asked him to correct and complete the draft of her report. Their letters reveal how carefully the abbess considered and planned her written and personal communication with the commissioner.

The convent of Trnava received Galgóczy’s questionnaire on 4 January 1770 and a response was expected by 5 February. Then the commissioner visited the convent on 12 and 16 February and the abbess also gave account of this event to the provincial. Galgóczy visited the convent with his secretary, a young priest of the general seminary,

Kiktől és mennyit nyernek minden esztendőben? [...] Egy Apácának tartása, ruházása, és közönséges szükségére való dolgoknak megszerzése menyibe kerekedik esztendőnként, s vélekedis képpen menyire lehet ezeket bötsulleni? ha ezekben közönsegesen, vagy különössön valami fogyasztás vagy on az Conventben miképpen lehetne eztet orvosolni?” MNL (C 39) Lad. D, Fasc. 40.

²⁵⁰ “Gyanosagom van hogy már talan oda is van az joszagunk mivel mind vilagiak mind az papok közt ollan beszéd van hogy már nincsen joszagunk és így talán az conscriptio is után az Comisáriás mingyárt kezét reáteszi az Joszáginkra” ŠAB MPF Lad. 30. Extra ordinem No. 4. (28. box)

David Zsolnai²⁵¹ and the general vicar of the archdiocese of Esztergom, Gabriel Szerdahelyi²⁵², who was present as the representative of the archbishop.²⁵³

According to Rosalia Perényi's account, Galgóczy, upon entering the cloister (*clausura*) announced that he would enter not by the right of a commissioner ordered by the ruler, as such an act was forbidden by papal bulls, but he entered as a deputy of the archbishop of Esztergom whose right to do so was granted by the Popes and the Council of Trent and who was represented in the visiting committee by his general vicar, named Szerdahelli. Galgóczy insisted on including this in the protocols, as he wanted to avoid creating a precedent that would allow secular people to violate these rules.²⁵⁴

After inspecting the whole convent dutifully, the committee arrived at the meeting room of the abbess, Rosalia Perényi, where she fell on her knees in front of the bishop and begged him to be their advocate and convince the queen to keep their

²⁵¹ István Diós and János Viczián, eds., "Zsolnai," in *Magyar Katolikus Lexikon* (Budapest: Szent István Társulat, 2010 1993), <http://lexikon.katolikus.hu/Z/Zsolnai.html>.

²⁵² Szerdahelyi became the secretary of the office of the general vicar of Esztergom. He was appointed general vicar of the bishop of Vác in 1780 and he also became the titular bishop of nikopolis in the same year. He succeeded Franciscus Brechtold in the bishopric of Banská Bystrica in 1801. István Diós és János Viczián, ed., "Szerdahelyi", in *Magyar Katolikus Lexikon* (Budapest: Szent István Társulat, 1993-2010), <http://lexikon.katolikus.hu/S/Szerdahelyi.html>.

²⁵³ "Tízet fél óra taiban elgyütt közölli Commissarius urunk mig ketővel ugy mint maga secretariusus Gyenerálisták semináriumjából valo kispap Solnyai névő az Theologyának preffectussa az másik pedik volt az Generális vicárius secretáriusa, a Szerdahelli, Ugy mind a vicárius hellett maga képében küldötte, bezek édes Bátyám megiettem midőn azt az három papot megh láttam, sok fülle szorongato Gondolatim bizony voltak." ŠAB MPF Lad. 30. Extra ordinem No. 4. (28. box)

²⁵⁴ "minek előte bélépet volna az Clausurában, benünket fogadván, elkezdí ezen szokot mondani; Minek előtte én az Klastromban vagyis szerzetesházban bélépiek tehát ielentem, hogy énékem fölséges Aszonyunktul parancsolatom van ugyan, de én világi hatalommal bé nem megyek, mert nem szabad mivel aztot szentcséges pápáktul ki adatot bulák tilttyák, hanem én bemegyek, amint az Tridenttomi Consilium és pápáktultul az Ersekkeknek adatot hatalommal, ugy mint most az Ersek helltartoia az Gyeneralis vicárius hatalmával és szabadcságával harmad magamal bemegyek ki is maga képében secretáriusát küldi, ezeket bé írják a protocollumban, hogy üdők iártával is valaki azon bátorságot né próbállya hogy világi hatalommal az Clausuraban bényeri." ŠAB MPF Lad. 30. Extra ordinem No. 4. (28. box)

convent. Galgóczy promised her to report about the investigation in a favorable manner.²⁵⁵

The list of the dowries received at the admission of novices did not show such a significant income as it was probably expected from the investigation. While the detailed questions implied that the admissions provided an excellent opportunity for the convents to acquire immobile and mobile goods, what the reports revealed were not financial abuses, but rather a lack of competence in handling incomes in a financially profitable way. The similarity of the responses suggests that the nuns tried to avoid sharing the details of their economic activity with the investigators and they claimed that their incomes were mostly spent on paying their debts and covering the expenses of building or renovating their church and convent. Their answers about dowries emphasized that they often accepted candidates without requesting any payment. The lay sisters were not expected to have a dowry at all and potential choir sisters with useful skills could have better chances to get accepted without a dowry. As admitting the poverty of the family or any other reason could be indiscrete, musical skills were recorded probably not always as a real reason for admission, but also as a justification that could prevent any further inquiries. Playing the organ or any other instrument could be an advantage, while the convent of Buda admitted candidates also because of their ability to contribute to the medical provision of the community. Some of the nuns were

²⁵⁵ “az Abbatissák szobáiban, ot egy pár képet presentaltam az püspöknek és le térdepeltem és úgy uira kértem hogy már most nyilván láttya ami csekél jövedelmünket és hogy mink azon jövedelemből valo tartásal meg elégszünk tehát Légyen szoszolonk, hogy eő felsége kegyességéből továbbis mind jószáginknak és kápitálisainknak szabad birtokában megh maradhasunk, nagyon ígérte, hogy mindenek kíván nekünk szolgálni megh nyitottam az Belső Kasaiat talált bene 120 f akkor megh teczet raita hogy megh szánt benünket.” ŠAB MPF Lad. 30. Extra ordinem No. 4. (28. box)

listed as “learned surgeons”. They were legally not allowed to use their skills as secular practitioners, but their knowledge could spare expenses and visits of male practitioners for the convent.²⁵⁶ Thus, in the convents of Bratislava and Trnava, approximately one fifth, in Buda almost half of the choir sisters (47%) joined the convent without paying anything.

The convent of Bratislava received 27900 forints in the form of dowries from 28 out of 35 choir sisters between 1712 and 1766. The sum of the individual dowries varied between 300 and 1500 forints. There was only one exceptional case when a candidate joined the convent with a significantly higher sum: Sr. Julianna Perger’s dowry 6000 forints in 1725.²⁵⁷

The Poor Clares of Buda had an income of 26000 forints from dowries between 1720 and 1767 that was paid by 20 out its 38 choir sisters. The dowries were between 400 and 1500 forints, except the one brought by Sr. Rósa Szároz in 1747 that was by the highest sum among the Hungarian Poor Clares: 9000 forints. Above the sum of the dowry, the parents also gave 1000 forints extra to the convent. This was the only sum used as a capital loaned to general Hadik with an interest rate of 6%. The annually received 60 forints were handed over to Soror Rosa as a “pocket money” from which

²⁵⁶ Katalin Pataki, “Medical Provision in the Convents of Poor Clares in Late-eighteenth-century Hungary”, *Cornova* 6, sz. 2 (2016): 33–58.

²⁵⁷ The total number of inhabitants in Bratislava was 47 including 35 choir sisters, 11 lay sisters and 1 novice. The expected dowry of the novice, namely 400 forints was not added to the total sum of the already expected dories, but it was listed separately. MNL (C 39) Lad. D, Fasc. 40. – Szűz Szent Klára Anyánk Szerzetbéli Pozsonyi Conventben élő Szűzeknek Laistroma, az Parancsolat szerint föllétetett.

she could cover some smaller personal expenses. According to the agreement with the parents, the capital of 1000 was inherited by the convent after the death of the nun.²⁵⁸

The dowries given to the convent in Trnava by 29 out of its 36 choir sisters between 1738-1768 amounted to 39680 forints. This higher sum resulted from a slightly bigger number of higher dowries (between 2000-3500 forints), and from an exceptionally high sum, 6000f from Sr. Francisca Szentkereszty in 1747. The average dowry was also a bit higher than in the other two convents, usually about 1500 forints.²⁵⁹

The abbesses of Bratislava and Trnava were both hesitant to estimate how much the sustenance of a nun cost annually and emphasized the uncertainty of several factors in their calculations: changes of the prices, the mixture of goods (e.g. food ingredients) produced by themselves or bought for a market price, the salaries of their employees and generally unknown “production prices” of the goods they enjoyed as yields of their estates, whether the expenses of building the convent and its church should be

²⁵⁸ The convent of Buda had 50 inhabitants including 38 choir sisters and 12 lay sisters. MNL (C 39) Lad. D, Fasc. 40. – A tizenegyedik kérdésre való feleletünk szerint ez a laistroma Ezen conventbeli Professa szűzeknek, á mellyből ki latszik melly esztendőben ki ki jött a klastromunkba és menyi pénzt hozott be Doss gyanánt. About Soror Rosa’s pocket money: “Egyedül a Sr Rosa Szároz vészen esztendőként szüleinek rendeléséből ezer forintoktul Interest, ezt költi az ő magányos szükségéire, de noha ezen beneficiuma vagyok, mindazon által az ő közönséges szükségiben valamint akar melly más Apácza a Conventül mindenben provideáltatik. Halála pedig után ugyan az ő szüleinek rendeléséből azon ezer forintok a Conventre Szallani fognak” [...] “egyedül mind ezen Dossbéli pénzből fönt marad egy Ezer forint a Soror Rosa Száraz Szűznek Dossából, mely az Attyának depositiojából Interessre kiadatott. Hat pro centum, és mostan vagyon méltóságos Generalis Hadiknál. Kitt eszténőnként áttul járandó hatvan forintokat leteszem és azokat ugyan azon említett Szűz Rosa Szároz a maga különös [...] szükségére költeni szokta.” MNL (C 39) Lad. D Fasc. 40. – Fölséges Apostoli királyné Asszonyunk kegyes parancsolattýából [...] Mi Szűz Szent Klára rendén lévő, budai [...] Klastrombéli Apáczák imigen felelünk.

²⁵⁹ The personnel of the convent of Trnava consisted of 36 choir sisters, 12 lay sisters and 1 novice, i. e. 49 persons in total.

considered as the costs of accommodating the individual persons, etc. Finally, both abbesses suggested that 400 forints per year might be a reasonable estimation.²⁶⁰

The maximal number of inhabitants was determined by Maria Theresa for the three convents in 1773: Buda was supposed to have only 40, Trnava and Bratislava 30 members.²⁶¹ Nevertheless, Judith Berényi, the abbess in Trnava reported about 34 choir sisters in 1781, claiming that they still did not manage to comply with the requested reduction, even if they had no novices since 1773. She bitterly added that the actual number would be sufficient, indeed, if all members of the community were young and healthy nuns. But, as the actual situation was quite the opposite, this higher number was simultaneously too high in comparison with what was prescribed and still, too low to perform all duties and to fulfill all offices in the convent properly.²⁶²

4.1.3. Reports about the endowed monasteries

A survey about the monastic and canonic orders was carried out in 1778, approximately with one-decade delay compared to the investigation of the mendicant orders and the convents of Poor Clares.²⁶³ This survey was also the vaguest in its scope and the least successful in respect of receiving detailed and informative answers. As the abbeys and provostries (*Propstei*) of the Benedictine, Cistercian and Premonstratensian Orders were re-established in the country mostly as filial institutions of monasteries located

²⁶⁰ MNL (C 39) Lad. D Fasc. 40. – Fölséges Apostoli királyné Asszonyunk kegyes parancsolattýából [...] Mi Szűz Szent Klára rendén lévő, budai [...] Klastrombéli Apácák imigen felelünk; Szűz Szent Klára Anyánk Szerzetbéli Pozsonyi Conventben élő Szűzeknek Laistroma, az Parancsolat szerint fölltétett...

²⁶¹ MNL OL (C 39) Lad. D Fasc. 40.

²⁶² Štátny archív v Bratislave, Bratislava, Archives of the Marian Province of the Franciscan Order (abbreviated as ŠAB MPF) Lad. 30. Extra ordinem No. 4. (28. doboz)

²⁶³ MNL OL (C 39) Lad. C, Fasc. 49.

outside the territory of the Hungarian Kingdom, the Hungarian houses investigated were still struggling to set up a novitiate and fill their residences with professed monks with whom they could have achieved the status of a formal convent.²⁶⁴ On 22 June 1778, the Locotenential Council forwarded the request of the ruler to be informed whether the abbeys and provostries were fulfilling the tasks assigned to them by their founders. A questionnaire of eight paragraphs was addressed to the abbeys of Szentgotthárd, Borsmonostor, Zirc, Pilisi-Pásztó and Telki and to the Premonstratensian provostries of Garáb, Túrje, Csorna and Horpács. The same questions were sent to the houses in Louka, Lelesz and Jászó on 1 July 1779.²⁶⁵

The fifth paragraph of the questionnaire inquired about issues related to the personnel: are the monks bound to one place? How many monks live in the monastery? Are they all ordained as priests? To which nation (*natio*) do they belong? What kind of obligations do they have? Do they fulfill them? Is there some kind of ordinance or

²⁶⁴ Regarding the number and presence of Benedictine, Cistercian and Premonstratensian monks in the Hungarian Kingdom: Dániel Siptár: Adatok a magyarországi római katolikus férfi szerzetesség létszámának meghatározásához az 1770-es évek elejéről. In *Egyházi társadalom a 18. században*, Pécs, 2019 (forthcoming)

²⁶⁵ MNL OL (C 39) Lad. C, Fasc. 49. The provostries of Horpács and Garáb were only titular positions, the monasteries were not reestablished. The file contains documents about the Benedictine abbey of Telki that was handed over to the *Schottenstift* in Vienna, about Cistercian abbeys including Szentgotthárd, a filial abbey of Heiligenkreuz and Zirc subordinated to the Silesian Henrikównak (Heinrichau) and about the Premonstratensian provostries of Csorna, Lelesz and Túrje. Among the latter ones, Leles belonged to Louka (Klosterbruck), Csorna and Túrje to Hradisko (Hradisch). For a detailed summary about the return of monastic orders to the Hungarian Kingdom after the Ottoman wars see: forgó, *egyház, rendiség, politikai kultúra. Papok és szerzetesek a 18. század országgyűlésein*, 37–53.

²⁶⁵ Ibid., 48. Dániel Siptár, “Adatok a magyarországi római katolikus férfi szerzetesség létszámának meghatározásához az 1770-es évek elejétől [Data to Determine the Number of Roman Catholic Monks in Hungary from the Early 1770s],” in *Katolikus egyházi társadalom Magyarországon a 18. században*, ed. András Forgó and Zoltán Gözsy, Pécsi Egyháztörténeti Műhely 11 (Pécs: META Egyesület, 2019), 309–24.

founding charter in which the requirements are recorded? If yes, what kind of services does it prescribe for the monks?²⁶⁶

Detailed responses were received only from the Premonstratensian provostries of Csorna and Túrje. The first one was only a residence and its provost, Ágoston Kamenitzky had four priests from the Hungarian Kingdom (*hungarus*), while there were only two monks in Túrje.²⁶⁷

The files of the Benedictine, Cistercian and Premonstratensian monasteries dissolved during the reign of Joseph II confirm the low numbers of monks and there is no trace of further inquiries about the personnel of these religious orders.

4.2. Real and Imaginary Prisons

If monasteries and convents are considered not as homogenous spaces that were closed away from the gaze of secular observers, but as a complex set of places to which various levels of restrictions were applied, the prisons of monasteries can be considered probably justly as the most far away end of the spectrum in multiple ways: they were suitable for putting the enclosedness of the inhabitants of the monasteries to the extremes and to constitute the most secret part of the monastery. At the same time, they were also concerning because of the potential lack of boundaries partly in terms of

²⁶⁶ “Num jam stabilitum isthic monasterium habeatur? qvotve hic Numero Religiosi? et num hic omnes Presbyteri, cujusve Nationis alantur? Qvae horum est obligatis? Et obligationum harum Effectuaris? numque ex integro, vel saltem aliqua, in qva parte ha Bgnis Collationalibus Literis comprehensa obligationes adimpletu sint? atq adimpleantur?” MNL OL (C 39) Lad. C, Fasc. 49.

²⁶⁷ Kristóf Tenkovics, whose hometown was Túrje and a monk called Wilhelm, who belonged to the Moravian monastery of Hradisko. A short summary about Tenkovics and about the recruitment of novices is provided Imre Kovács, “A türjei Premonteri Prépostság története”, *Zalai Gyűjtemény* 32 (Zalaegerszeg, 1991), 137., 142., 144. According to this work, the Locotenential council expected to receive further information about Garáb from the provost of Túrje.

controlling cruelty and torture, partly because secrecy gave free space for imaginations and accusations regarding their inhuman conditions.

Ulrich Lehner devoted a small monograph to monastic prisons in which he considered their existence and cruel conditions as fact about which information could and can be accessed in a very fragmentary and uncertain way mainly because of the cautiousness and secrecy of the church. In his interpretation, the prisons of monasteries appear as the dark side of the Catholic Enlightenment.²⁶⁸ Instead of trying to find out if what and how far the superiors of the religious orders tried to conceal from the eyes of outsiders, I focus on the examination of prisons inside the monasteries as an epistemological, judicial and economic concern from the perspective of secular authorities. What I explore in this section through the example of the monastery prisons is the role of knowledge production as an economic alternative of taking over old or creating new infrastructures. At the same time, further economic and political motives belong to the context of the debates, too: what was at stake, in my opinion, was the right to enter and investigate a monastery. Any case could serve as a precedent and justification for further visitations that could also aim at exploring the actual economic situation of monasteries. Furthermore, the case of the monastery prisons also offers the opportunity to consider uncertainty not merely as a gap in the knowledge of secular authorities they wished to fill at any cost. Uncertainty could also serve as a double-edged political weapon: as long as the abuses attributed to the monasteries were not investigated and clarified by reporters considered as reliable enough, their negative image could be strengthened without the restrictions of factual evidence.

²⁶⁸ Lehner, *Monastic Prisons and Torture Chambers*.

Maria Theresa issued her resolution on 9 March 1769 in her “Italian states” in which she ordered the dissolution of monastic prisons.²⁶⁹ Its preamble emphasized that the prisons of ecclesiastical authorities were set up illegally and punishing subjects with imprisonment had been the exclusive right and duty of secular authorities. It also claimed that the establishment of prisons in ecclesiastical institutions as a tool of disciplining was actually alien to the church, their existence was a sign of corruptions that needed to be remedied by the ruler as the protector of the church.

The ordinance acknowledged the existence of the prisons of the courts of Italian bishops and archbishops but ordered their regular visitations first of all by secular commissioners to whom ecclesiastical ones could join, too, and who had to report their observations. The prisons of the monasteries had to be abolished and those members of the monastic communities whom the superiors wanted to punish with imprisonment had to be sent into the episcopal prisons.²⁷⁰ A note signed by Kaunitz was sent to the

²⁶⁹ “L’Imperatrice Vedova Regina. Serenissimo Ducadi Milano etc. La Ragione e l’esperienza avendoci portata già da qualche tempo a riflettere alle mostruose Incongruenze, che Sequono d’all’usoprivato delle carceri abusivamente introdotesi presso le comunità regolari, come pure agl’ inconvenienti che possono succedere in quello delle carceri proprie alle curie vescovili di codesto nostro Stato, qualor retassero esenti dalla naturale e necessaria ispezione dalla Suprema podestà politica, ci hanno fatto conoscere, la necessità e l’obbligo che ci corre molto Sovrana di provvedere, anche in questa parte alla regolare ed uniforme amministrazione della Giustizia, ed all’ indenità dell’ autorità civile.

Certamente se la Chiesa, mentre che continuata nella sua primatà, purità, l’antico Sistema della disciplinae polizia estrema ecclesiastica, non ha mai ambita, ma anzi aborrita questa specie di giurisdizione criminale anche Sopra i chierici accusati; o rei di qualche publico Delito, nella pure piu contrario all’ Indole del Sacro Ministero, che la podestà coercitiva del corpo massime esercitata con publico apparato: e molto piu deve reputarsi lontano da tale pratica lo Spirito della professione monacale: alterato anche in quest’ articolo come in tanti altri dalla corrutela de tempi.” A copy of the Italian ordinance issued for Modena was preserved at Österreichisches Staatsarchiv – Allgemeines Verwaltungsarchiv – Unterricht und Kultus – Alter Kultus – Katholischer Kultus – Akten 619 – Signatur 62: Generalien. The ordinance issued for Milan with an identical text and forwarded to the Viennese Archdiocesan Consistorium was published by Theodor Wiedemann, „Die Klosterkerker in der Erzdiözese Wien”, Österreichische Vierteljahresschrift für katholische Theologie 10 (1871): 414–15.

²⁷⁰ “1) che d’ora in avanti debbusi due volte all’ anno, cioè è ne mesi di gennajo, e di L’uglio presentare al governo d’alle curie Arcivescovile e vescovili di tuto lo Stato una nota specifica de carcerati co titoli de rispettivi deliti. 2) Che presentata l’ accenata nota specifica il Governo ne luoghi rispettivi faccia Sequire nelle Sudette Epoche la visita della carceri delle curie ecclesiastique voll Mezo d’un regio

Bohemian and Austrian Court Chancellery on 8 June 1769 as a reflection on former discussions on the matter that took place on 20 and 27 May at the State Council. This document mentioned two scandalous cases that served both as motives and justification for the ruler's interference. The first one was the case of a secular priest who became insane in consequence of the bad conditions of his detention and died soon after his hospitalization in Milan. In the second case, the "disappearance" of a Capuchin monk was investigated by secular authorities and he was finally found in an underground prison with one of his fellows.²⁷¹

17 June, the central offices of the hereditary lands (*Landesstellen*) were instructed to give their opinion on the question if the ordinance issued in Lombardy –

ministro, da delegarsi, e al quale potrà essere aggiunto un altro per parte delle medesimo curie, ad effetto di vedere e riconoscere Sub luogho, che vi Sia de detenuti, e che fatane dal detto regio ministro la relazione al governatore Sieno da questo communicate le risultanze alla Giunta economale per Sua notizia. 3) che all' eccezione di dette Carceri delle curie vescovili in cui non potranno detenersi se non persone Suddite alla Giurisdizione ecclesiastica non debbano esserne tollerate altre prigione e che per conseguenza vengano demolite quelli esistenti presso le Comunità regolari di qualunque ordine e istituto Sieno tanto nella città, che nelle campagna, compressavi anche la certosa di pavia. 4) che Sieno da qui in anzi obbligate le Comunità regolari Suddite di far trasferire e custodire i loro delinquenti nelle carceri, nelle rispettive Curie Arcivescovile e vescovili. Si compiacerà per tanto il serenissimo Amministratore, in vista di questa positive Sovrane nostre Risoluzioni di disporre la seria loro esecuzione, ed invigilare coll' acostumato suo zelo alla loro successiva indefettibile osservanza. E preghiamo Dio." Theodor Wiedemann, "Die Klosterkerker in der Erzdiözese Wien," *Österreichische Vierteljahresschrift für katholische Theologie* 10 (1871): 414–15.

²⁷¹ "An zugleich der einem beliebten Anfrage, was die vorbemerkte Verordnung wegen der Gefängniße veranlaßet haben möge, genug zu thun, wird in freundschaft erinnert, daß zween Zufällen in Meiland Ihro Majt. dazu bewogen haben: da nämlich ein Priester, nachdem er lange Zeit in dem Erzbischöflichen Kerker gefangen gesessen, und darüber den Gebrauch der Vernunft verloren, ganz verwildet, fast nakend und halb todt in das dortige große Krankenspital gebracht worden, und gleich darauf gestorben ist; zweytens hat man bey Gelegenheit, daß einem auf einmal verschwundenen Kapuciner aus Befehl des Gouvernements in seinem Kloster nachgeforschet worden, denselben samt mit einem andere Gefangenen, und einem unsinnig gewordenen Klosterbrüder beysammen in einem unterirdischen Gefängniß gefundenen worden, ohne daß von diesen, und andere dergleichen Verhaftungen in den Klöster die geringste Anzeige von Seite der geistl. Vorsteher an die Landesherrliche Gehörde mals geschehen ist. Wien den 8ten Junii 1769. Kaunitz Rietberg" Österreichisches Staatsarchiv – Allgemeines Verwaltungsarchiv – Unterricht und Kultus – Alter Kultus – Katholischer Kultus – Akten 619 – Signatur 62: Generalien. Similar scandalous cases could be found in Vienna around the time of issuing the reworked ordinance in the hereditary lands. Ludwig Raber claimed that the attention of the Empress was directed to the monastic prisons in consequence of a case at the Augustinians in Vienna. However, he refers to Wiedemann's study that does not evidence this statement directly.

the Italian text was attached – could be implemented in the hereditary lands and how it should be done.²⁷²

Only the responses sent back from Silesia, Moravia and Bohemia were preserved in the files of the so-called (old) *Katholischer Kultus* in the Austrian State Archives.²⁷³

The Silesian and Moravian reports started with the reiteration of the Italian text of the ordinance in German, according to which the courts of the diocesan and archdiocesan consistories were obliged to inform the *gubernium* if they held clergymen in their prisons and if yes, specify their names and the crimes committed. These prisons had to be controlled with regular visitations and they could be used for the incarceration of only those persons who were directly submitted to ecclesiastical jurisdiction. The prisons of monasteries had to be dissolved and their detainees had to be transferred into the aforementioned (archi)episcopal prisons.

As these instructions addressed secular governmental authorities, the Silesian *Landesstelle* in Opava/Troppau suggested that the provincial government in Nysa (*Neyssische Landeselteste*) on the Prussian side should also be involved, as the authorities on the Habsburg side could act out some control only over the southern domains of the former prince bishopric of Nysa that used to belong to the bishop of

²⁷² Österreichisches Staatsarchiv – Allgemeines Verwaltungsarchiv – Unterricht und Kultus – Alter Kultus – Katholischer Kultus – Akten 619 – Signatur 62: Generalien.; Theodor Wiedemann, „Die Klosterkerker in der Erzdiözese Wien“, Österreichische Vierteljahresschrift für katholische Theologie 10 (1871): 413–42. Raber, *Die Österreichischen Franziskaner Im Josefinismus*, 42.; Wiedemann, „Die Klosterkerker in der Erzdiözese Wien.“

²⁷³ This archival unit contains the documents of educational and church affairs handled by the Bohemian and Austrian Chancelleries before 1849. <https://www.archivinformationssystem.at/detail.aspx?id=1610> (accessed 19.09.2019)

Breslau/Wroclaw until the first Silesian War.²⁷⁴ While the bishop's authority still connected the separated territories to some extent, his princely power was limited and taken over by the secular authorities on both sides of the border. The Silesian report called attention to the castle of Supíkovice/Saubsdorf, a former domain of the Duchy of Nysa on the Habsburg side²⁷⁵, where the former prince bishop owners had built prison cells of various kinds that could be assigned to prisoners according to the severity of their crimes. The same cells served for the detention of insane men, too, whose supervision was the responsibility of an ecclesiastical superior. Nevertheless, as the bishops stopped acting out secular power in the territory, the prisoners were set free and the mentally ill were transferred elsewhere. Thus, even if there were suitable prisons, there was no ecclesiastical authority that would have kept them in operation. Simultaneously, the report also suggested that the prince bishop of Olomouc should be contacted by the government of Moravia. All in all, in this circumstantial manner, the government of Silesia admitted that there was no prison in their territory they could report about or utilize in the same manner as the Italian ordinance suggested.

The response of the Bohemian Government (*Gubernium*) was submitted on 6 September 1769. It summed up the reports of the bishops of Litoměřice²⁷⁶, Hradec

²⁷⁴ Bernhard W. Scholz, *Das geistliche Fürstentum Neisse: eine ländliche Elite unter der Herrschaft des Bischofs (1300-1650)*, Forschungen und Quellen zur Kirchen- und Kulturgeschichte Ostdeutschlands, Band 42 (Köln: Böhlau Verlag, 2011).

²⁷⁵ A.F. Büsching, *Große Erdbeschreibung: Die Vereinigten Niederlande, Schlesien und Glatz*, v. 12 (Traßler, 1786), 680, <https://books.google.at/books?id=ce1CAAAAcAAJ>.

²⁷⁶ The bishop of Litoměřice was Emmanuel Ernst von Waldstein; "Waldstein, Emanuel Ernst Graf," in *Biographisches Lexikon des Kaisertums Österreich* (Wien: Kaiserlich-königliche Hof- und Staatsdruckerei, 1885), <http://www.literature.at/viewer.alo?objid=12539&page=41&scale=3.33&viewmode=fullscreen>.

Králové²⁷⁷ and the archbishop of Prague.²⁷⁸ It also contained a short note from the consistory of Regensburg, as the district of Cheb/Eger belonged to this bishopric. As this district constituted a relatively small part of the diocese, it considered the number of monks whose detention might be the responsibility of the diocese as not too significant. Nevertheless, the costs of transporting problematic monks to Regensburg could be very high and the diocese proposed to establish a prison in Cheb, if the new regulations would make it necessary.

When it came to calculations about the number of the potential detainees coming from the monasteries, the general lack of episcopal prisons appeared in the bishoprics of the Bohemian territories as an even more serious obstacle that immediately raised the question who should bear the costs of their establishment and operation. Emmanuel Ernst von Waldstein, the bishop of Litoměřice, reported that there are no – and never ever have been – prisons in his diocese. Even if he would be ready to introduce the Italian regulations, the work should start with building prisons of different kinds (*carceres [...] civiles, et criminales pro qualitate*). As there were no financial means to do so, he suggested that the ruler should agree on with the Holy See to cover the building costs and the sustenance of the future prisoners from the *cassa salis*.²⁷⁹

²⁷⁷ The bishop of Hradec Králové was Hermann Hannibal von Blümegen, the younger brother of Heinrich Kajetan von Blümegen, who became the first chancellor of Austria in 1771; E. Gatz, *Die Bischöfe des Heiligen Römischen Reiches 1648 bis 1803: Ein Biographisches Lexikon*, (Duncker & Humblot GmbH, 1990), 34–35, <https://books.google.hu/books?id=WFbaAAAAMAAJ>.

²⁷⁸ The archbishop of Prague was Anton Peter Přichovský. “Przichowský von Przichowitz, Anton Peter,” in *Biographisches Lexikon des Kaisertums Österreich* (Wien: Kaiserlich-königliche Hof- und Staatsdruckerei, 1872), <http://www.literature.at/viewer.alo?objid=12539&page=41&scale=3.33&viewmode=fullscreen>.

²⁷⁹ Salzkasse, reference to a fund from which ecclesiastical institutions were supported in Bohemia. Raimund Paleczek, “Kirchliche Strukturen und Organisation in den Böhmisches Ländern“, in *Die Landespatrone der Böhmisches Länder*, (Paderborn-München-Wien-Zürich, Ferdinand Schöningh, 2008) 33–44.

Hermann Hannibal von Blümegen, the bishop of Hradec Králové also did not protest against the introduction of the Italian ordinance in legal terms – if it could be issued in Lombardy, no legal arguments would prevent it in Bohemia either – but he also called attention to the lacking infrastructure and financial means. He predicted that most of the prisoners would come from the mendicant orders that had no regular income, consequently, payment for the costs of incarceration could not be expected from them either. At the same time, he also added that the expenses should be covered by the religious orders and not by the diocese.²⁸⁰

The Moravian Government submitted its response on 20 October 1769 in which not only the reports of the five districts (*Kreis*)²⁸¹ were summed up, but also the opinion of the prince bishop of Olomouc was included. He noted that there were approximately 80 monasteries in his diocese and the 7-8 prison cells that had been at his disposal for disciplining the members of the secular clergy were unlikely to suffice for the detainees of the religious orders, too.²⁸² The bishop, Maximilian von Hamilton,²⁸³ gave account of the various tools of disciplining he applied in his castle in Mírov (Mürau): first milder methods were tried, such as fasting for a maximum of three days and, if that would not

²⁸⁰ “Er möchte anbey ein Anstand sich ereignen wegen Unterhaltung deren propter delictum einzukerkern kommenden praecipue ex ordine mendicantium massen, da solche von blosen unversicherten täglichen Almosen leben, diese zu dem quanto /: welches doch sub titulo auß ihnen incarcerandum jährlich servata proportione von sammentlichen in einer Dioeces sich befündlichen Regularibus, um vielen Unordnungen und Verdrüßlichen Außgleichungen zu entgehen, müste erleget werden :/ nichts beytragen künften.“ Österreichisches Staatsarchiv – Allgemeines Verwaltungsarchiv – Unterricht und Kultus – Alter Kultus – Katholischer Kultus – Akten 619 – Signatur 62: Generalien.

²⁸¹ Olomouc, Brno, Přerov, Znojmo, Jihlava

²⁸² “Zu denen verdienet noch einen bedenklichen gedacht, wie viele man gefängnisse haben müste die Ordensgeistlichen die Ordens-Geistlichen unterzubringen, denen, da in unserer Dioecesdie Anzahl derer Clöster sich über achtzig Erstrecket, so wäre unser nur für die Ein Verbrechen begehende Welt-Priester bestimte in sieben bis acht zim[m]ern bestehende Kerker bey weithen unhinlänglich, die zahl derer etwa aus so vielen Klöstern zusammen kommenden Arrestanten unterzubringen.” Österreichisches Staatsarchiv – Allgemeines Verwaltungsarchiv – Unterricht und Kultus – Alter Kultus – Katholischer Kultus – Akten 619 – Signatur 62: Generalien.

²⁸³ Gatz, *Die Bischöfe des Heiligen Römischen Reiches 1648 bis 1803: Ein Biographisches Lexikon*, 169.

be enough, a few more days of detention in an ordinary room. If these still did not bring the results expected from the detainee, the next step was to prevent the priest from returning to a lifestyle that would be scandalous and blameworthy. This was a concern serious enough to justify arrestment and custody. It still did not mean being locked in a cell or kept in chains – the arrested clergyman was still allowed to move freely inside the castle and only his freedom of leaving it was restricted.

Hamilton also warned that the dissolution of the prisons of religious orders can result in that the superiors will either avoid punishing those who violate rules, or the punishment will take place in secrecy and with means that might be worse than incarceration. This would be even more likely, if the religious orders would be expected to bear to the building costs of new prisons proportionately to the number of their members and to cover the transportation and sustenance of their detainees.

For this reason, he suggested that the prisons of the monasteries should be preserved, but their operation should be subordinated to the bishops' supervision. Hamilton's argumentation reveals that he advocated for extending episcopal power over not any form of disciplining that involved detention, but a concrete part of the monastery, a specific place with specific features – the prison – that represented harder and usually long-term punishment.

Hamilton suggested that the superiors of the monasteries could have the means of “paternal disciplining”, i. e. locking the disobedient person in a room or ordering spiritual exercises for a maximal duration of three days. If this would be not efficient enough or the sin committed required more serious punishment, the superior should be obliged to inform the bishop. During the procedure, the problematic person could be

kept locked in a room, but, disregarding detention, the same provision (e.g. food) should be ensured for him or her as for any other member of the community. He also gave a deadline for presenting the case to the consistory (8-10 days), so that the duration of the arrestment could not be prolonged by the delays of the procedure and the report of the superior also had to contain a plea of the arrested person. If the procedure resulted in sentencing the disobedient monk to incarceration, the circumstances of imprisonment still had to be checked and approved by the consistory, so that the punishment would not become disproportionately hard or significantly worse than the intention of the decision makers. Regular visitations carried out by episcopal commissioner could ensure that the prisons and the treatment of the prisoners will correspond to the standards set up in the long run, too, and the conditions of detention remain appropriate.²⁸⁴

²⁸⁴ “Es gehet also unsere Unvorschreibliche gutmeinung dahin, samb zwar in denen Clöstern die gefängnisse belassen werde mägen, doch so, daß dieselbe nicht von dem Orden, sondern lediglich von dem Bischoffen obhangen – mithin zu abstellung aller Mißbrauchen dem Ordens-Obern einen Religiosen mit den Eignetlichen Kercker zu belegen nicht Erlaubet – sondern in minderen Vergehungen Er nur befugt seyn solle denselben, wie ein Vatter den Ungehorsamen Sohn, mit Versperrung in seinem Wohn-Zimmer, und Verrichtung geistlicher Exercitien längstens durch drey Tage zu bestraffen, da aber diese Straffe nicht Verfangete – oder die übertretung von solcher Strichtigkeit wäre, daß diese Richterlich abgebilliget und mittelst ordentlicher durch mehrere Wochen, Monathe, Jahre oder wohl gar lebens-längliche fürthauende Gefängnuß bestrafet zu werden verdiente, in diesem Fall solte der Obere das beschehene Verbrechen dem Bischofen unverweilt anzuzeigen, sodann das mit dem Verbrecher, welcher in zwischen in seinem Zimmer aufzubewahren und der Versperrung ausgenommen, gleich einem anderen Ordens-Bruder noch zu halten wäre, Veranlaste Consistorium samt der von demselben als Inquisiten Eigenhändig abgefasten – zu seiner etwannigen Vertheydigung Einzubringen haben mägenden Vorstellung längstens binnen acht oder zehen Tagen mittelst gutachtlicher Berichts-Erstattung Einzusenden – folgsam darüber, wann die Inquisition behörig Eingeleithet – oder bey befindenden mängele mittelst Veranlassender neüeren untersuchung durch bestellende Commissarien zum Versprechen behörig Instruiert seyn wurde, die Erkenntnuß und Ausspruch des Bischofl. Ordinarii abzuwarten, und darnach für zugehen Verbunden seyn, deme es dann weithers um zu sehen, wie mit dem arrestanten Verfahren und ob derselbe nicht über den Ausspruch hart gehalten werde, frey bleiben – und obliegen müßte entweder selbst, oder mittelst abgeordneten Commissarien so oft und wenn Er es nöthig erachtet, die Clösterliche Gefängnuß, mit vernehmung des darin befindlichen Religiosen, wie mit Ihnen umgegangen werde, zu visitiren, als die dessen alleiniger Disposition, und Ober-Aufsicht vollkommen unterworfen bleiben müste, um allen Exorbitantien, und unschicksamen fürgang vorzubeüegen, denen durch die angesonennt gänzliche Abschaff- und Abolierung deren Closter

The questions what actually counts as a prison and particularly as an episcopal or monastic prison appeared in the report of the archbishop of Prague, too, and his answers aimed at differentiating and defining them as precisely as possible. First of all, Anton Peter Přichovský's argumentation discussed the category of a "private prison" claiming that only those prisons can be considered as such, that were owned by somebody who had no judicial authority and such prisons had been abolished by the Roman emperor, Justinianus. Consequently, as the *forum ecclesiasticum* is a juridical authority, the episcopal prisons cannot be considered as private ones. Furthermore, they are not underground, horrible, terrifying places, but chambers (*Behältnisse*), where the disobedient person can contemplate over the sin committed in undisturbed solitude. The duration of imprisonment in the episcopal prisons does not depend on the arbitrariness of one single person, but it is a common decision of the members of the consistory that examines every aspect of the case meticulously. Incarceration for a lifetime had not happened in a century in the diocese and the actual imprisonment does not last longer than four weeks, that is too short to have any horrible consequences. Abuses in the prisons of the monasteries could be prevented, if the duration of imprisonment would be maximized in two or four weeks and the decision should be approved by the community, too. While the power of the superiors would be restricted this way, the right of the ordinaries to decide about long-term imprisonment and to visit monastic prisons should be expanded. Přichovský also expressed his concerns about the abolition of monastic prisons as it would be more likely to lead to the application of alternative

gefängnissen steuern angetragen wird." Österreichisches Staatsarchiv – Allgemeines Verwaltungsarchiv – Unterricht und Kultus – Alter Kultus – Katholischer Kultus – Akten 619 – Signatur 62: Generalien.

punishments worse than detention or result in the covering up of disciplinary problems.²⁸⁵

However, the main precondition of implementing such reforms was, according to Hamilton, the abolition of all privileges of the religious orders by the Pope that ensured exemption from episcopal jurisdiction. Furthermore, he proposed annual visitations carried out by the bishops or their delegates in the monasteries during which unreported disciplinary issues could be revealed and result in the (episcopal) punishment of the superiors.

Even if the opinion of the consistory of Vienna was not preserved in the files, its content is known thanks to Wiedemann's study. It reflected on the aforementioned points in a similar vein: it pointed out the lack of episcopal prisons and called attention to the high cost of building and sustaining new ones. After explicating the concerns about secretly applied punishments in the monasteries and the potential scandals the

²⁸⁵ "diese carceres kein unterirdische, finstere, mit Schrecken und Graußen angefüllte Öerther, sondern nur Behaltüsse, da strafbacher geistliche mittelst der Einsamkeit Gelegenheit hätten, ihren Vergehungen ungestört nachzudenken, und thätige Vorsätze zur Besserung zu fassen, auch die dauer dieser Gefängnuß-Strafen nicht von einer einzigen Persohn, sondern von denen Geistlichen Consistoriis abhangete, welche alles gewissenhaft untersuchten, und den angeklagten Geistlichen alle mittel zu Vertheidigen frey stünden, so wäre hierbey kein übereylung, oder privat-absichten um desto weniger zu besorgen, als in hiesigen Bäuðeren ein geistlicher kaum in etlichen hundert Jahren sich so weit vergingen, daß er auf Lebenslang eingesperret zu werden verdiente, sofort diese Strafe sich nicht über 4. Wochen erstreckte, als andurch zu monstrosen folgen kein anlaß gegeben würde. [...] denen exorbitanzen bey denen klösterlichen gefängniß-Strafen könnte füglich andurch vorgebogen werden, wann die Macht, und Gewalt deren Vorstehere in Betref dieser Strafe einigermassen eingeschräncket würde, und zwar auf einen 14 tägigen, höchstens 4 wochentlichen arrest, welches jedoch auch nicht anders, als mit Einverständnuß des ganzen Convents, so die menschen Liebe von augen zu haben hätte, zu gestatten wären. In verbrechen hingegen, welche einen längere, oder gar Lebenslanglichen arrest verdieneten, wäre zuvor der ausspruch, und Erkenntnuß des Ordinarii einzuholen. Wo zugleich die klösterliche gefängnussen mittelst deren von dem Ordinario zu ernennenden Commissarien zu visitiren, und die findende Unanständigkeit zu verbessere seyn sollten; massen, wann man denen klöster die carceres gänzlich benehmen wollte, selbe die verbrechen ihrer untergebenen Geistliche zu vertuschen oder selbe mit noch härteren Strafen belegen würden, und andurch der betrübteste verfall der regularen ordens disciplin erfolgen müste." Österreichisches Staatsarchiv – Allgemeines Verwaltungsarchiv – Unterricht und Kultus – Alter Kultus – Katholischer Kultus – Akten 619 – Signatur 62: Generalien.

transfer of detainees can cause, it also proposed the sparing of the “prisons” of the monasteries and a closer episcopal control over their conditions.²⁸⁶

As the opinions submitted by the dioceses illustrate, even the discussions over jurisdictional competences were paired with economic calculations in which the potential number of detainees and the costs of their sustenance were considered. At the same time, the responses also revolved around the standardization of the conditions of the prisons and revealed the lack of commonly accepted definitions and notions of a prison. After the expenses of creating a new infrastructure were considered, gathering information about the prisons of the monasteries and controlling them through visitations appeared also as a more economical alternative.

Finally, the ordinance was issued on 31 August 1771.²⁸⁷ The Empress ordered the governments of the hereditary lands (*Landstellen*) to inform the leaders of religious orders about her decision and send out secular commissioners in order to ensure the obedience of the monasteries. However, detention still remained a tool of disciplining in monasteries: it was still allowed to keep so-called “correction cells” (*Korrektionszellen*), in which a monk or nun could be locked for a while, but these

²⁸⁶ “[Wir halten dafür], daß es unseren Sitten, unserer Verfassung, und Beschaffenheit angemessen sein würde, wenn den sammentlichen Geistlichen Orden in Namen der Bischöfe die Kerker oder Gefängnisse jedoch dergestalten beygelassen würden, daß vorläufig alle ihre Kerker besichtige, die zustrengen eingerissen, und an deren Platz gemässige hergestellt; in diese kein Geistlicher ohne vorläufig von dem Consistorium gemachter Untersuchung und hierüber geschöpfter Erkenntnis des angegebenen Verbrechens gezogen, auch diese von Zeit zu Zeit jährlich unversehens in Augenschein genommen, und, ob die Verbrecher die benöthigte Verpflegung geniessen, und nicht wider die Vorschrift gehalten werden, untersucht, der widrige Befund an dem Obern geahndet, demselben keine körperliche Züchtigung ausser auf 3 oder 4 Tage gestattet, dahingegen gemessen auferlegt werde, alle Verbrechen, die eine mehrere körperliche Bestrafung nach sich zögen, unfehlbar dem Consistorium zu Vorkehrung des Benöthigten anzuzeigen.” Wiedemann, “Die Klosterkerker in der Erzdiözese Wien,” 418.

²⁸⁷ Raber, *Die österreichischen Franziskaner im Josefinismus*, 42; Huber Albrecht, ed., *Sammlung der k. k. Landesfürstlichen Gesetze und Verordnungen in Publico-Ecclesiasticis vom Jahre 1767 Bis Ende 1782*, vol. 1 (Wien: bey Johann Thomas Edlen von Trattnern kaiserl. königl. Hofbuchdruckern und Buchhändlern, 1782), 39–41, <http://alex.onb.ac.at/cgi-content/alex?apm=0&aid=vpe&datum=1767>.

rooms had to be light and not different from any other cell of the monastery. Similarly, fasting for repentance was allowed, but - in order to prevent food-related abuses (such as food deprivation), the person in custody could not be condemned to fasting for a long, uninterrupted period (*alternativis diebus*) and it was the responsibility of the leader of the monastery not to harm the health of the detainee.

The place of correction and detention was not allowed to be similar to the secular prisons under the monopoly of the ruler (*Landesfürstliche Kerker*), and it had to be accessible both for secular and ecclesiastical authorities. If a monk or nun committed an offense that would be seriously punished by the secular authorities, too, she/he had to be reported to the ordinary of the diocese. The ordinaries had to be informed about the abolition of monastic prisons and they were expected to keep an eye on the monasteries, carry out visitations regularly and be attentive to the conditions of detention, too. However, at the dissolution of the prisons, they had to act not as ordinaries, but as the commissioners of the secular authorities (*landesfürstliche Kommissarien*).

The same ordinance was issued for the Hungarian Kingdom on 7 September 1772.²⁸⁸ The Archbishop of Kalocsa received a letter from the Hungarian Locotenential Council on 17 September 1772 according to which the conditions of monastic prisons had to be investigated and inquiries had to be made about the reasons and modes of incarceration.²⁸⁹ Although the literature often speaks about the abolition of monastic

²⁸⁸ MNL OL (C 39) Lad D Fasc. 91.

²⁸⁹ “Porò siquidem serie clemeter velit sairatna Sua Mattas an apud utriusque sexus religiosos in claustris et Monasteriis Carcerum squallores dentria? quales eorum usus sit? an item actu aliquis in iisdem duxinentus? et qualiter ibidem habentia?” Esztergomi Főszékesegyházi Könyvtár, Batthyány-gyűjtemény, Categoria IV, Tit. I. Regulares in Genere, a/5-6. *Disciplina Regularium ante Josephum II* dum.; Bacho’s report of 1783 refers to the decree issued on 14 June 1773, No 2845.

prisons, the records shed light on the limits of such a claim. Even if two members of the Viennese consistory were commissioned to visit the monasteries of Vienna on 27 November 1771 and they submitted their detailed report on the Viennese monastery dungeons to the Lower Austrian government on 6 April 1772,²⁹⁰ this action seems to have been an exemplary but at the same time unique example. A court decree issued on 12 September 1772 stated explicitly that investigations could not be carried out in the monasteries, but an ordinance issued on 29 August 1772 obliged the religious orders to report if they had prisons or imprisoned people in their monasteries and warned the superiors that withholding such an information can be sanctioned with removing them from their positions.²⁹¹

On 7 September 1772 a similar request was sent to the provincials, abbots and bishops in the Hungarian Kingdom and their written answers were summarized in a report at the Locotenential Council. Even if the existence of a prison was admitted in a few cases, no imprisoned person was reported. No secular authorities entered the cloisters to look for prisons and visitations were carried out by “outsiders”, i.e. by bishops only in some of the nunneries.²⁹²

While the prison visitations could have provided justification and a precedent for secular and/or diocesan authorities to enter and control monasteries, these

²⁹⁰ Wiedemann, “Die Klosterkerker in der Erzdiözese Wien,” 424–27.

²⁹¹ “Es kommt dormalen keineswegs auf eine Lokaluntersuchung an, ob Klosterkerker annoch vorhanden seyn, oder nicht; sondern die [unterm am] 29 [August 1772] ergangene allerhöchste Verordnung bringt lediglich mit, daß von sämtlichen Klöstern die verlässliche Anzeige: ob irgend Kerker oder eingekerkerte Personen vorfindig, oder aber derley Kerker schon abgestellt sind, angefordert, und zugleich die Bedrohung beigesetzt werde: wienach, wenn allenfalls hernach derley geheime Kerker entdeckt werden sollten, die betreffende geistliche Obere mit der Entsetzung ihres Vorsteheramtes bestraft werden würden.“ P.C. Jaksch, *Gesetzlexikon im Geistlichen, Religions- und Toleranzsache, Wie auch in Güter-, Stiftungs-, Studien- und Zensursachen für das Königreich Böhmen von 1601 bis Ende 1800.*, vol. 3. von J-K (Prag, 1828), 497–98, <https://books.google.cz/books?id=w7lWAAAACAAJ>.

²⁹² MNL OL (C 39) Lad D Fasc. 91

boundaries were not or only very cautiously transgressed in the 1770s. The right and duty of the bishops to supervise female convents had been an established practice and only during the reign of Joseph II and after the dissolution of the contemplative orders became the monasteries “transparent” to secular authorities.

5. BETWEEN DISSOLUTIONS AND REORGANIZATION (1782-1786)

5.1. Ecclesiastical Committees and the Administration of Ecclesiastical Resources from 1780

While the preparation of various ecclesiastical policies can be traced in the documents submitted by the Representations and Chambers from 1750 and the preparation of the laws of amortization demonstrate well how the discussions could be centrally directed and processed, the governmental units explicitly dedicated to ecclesiastical affairs in the hereditary lands and their genealogic connection with their successors in the 1780s is still largely unexplored. Fortunately, Walter Latzke's study about the Lower Austrian Council of Monasteries (*Klosterrat*) still makes the history of a predecessor secular office accessible and it can serve both as a point of comparison with other territories and as a case that well demonstrates the central and exemplary role of Lower Austrian bureaucratic organs.

The *Klosterrat* in Lower Austria was established by Maximilian II on 5 January 1568. The Council was initially independent from the government of Lower Austria as it was directly subordinated to the Imperial Chancellery (*Reichshofkanzley*). Its scope covered mainly the economic affairs of endowments, monasteries and parishes including the inheritance affairs of ecclesiastical persons, financial accounts of prelates or the supervision of the estates of non-Lower Austrian monasteries located in the territory of the duchy. Its authority was gradually extended over disciplinary affairs, too, and it also laid claim on asserting the rights of patronage, just like the right of presentation at the parishes of ducal estates. In 1629, partly in consequence of its numerous conflicts with the consistory of the archbishopric of Passau, Ferdinand II

abolished the *Klosterrat* and its former tasks were overtaken by the Lower Austrian government. Lower Austria commissioned its own officials from 1640 to manage the affairs of monasteries as intermediary councilors (*Mittelsräte*), and the term *Klosterrat* remained in use. The activity of the “commissioned councilors” (*verordnete Räte*) was further formalized in the instructions sent to the Lower Austrian government in 1764, and then in a rescript of 13 May 1781.

In the Lower Austrian context, the *Klosterrat* is considered as the direct bureaucratic-administrative predecessor of the Lower Austrian Ecclesiastical Commission that was created in 1782 as the subordinated filial organ of the Ecclesiastical Court Commission (*Geistliche Hofkommission*) and from which the Ecclesiastical Department (*geistliche Departement*) of the Lower Austrian government was developed.²⁹³ According to my knowledge, no comprehensive study exists that would enumerate all the commissions and offices pre-existing in the legal and governmental traditions of each land that were merged into the filial commissions of the *Geistliche Hofkommission*. Unfortunately, it exceeds the limits of this thesis, too, to construct such a comprehensive view that would, in my opinion, very well demonstrate the “disordered state” of church affairs from an imperial point of view, and would also make it perceptible why a filial commission in the capital of each land with the same scope and operating according to standardized governmental patterns was a desired advancement. I will restrict my investigation to the Hungarian Kingdom in this respect. But before I do so, I briefly give account of a more ephemeral precedent of uniformly

²⁹³ Latzke, “Die Klosterarchive,” 380–81.

created commissions that were dedicated to only one specific, but rather important set of monastic policies, namely to the dissolution of the contemplative religious orders.

5.1.1. The dissolution committees: the first set of uniform bureaucratic units

Joseph II's first and most well-known dissolution decree (*Klosteraufhebungsdekret*) was issued on 12 January 1782. It was sent from the Court Chancellery (*Hofkanzley*) in Vienna to the provincial governments of Austria (*Landesregierungen - Landesstellen* and *Gubernien*)²⁹⁴ and it announced the suppression of the hermitages, the friaries of the Carthusian and Camaldolese monks, and the nunneries of the Carmelites, Poor Clares, Capuchins and Franciscans. The decree was sent to the guberniums in Prague (Bohemia), Brno (Moravia), Graz (Styria, Carinthia, Carniola commonly referred to as Inner Austria), Gorizia (Gorizia province), Innsbruck (Tyrol), and to the *Landesstellen* in Freiburg (Further Austria), Linz (Upper Austria) and Vienna

²⁹⁴ Harm Klueting published only an excerpt of the decree. Klueting, *Der Josephinismus : Ausgewählte Quellen Zur Geschichte Der Theresianisch-Josephinischen Reformen.*, 280–282. The full text of the *Aufhebungsdekret* was published in Gerhard Winner, *Die Klosteraufhebungen in Niederösterreich und Wien* (Wien-München: Verlag Herold, 1967), 82–87. Winner refers to his archival source as NÖLA [=Niederösterreichisches Landesarchiv, Abteilung Archiv für Niederösterreich] Klosterrat Karton 210 Fasz. 14/1; Nowadays this reference directs to a copy of the decree, since the original document is stored in a safe with a shelf mark (Signatur) P-18. I owe thanks to Mag. Günter Marian, the archivist of the State Archives of Lower Austria in Sankt Pölten, who informed me about the exact citation of the document and sent me a scanned copy of it. Márta Velladics also provides a transcription of the German variant of the decree in the appendix of her unpublished dissertation. Velladics, “A II. József korabeli szerzetesrendi abolíció művészettörténeti vonatkozásai. Doktori disszertáció. [The Dissolution of Monasteries During the Reign of Joseph II from an Art Historical Perspective. PhD Dissertation],” 244–247. She refers to a copy of the document preserved in Vienna, Hofkammerarchiv, Camerale Ungarn: Fasc. 3. Subd. 3. ff. 39–43. The two texts published by Winner and Velladics are identical. A very detailed summary of the decree can be found in Wolf, *Die Aufhebung Der Klöster in Innerösterreich: 1782–1790 ; Ein Beitrag Zur Geschichte Kaiser Joseph's II*, 27–31. Wolf quotes the decree sent to Graz not literally and his interpretation modifies the meaning of the text. The text of the dissolution decree was also published by Cölestin Wolfgruber, “Geschichte der Camaldulenser-Eremie auf dem Kahlenberge,” *Blätter des Vereines für Landeskunde von Niederösterreich* 24 (1890): 387–92. See also: Latzke, “Die Klosterarchive,” 335, 390.

(Lower Austria).²⁹⁵ Religious orders were abolished from 1782 also in Galicia and the communication and implementation of the ordinances followed the same pattern as in other territories of the Habsburg Monarchy.

The Court Chamber (*Hofkammer*) sent out another decree to the provincial governments on the very next day, i. e. on the 13th of January and completed the first one with detailed instructions regulating the process of dissolutions.²⁹⁶ It ordered the creation of committees in each provincial government that had to meet once or twice a week. In Inner Austria it was chaired by the head of the provincial government (*Landeschef*), and its further members were a referee of the chamber (*Kammeralreferent*) and a secular and an ecclesiastical deputy.²⁹⁷ In Lower Austria, the commission consisted of the *Landeschef* and two deputies of the prelacy (*Prälatenstand*).²⁹⁸ Prelates could be members of the commission in Bohemia, too, if they were members of any provincial committee (*Landesausschuß*).²⁹⁹ The management of the confiscated monastic estates was taken over by the directorate of cameral and Jesuit goods (*Direction der Cameral- und Jesuitengüter*) in Lower and in

²⁹⁵ Wolf, *Die Aufhebung der Klöster in Innerösterreich: 1782-1790 ; Ein Beitrag Zur Geschichte Kaiser Joseph's II*, 32.

²⁹⁶ Walther Latzke, "Die Klosterarchive," ed. Ludwig Bittner, *Gesamtinventar des Wiener Haus-, Hof- und Staatsarchivs*, Inventare österreichischer staatlicher Archive, 3 (1938): 390. Latzke cites the document as follows: Staatsarchiv, Niederösterreich, Kameraladministration, Protocolum Monasterieum 1782, fol. 3v. A short summary is given by Winner, *Die Klosteraufhebungen in Niederösterreich und Wien*, 87–88. The source document used by Winner can be found in the Niederösterreichisches Landesarchiv, Abteilung Archiv für Niederösterreich, Klosterrat 210 Fasz. 14/4 and 14/6. I am very thankful to the archivists of the Niederösterreichisches Landesarchiv for providing me the opportunity to study these documents in the form of scanned copies.

²⁹⁷ Wolf, *Die Aufhebung der Klöster in Innerösterreich: 1782-1790 ; Ein Beitrag zur Geschichte Kaiser Joseph's II*, 31–32.

²⁹⁸ Winner, *Die Klosteraufhebungen in Niederösterreich und Wien*, 88.

²⁹⁹ Jaksch, *Gesetzlexikon im Geistlichen, Religions- und Toleranzsache*, 442.

Inner Austria in the hereditary lands,³⁰⁰ unlike in the Hungarian Kingdom, where it was handled separately by a commission overseeing the operation of the *Religionsfond*.

The creation of the Ecclesiastical Committee (*Geistliche Hofkommission*) in a rescript issued on the 26th July dissolved the Dissolution Committees (*Klosteraufhebungskommission*) created at the provincial governments and founded the filial committees of the *Geistliche Hofkommission* in each land. The instruction issued on the 13th August determined their members and scope.³⁰¹

5.1.2. Foundation of the *Geistliche Hofskommission* and its Relation to the Ecclesiastical Commission of the Hungarian Locotenential Council

The negotiations about the foundation of an Ecclesiastical Oekonomatus (the name referred to the Italian forerunner) started in the State Council (*Staatsrat*) on 14th May 1782. Its members should have been delegated both by the Austrian-Bohemian and by the Hungarian Chancellery. It would have consisted of 3-3 councilors who could be both secular and ecclesiastical people supported by secretaries, two bookkeepers of the audit office and two ecclesiastical experts on church law. It would have been subordinated to the two chancelleries that were expected to cooperate in general cases and in the preparation of expositions. But the scope of such a mixed committee raised concerns regarding the separate status of Hungary, since the Hungarian Chancellery could accept orders only from the ruler and could not be subordinated to the decisions

³⁰⁰ Winner, *Die Klosteraufhebungen in Niederösterreich und Wien*, 88.; Wolf, *Die Aufhebung der Klöster in Innerösterreich*, 31.

³⁰¹ Latzke, "Die Klosterarchive," 388; Wolf, *Die Aufhebung der Klöster in Innerösterreich: 1782-1790*, 34; Winner, *Die Klosteraufhebungen in Niederösterreich und Wien*, 149–50.

of a mixed committee. For this reason, the Emperor proposed a different model to the State Council on the 15th of June:³⁰² He wanted to subordinate the committee to the two chancellors. This was also a rather hierarchical model, in which a main committee would have been located in Vienna, the other local committees would have been set up in each province following its example. Franz Karl Kresl (1720-1801) was selected as the head of the committee. Franz Josef Heinke (1726-1803) and Leopold Ignaz Haan (1742-1828) were appointed as the two further members from the Chancellery and an ecclesiastical member could be chosen by Kresl himself. The Hungarian Chancellery could select its own councilors. The scope of the committee was also defined by Joseph II: according to his vision, the committee became the supervisor of the management of the confiscated monastic goods, allocated pensions for the ex-monks and ex-nuns, supervised the ecclesiastical incomes, the Parish Fund in Hungary and the Salt Fund in Bohemia, decided about disciplinary affairs of the Catholic Church, and calculated the necessary number of priests, churches and masses. It was meant to channel monastic incomes into the establishment of new parishes, to support the education of priests in the seminaries. Furthermore, it had to redistribute ecclesiastical incomes from the cities to the countryside, and the suitable mendicant monks to parishes. It had to regulate the collection of alms, prohibit the acceptance of novices into mendicant monasteries and convert the sites of processions or admired altar pictures into parish churches. It had to rearrange the territorial scope of the dioceses and fill ecclesiastical seats. Its decisions were to be issued by the chancellery. In each province a “filial-oeconomatus” should

³⁰² The emperor wrote in the introduction of the document that the commission should follow the pattern of Lombardy, but then this part was deleted. Marczali, *Magyarország története II. [i.e. Második] József korában [The History of Hungary during the Reign of Joseph II]*, 2.:137. 3. footnote

have been established, and its relationship to the provincial governments should have been the same as the main committee related to the court offices. The committee also would have received the right to dispose over vacant estates in Hungary, traditionally managed by the Hungarian Chamber.

The Hungarian chancellor, Ferenc Esterházy protested against the common ecclesiastical management on the 22nd of June 1782. He argued for the separate management of ecclesiastical affairs, since the decision making in a mixed committee would harm the independence of the country. He refused to hand over the management of the vacant Hungarian estates to a not completely Hungarian authority and protested against the option that complaints of the clergy would be handled by a “foreign authority”. He emphasized that the already existing Committee of Religious Affairs in Pozsony (Bratislava) was capable of taking over the management of the estates of dissolved monasteries, allocating pensions to the ex-religious and coordinating the rearrangement of the parish network. Finally, Esterházy offered an already existing practice as a compromise: the Hungarian Chancellery could adapt the suggestions of the *oeconomatus* as long as they did not contradict the Hungarian laws. Then they could be presented to the ruler for his consent and implemented by the authorities of the Hungarian Kingdom.

The State Council (*Staatsrat*) was also proposing separation, since its Austrian and Bohemian members found the cooperation with Hungary too slow and complicated. They wanted to avoid dependence on the Hungarian Chancellery.

But Joseph II insisted on the cooperation and created a committee that was neither super- nor subordinated to any of the chancelleries, but was positioned between

them, requiring members from both chancelleries. The Hungarian affairs belonged only to the Hungarian chancellor, but the two parties had to cooperate in order to achieve uniformity. Imre Okolicsányi (1733-1795) and József Ürményi (1741-1825) became its Hungarian members representing the Hungarian Chancellery on the meetings.³⁰³

In consequence of these negotiations not only was the Italian model transformed, but the name was also changed from *Geistliches Oekonomat* to Ecclesiastical Committee (*Geistliche Kommission*). The first meeting was held on the 8th of July.³⁰⁴ The representatives of the Hungarian Chancellery took part in the meetings of the Viennese Ecclesiastical Committee for the first time on the 12th of August 1782 and the future scope of an Ecclesiastical Committee created in Pozsony (Bratislava) as part of the Locotenential Council was discussed here. Although Okolicsányi was the referee of ecclesiastical affairs, a secular representative of the Hungarian Chancellery, József Ürményi became member of the Viennese Ecclesiastical Commission and he prepared the decree/ordinance issued on the 10th September that ordered the Locotenential Council to create its Ecclesiastical Committee. The same document defined its scope and operation.³⁰⁵

³⁰³ Kluebing, *Der Josephinismus: Ausgewählte Quellen zur Geschichte der thesesianisch-josephinischen Reformen*, 196–98.; Ibolya Felhő and Antal Vörös, *A Helytartótanács Levéltár*, Magyar Országos Levéltár Kiadványai I., Levéltári Leltárak 3. (Budapest: Akadémiai Kiadó, 1961), 284, http://library.hungaricana.hu/hu/view/MolDigiLib_MOLkiadv1_03/?pg=2&layout=s.

³⁰⁴ Marczali, *Magyarország története II. [i.e. Második] József korában [The History of Hungary during the Reign of Joseph II]*, 2.:133–52.

³⁰⁵ Ember, “A Helytartótanács Egyházügyi Bizottságának kialakulása,” 248–49.

5.1.3. The *Religionsfond* in the Hungarian Kingdom

The management of the incomes resulting from the dissolutions in the Hungarian Kingdom could not be taken over by the administrators of the preexisting fund created from the ex-Jesuit properties as in Lower or Inner Austria, since it already served different purposes: Maria Theresa merged the Jesuit Fund and the University Fund in 1780 into the Education Fund and subordinated its management to the Educational Commission of the Locotenential Council. Joseph II dissolved the newly created commission and allocated the capitals of the Educational Fund to the Hungarian Treasury and commissioned the Hungarian Chamber with its management in November 1781. Its administration was taken over by the Locotenential Council in 1785 again, in which a department was created for this specific purpose (*Departamenti Fundi Studiorum*).³⁰⁶ Thus, the fund remained a separate entity in the administration of the Hungarian central offices and the emperor did not merge it with the confiscated goods of the newly dissolved monasteries either. The administration of the latter ones came under the supervision of a commission created in accordance with the requirements explicated in the eighth paragraph of the dissolution decree issued in Hungary. The committee was chaired by the head of the Hungarian Chamber and involved two

³⁰⁶ Ibolya Felhő and Antal Vörös, “Departamentum Fundi Studiorum, 1818-Tól: Departamentum Fundi Litteratii Bonorum 1845-Től: Tanulmányi Alapítványi Javak Osztálya 1785—1848 [Department of the Education Fund],” in *A Helytartótanácsi Levéltár, Magyar Országos Levéltár Kiadványai I., Levéltári Leltárak 3.* [Catalogue of the Archives of the Consilium Locumtenentiale] (Budapest: Akadémiai Kiadó, 1961), 323–31, http://library.hungaricana.hu/hu/view/MolDigiLib_MOLkiadv1_03/?pg=2&layout=s.

members of the Locotenential Council, too. One of the councilors was Imre Okolicsányi, the referee of religious affairs in the Locotenential Council until 1783.³⁰⁷

A rescript sent to the Hungarian Chamber on 4 February repeated the main points of the dissolution decree in German adding some more detailed instructions, similarly to the second decree sent to the Austrian and Bohemian lands on 13 of January. It reinforced the foundation of a “dissolution commission” and directed the cash, bonds and jewels (*pretiosa*) of the dissolved monasteries to the Pay Office of the Chamber (*Kammeral Zahlamt*) but emphasized their separate management as it had happened in the case of the Jesuit goods.³⁰⁸

A central Religion Fund (*Religionsfond*) was created from the confiscated monastic goods on 28 February, in order to manage the payment of pensions for the ex-religious and support parishes and other socially useful institutions of the Catholic church. Its Hungarian counterpart came into existence only on 10 September, simultaneously with the creation of the Hungarian Ecclesiastical Committee.³⁰⁹

³⁰⁷ Felhő and Vörös, *A Helytartótanácsi Levéltár*, 284–86; István Nagy and Erzsébet F. Kiss, *A magyar kamara és egyéb kincstári szervek*, A Magyar Országos Levéltár kiadványai 1, Levéltári leltárak 9 (Budapest: Magyar Országos Levéltár, 1995), 209, http://library.hungaricana.hu/hu/view/MolDigiLib_MOLkiadv1_09/?pg=4&layout=s; Velladics, “A Szerzetes Rendek Felszámolása II. József Korában [Dissolution of Religious Orders during the Reign of Joseph II].”

³⁰⁸ Velladics, “A szerzetes rendek felszámolása II. József korában [Dissolution of Religious Orders during the Reign of Joseph II].”

³⁰⁹ Ibid.

5.1.4. The Ecclesiastical Committee in the Hungarian Kingdom

The Ecclesiastical Committee of the Hungarian Locotenential Council was established on 10 September 1782 and it held its first meeting on 26 November.³¹⁰ In the period between the two dates, on 11 November, the Ecclesiastical Committee became responsible for the management of the *Religionsfond*, too, and this task was taken over by the department of ecclesiastical foundations (*departamentum ecclesiasticum fundationale*) in 1783.³¹¹ It was not the first bureaucratic unit of the Locotenential Council in charge of church affairs: its direct predecessor was the so-called Religion Committee (*commissio religionaria*)³¹² that mainly dealt with the religious practice of Non-Catholic subjects and with the protection of the rights of the Catholic Church. In accordance with the Patent of Toleration issued by Joseph II in 1781 October 25, three new bureaucratic units were dedicated to the affairs of the main confessional groups of the Kingdom of Hungary - Catholics, Protestants and Greek Orthodox – and the Religion Committee was dissolved in 1783. The Protestant and Greek Orthodox church affairs were managed in the reorganized departmental bureaucratic framework from 1783,³¹³ while the Ecclesiastical Committee of the Catholics remained a committee. However, the documents produced in consequence of its operation were preserved in the archives of the departments subordinated to it from 1783.

³¹⁰ Felhő and Vörös, *A Helytartótanácsi Levéltár*, 284.

³¹¹ Ibid., 286, 298–302.

³¹² Since 1769 it embraced the Committee of Pious Foundations (*commissio piarum fundationum*), and the Parishes' Pay Office (*comissio cassa parochorum*). Ibid., 284.

³¹³ Regarding the orbit of the newly created departments dedicated to Protestant (*Departamentum religionare Augustanae and Helveticae confessionis*) and Greek Orthodox (*Departamentum religionare Graeci ritus non unitorum*) church affairs see: Ibid., 307–23.

The Head of the Ecclesiastical Committee was József Batthyány (1727-1799), the archbishop of Esztergom, with János Csáky (1720-1795), the master of the treasury (fourth main secular dignity) appointed as his deputy and vice president. The committee had two further secular and two ecclesiastical members, a secretary and a notary.³¹⁴ Furthermore, a councilor of the Hungarian Chamber had to be present at the meetings in order to ensure the flow of information and seamless cooperation between the two main governmental organs. The committee held its meetings weekly and kept records about them. The minute books were presented to the Locotenential Council and after the discussion and decision meeting, the documents were sent to Vienna.³¹⁵

The operational area of the committee embraced all the mundane aspects of church affairs in respect of the Roman and Greek Catholic Church. Exception was made only in respect of dogmatic and inner disciplining affairs, following the same principles explicated in the instructions provided for the Milanese *Giunta Economale*.³¹⁶ The Commission of Pious Foundations and the parishes' pay office were separated from the religious commission and they were attached to the newly founded Ecclesiastical Committee.

From 1783 several departments were created in order to facilitate the implementation of the decisions of the committee and his measurement also changed the way in which its operation was documented. Though the committee continued working, its separate documentation was dissolved into the archival subunits of the

³¹⁴ Ibid., 284.

³¹⁵ Ibid., 285.

³¹⁶ Ibid., 284.

departments, only the minute books of the sessions and its resolutions were filed into registry books from 1786.³¹⁷

A short overview of the departments can provide a picture about the diverse operational areas of the committee.³¹⁸

The department of the secular and regular clergy (*Departamentum Ecclesiasticum Cleri Saecularis et Regularis* – C 71) mainly dealt with the issues of the secular clergy and the territorial re-arrangement of parishes (*Pfarregulierung*), dioceses and religious orders' provinces. Its scope covered the conscriptions of church personnel and church properties, the investigation of the educational level of the clergy, endowment of parishes, patronage rights, and appointments to church positions (including the confirmation of guardians' appointments). It was involved in the dissolution of monasteries mainly in terms of the administration of the monks' pensions and their utilization for parish work (with providing dispensation from the monastic oath). It exercised control over the remaining religious orders, too: it was monitoring their economic conditions and investigated the malpractices of monasteries. It also received reports from the guardians and dioceses about the number of the regular clergy.³¹⁹

The economic department of ecclesiastical affairs (*Departamentum Ecclesiasticum Oeconomicum* – C 72) facilitated the operation of the Religious Fund: it was mainly concerned with the financial affairs related to the suppression of religious orders. It extracted balance sheets (*Vermögensstand*) from the inventories made by the

³¹⁷ Ibid., 286.

³¹⁸ Ibid., 287.

³¹⁹ Ibid., 288–94.

commissioners responsible for the dissolution. It paid the debts of the dissolved monasteries and levied their loaned capitals. It also paid the pensions, travelling costs and other allowances to the monks and furthermore it also dealt with hereditary affairs of the regular clergy. It was responsible for the payments for the personnel employed for the dissolution of monasteries (commissioners, artisans, etc.) and paid the allowances to the employees of the confiscated monastic estates. It auctioned or took care of the management of expropriated church buildings. It operated a depository for the confiscated church equipment and took care of its transportation there and to the parishes in need. It directed the monastic archives to the Hungarian Chamber and the books to the university library. The masses of mass foundations were allocated to parish priests in exchange of a stipend.³²⁰

The department of ecclesiastical foundations (*departamentum ecclesiasticum fundationale* – C 73) dealt with the affairs of pious foundations made for the Catholic Church. It took over the tasks of the Parish Fund (*cassa parochorum*) that received reports from the bishoprics about the status of their dioceses (personnel and economic conditions of parishes, church buildings, etc.) and completed the incomes of parishes accordingly since the reign of Charles III. The newly founded department supervised the financial and educational affairs of seminaries, managed the finances of the Religion Fund (*Religionsfond*) and handled pensions of elderly priests and hereditary affairs of deceased secular clergymen.³²¹

³²⁰ Ibid., 294–98.

³²¹ Ibid., 298–302.

The department of religious-ecclesiastical affairs (*departamentum religionario-ecclesiasticum* – C 75) dealt with personal religious practices, such as conversions, marriages, feast days, dispensations from monastic vows. It was dissolved in 1785 and its operational area was covered by the other departments.³²²

The department of ecclesiastical goods (*departamentum ecclesiasticum oeconomicum bonorum* – C 79) was responsible for the economic management of the Religion Fund (*Relgionsfond, fundus religionarius*) created in 1782 in order to collect the goods of the suppressed religious orders and to utilize them according to the demands of the reshaped Catholic Church. It was attached to the Parish Fund and its fortune was completed with the incomes of vacant church properties. It owned not only money, but several buildings and estates and it supervised their financial management with the help of the audit office.³²³

The department of secular foundations (*departamentum foundationum saecularium oeconomicum* – C 80) dealt with foundations created for charitable purposes. Thus, it also cooperated with religious orders involved in health care such as the Misericordians and Elisabeth nuns.³²⁴

The audit office of the Locotenential Council functioned as an independent specialized agency from 1783. One of its departments was dedicated to the supervision of the economic affairs of ecclesiastical foundations that is the only one with preserved archives. It contains the inventories of the confiscated monastic goods and reports about

³²² Ibid., 305–6.

³²³ Felhő és Vörös, 331–33.

³²⁴ Ibid., 334–43.

the possessions of the Catholic, Protestant and Orthodox churches, including religious orders, parishes, dioceses and every kind of ecclesiastical foundations.³²⁵

5.2. Number of monasteries and people involved in the dissolution procedures

Out of 1188 monasteries, 530 were dissolved in the central lands.³²⁶ Further research carried out by Márta Velladics showed that 315 houses existed in the territory of the Hungarian Kingdom in 1780, out of which 140 monasteries were closed down between 1782 and 1790. Nunneries and friaries were not equally involved in the process.³²⁷ Only 6 female religious houses were dissolved in the Hungarian Kingdom in 1782³²⁸ and no other nunneries were closed down after this first wave of abolitions.³²⁹ The spared 11 nunneries were all engaged either in the field of education or in caring sick and poor people.³³⁰ Proportionally, it was still a significant change, since it abolished 35% of the nunneries of Hungary.

Out of 309 friaries 134 (44%) were dissolved between 1782 and 1790. But only the four houses of the Camaldolese order were abolished in 1782 and the process continued in a rather moderate way: eight Trinitarian monasteries were closed down in 1783 and the Carmelite monastery of Buda in 1784. The Augustinians of Buda, the

³²⁵ Ibid., 391–490.

³²⁶ Dickson, “Joseph II’s Reshaping of the Austrian Church,” 101.

³²⁷ Velladics, “A II. József korabeli szerzetesrendi abolíció statisztikája (1782-1847) [The Statistics of Secularization in the Age Joseph II. and between 1782-1847],” 1274.

³²⁸ Poor Clares: Pest, Buda, Bratislava, Trnava, Zagreb; Augustinian canonesses: Eisenstadt.

³²⁹ Velladics, “A II. József korabeli szerzetesrendi abolíció statisztikája (1782-1847) [The Statistics of Secularization in the Age Joseph II. and between 1782-1847],” 1260.

MOL - Helytartótanácsi levéltár - Helytartótanácsi Számvevőség - Alapítványi ügyosztály: Inventarien der in Ungarn aufgelassenen Klöster (C 103) - Klarissza kolostorok – Buda [Hungarian National Archives - Accountant Office of the Locotenential Council - Department of Foundations - Inventories of the abolished monasteries of Hungary - Poor Clares - Buda]

³³⁰ Ibid., 1271., 1274.

Dominicans of Pest and Vác, and the Premonstratensians of Jánoshida and Túrje had to leave their monasteries in 1785. These 18 friaries constitute only 16 % of the dissolved male monasteries.

The buildings of religious orders located in Buda and Pest were used from 1784 to accommodate governmental offices moved from Bratislava to Buda, since Joseph II made Buda *de facto* the political capital of Hungary. The Hungarian Chamber and the Locotenential Council were moved into ex-Jesuit buildings, while the monastery of Poor Clares became the home of the Royal Court (*Curia Regis*) and of the Parliament, while the neighboring Franciscan church and monastery had to accommodate the Provincial Board (land registry office) and its archives. Besides the governmental offices, other socially and politically useful institutions were moved into ex-monasteries: the Carmelite monastery was converted into a theater, while another Franciscans monastery located outside the Buda castle (*Wasserstadt*) was handed over to the newly founded monastery of the Saint Elisabeth Order, and the Franciscans occupied the monastery of the dissolved Augustinians of Buda. The Dominicans' monastery in Pest was handed over to the English Ladies. Consequently, the two cities had two female monasteries again, one involved in nursing the sick and one providing education.³³¹ Thus, although the number of dissolved monasteries in the first years of Joseph II's reign was relatively low, their central location, density and new functions could attract probably more attention than the much bigger wave of dissolutions starting in 1786 when 40 monasteries of the Pauline Order, the Hieronymites in Štiavnické

³³¹ Poór, János. "Buda, Pest, Óbuda a 18. században." Velladics, Márta. "Szerzetesrendi abolíció Magyarországon (1782-1790) pp. 42-44.

Bane, the Camillians of Győr and a second house of the Carmelites in Székesfehérvár were abolished. The period starting from 1787 is called the “regulation of monasteries” (*Klosterregulierung*) in which religious orders were not abolished any more, but individual monasteries were closed down. One third of the Franciscan monasteries was dissolved in this period.³³²

5.3. The dissolution decree and its options for the ex-monks and -nuns

The inmates of the dissolved monasteries did not become disconnected from secular and ecclesiastical authorities after that they left the monasteries. Their options were declared in detail already in the first dissolution decree sent to the Hungarian Locotenential Council (*Ungarische Statthalterei/Concilium Locumtenentiale*) and proclaimed on the 26th of January 1782. They were obliged to leave the dissolved monasteries in five months, and they had to make a clear statement about their future plans that also influenced the amount of pension they could receive. Their options were the following: (a) the novices who had not taken their vow had to leave the monastery in four weeks with a lump sum of 150 florini. (b) The male and female religious were allowed to emigrate into another country where other monasteries of the religious order existed. In this case they did not receive a pension, but a passport and some money for their travelling costs. (c) Those who decided to join another religious order could get an annual pension of 150 florini (fl). If a monk chose the Order of the Brothers Hospitallers of St. John of God or the Piarist Order, he got a pension of 300 florini. If a woman

³³² Velladics, “A szerzetes rendek felszámolása II. József korában [Dissolution of Religious Orders during the Reign of Joseph II]”; Velladics, “A II. József korabeli szerzetesrendi abolíció művészettörténeti vonatkozásai. Doktori disszertáció. [The Dissolution of Monasteries During the Reign of Joseph II from an Art Historical Perspective. PhD Dissertation],” 39–42.

decided to join a convent of the Order of Saint Elisabeth, her pension amounted to 200 florini. (d) The monks who decided to join the secular clergy received an annual pension of 300 florini as long as his benefice was not assigned to him. (e) All the male religious who wanted to serve God in silent solitude according to the statutes of their religious order and move into a monastery for this reason had to pay for his sustenance. All the monks who were too old and sick to live alone had to be transported into a so-called “collecting monastery” (*Sammelkloster*) set up in the building of an already dissolved monastery and designated for them by the state authorities. These new institutions were envisioned to operate according to rules declared for them by the provincial government and the ordinary of the bishop, under the direction of a supervisor appointed by the ordinary and approved by the government. The director could receive 600 florini for his services. The nuns – irrespective of their age or health condition – could move into such a collecting monastery. Both the male and female institutions set up this way were expected to cover their costs of operation from the pensions of the monks and nuns moving there.³³³

5.4. Declarations - the response of the nuns and monks

Declarations made by nuns were preserved in the dissolution files of the Poor Clares of Zagreb, Pest and Buda and in a fonds of the Ecclesiastical Committee in which the fate of the Augustinian nuns of Eisenstadt was discussed. The male religious orders’

³³³ Velladics, “A II. József korabeli szerzetesrendi abolíció művészettörténeti vonatkozásai. Doktori disszertáció. [The Dissolution of Monasteries During the Reign of Joseph II from an Art Historical Perspective. PhD Dissertation],” 240–47.

dissolution files preserved declarations of the Camaldolese monks of Lehnice and of five Trinitarian monasteries. These documents did not mechanically respond to the previously listed options: the monks and nuns also challenged the clusters the dissolution decree set up for them. They added several personal, local and speculative elements that lead to the question how real the options were. How many nuns and monks had a real chance to become active in nursing, teaching or pastoral care? How accessible and how attractive were these options? What kind of other alternatives could be proposed by them?

I presume that men and women had not only different opportunities, but also different motives and strategies for negotiations when they made their decisions. For this reason, I study the declarations provided by the members of female and male religious orders separately.

5.4.1. Female Strategies

5.4.1.1. Poor Clares

Clara Kuthy, the abbess of the Poor Clares convent of Pest fulfilled probably one of her last duties when she appealed to Emperor Joseph II in July 1782 in order to ensure medical provision for the sick members of her community. She asked for the coverage of the nuns' medical expenses, including the price of medicaments and the remuneration of a surgeon and a physician.³³⁴ She would not have turned to the ruler

³³⁴ "Endes unterzeichnete bittet in Namen deren sam[m]entlichen hier aufgehobenen, und gemeinschaftlich beysam[m]en wohnenden Ex Clarisserinnen um die *allerhöchstes* Gnad:/ 1^{mo} Sowohl denen jezt Krank liegenden, als auch mitlen zeit noch erkrankten Schwestern die auß der Apotheken nöthige Medicamenten von hohen aerario erfolgen zu lassen, weil solche von dem ausgeworfenen Diaet-geld pr[ägt] 30xr nicht konten Verschafet werden. / 2^{do} Auch denen Medicis und

with such a request if the circumstances had not been exceptional: by the time she made her appeal, the abolition of the Order of Saint Clare had already been in progress.

The decision was justified with the lack of their social utility, as the contemplative lifestyle implied restricted contact with the secular world. Even if these monasteries concentrated valuable resources and knowledge within their walls, their inmates could not actively engage in sharing them with the broader society and they easily became the targets of harsh criticism for their “idleness”.

The Poor Clares of Pest were one of the first communities that experienced the difficulties of a dissolution. The goods of the monastery were immediately conscribed and confiscated. The nuns got a five months long grace period during which they could stay in the building and arrange their future lives, but they owned nothing in the convent except the everyday objects in their cells that were regarded as their personal property. Even the victuals of the monastery were closed away, the nuns had to get along with a daily food allowance assigned to them individually. Although these conditions satisfied the most basic needs, the old and sick members had to face the question what kind of

Chirurgis welche die Kranken dieses aufgehobenen Klosters, wehren den Zeit unseres beisam[m]en Verbleibens bedienen, die bieshero genossene Remuneration ebenfalls allermildest von dem hohen Aerario zu bewilligen. die sich übrigens für Kais[erlicher] Mayestaet mit alltiefesten Ehrfurcht zu füßen leget, und als eine Unwürdige Unterthannin erstirbet. / Pest den 24ten Julÿ 1782. / Matter Clara Kütyn Abbtiss[in] des aufgehoben Clarisser Klosters in Pest” Magyar Nemzeti Levéltár, Országos Levéltár – Helytartótanácsi Számvevőség – Alapítványi ügyosztály (C 103): Inventarien der in Ungarn aufgelassenen Klöster [Hungarian National Archives – Accountant Office of the Locotenential Council – Department of Foundations – Inventories of the abolished monasteries of Hungary] – Poor Clare convents – Pest – Unterthänigste Bittschrift von der Mater Clara Kutty gewesten Abbatissin des aufgehobenen Pester Clarisser Klosters. 376r (Box 31)

The name of the Locotenential Council is also translated into English as Lieutenancy Council. It is called *Consilium regium locumtenentiale Hungaricum* in Latin or *Ungarische Statthaltereï* in German, that were the official languages of state administration in the 1780s. Its Hungarian name is *Magyar Királyi Helytartótanács*. A brief description of its history and fonds can be found in English on the webpage of the

Hungarian	National	Archives:
http://mnl.gov.hu/angol/mnl/ol/archives_of_the_locotenential_council_17th_century_1848 (accessed: 15.01.2017)		

social and medical care they could count on in the transitory period and then in their post-dissolution lives.³³⁵

Two institutional alternatives were suggested in the dissolution decree. One of the options was the continuation of the monastic lifestyle in one of the spared nunneries that were all active either in education or medical care.³³⁶ The other alternative could be a “collecting monastery” for the nuns who did not want to join any of the remaining convents, but still wished to stay together.³³⁷

The nuns received pensions according to their choices. Nevertheless, none of the options listed above could be chosen so easily, as the declarations made by the Poor Clares will demonstrate. Their declarations, or rather petitions, did not only mechanically take for one of the previously listed options, but also tried to negotiate according to their interests and preferences.

The choices of the nuns could be influenced by several factors including the geographical distance of the spared convents and their limited capacities to accept new members, the nuns’ motivation to engage in a more active lifestyle, their country of origin, language skills and family background. Among these factors, the nuns’ prospects

³³⁵ The procedure and statistics of the monastery dissolutions of Joseph II is analysed in detail for the Hungarian Kingdom in Velladics, “Politics and Culture in the Age of Joseph II”; Velladics, “A II. József korabeli szerzetesrendi abolíció művészettörténeti vonatkozásai. Doktori disszertáció. [The Dissolution of Monasteries During the Reign of Joseph II from an Art Historical Perspective. PhD Dissertation]”; Velladics, “A II. József Korabeli Szerzetesrendi Abolíció Statisztikája (1782-1847) [The Statistics of Secularization in the Age Joseph II. and between 1782-1847].”

³³⁶ The following ten nunneries were spared from the dissolutions in the territory of the Hungarian Kingdom: Ursulines: Bratislava, Győr, Trnava, Kosice, Oradea, Sopron, Varazdin; English Ladies: Vác (later moved to Pest); Congregation of Notre Dame: Bratislava; Saint Elisabeth Order: Bratislava (their second monastery was founded in Buda in 1785). Velladics, “A II. József Korabeli Szerzetesrendi Abolíció Statisztikája (1782-1847) [The Statistics of Secularization in the Age Joseph II. and between 1782-1847],” 1271.

³³⁷ Velladics, “A II. József Korabeli Szerzetesrendi Abolíció Művészettörténeti Vonatkozásai. Doktori Disszertáció. [The Dissolution of Monasteries During the Reign of Joseph II from an Art Historical Perspective. PhD Dissertation],” 240–47.

for medical provision could also influence their decisions, especially when it came to older or physically fragile members of the convent.

Even if the nuns' demand for care or nursing was one of several other concerns underlying their decisions, it deserves closer attention for two reasons: on the one hand, its closer analysis can contribute to our understanding of what kind of individual motives could influence the implementation of Joseph II's monastic policies on the grassroots level, on the other hand, it can also show how a rhetorically prioritized field, namely the contribution to medical provision could (or could not) be translated from a domestic setting into a public one.

5.4.1.1.1. Bratislava and Trnava

Unfortunately, there is no exact information about the fate of the nuns from the monasteries of Trnava and Bratislava, except a few individual cases. Zsófia Dióssy moved from Trnava³³⁸ into the convent of the English Ladies in Vác. She is mentioned as the first member of the convent of Hungarian origin. She became the *superiora* (head of the convent) in 1794. Her leadership could make the convent of the English Ladies

³³⁸ MOL - Helytartótanácsi levéltár - Helytartótanácsi Számvevőség - Alapítványi ügyosztály: Inventarien der in Ungarn aufgelassenen Klöster (C 103) - Klarissza kolostorok – Nagyszombat [Hungarian National Archives - Accountant Office of the Locotenential Council - Department of Foundations - Inventories of the abolished monasteries of Hungary - Poor Clares - Trnava] Inventarium f 88v.

Her name is listed both in the dissolution files of the monastery and in the list preserved in the Magyar Ferences Könyvtár és Levéltár, Kézirattár, Jakosics Gyűjtemény 1. kötet [Franciscan Library and Archives of Hungary, Manuscript Collection, Jakosich Collection, 1 volume] pp. 130-131.

– that was moved to Pest in 1787³³⁹ - attractive for Hungarian families, since her election was followed by a significant increase in the number of students.³⁴⁰

Euphrasia Sándor, one of the nuns from the Poor Clares' monastery of Bratislava probably intended to move into the convent of the English Ladies in Vác. Maybe she even managed to do so, although the fragmented sources do not provide proof for that.³⁴¹ She died in Vác on the 4th of September in 1783 at the age of 40 and was buried in the crypt of the Dominican Church of Vác. Her body was discovered in consequence of the renovation of the church in the 1990's during which 265 mummified corpses were discovered in the crypt. A great majority of the corpses could be identified – including Theresia Sándor's³⁴², too – and became subject of precise medical examinations. CT scans revealed that she was suffering from tuberculosis and the complications of the disease could cause her death³⁴³. Even is this individual case

³³⁹ They moved into the dissolved monastery of the Dominicans. M. Richter, *Az Angolkisasszonyok budapesti Sacra Maria Intézetének Története 1770-1937 [The History of the Sacra Maria Institute of the English Ladies of Budapest 1770-1937]*, 52–53.

³⁴⁰ Ibid., 39., 58. The author states that Zsófia Dióssy was the sister of the bishop of Vác, but this information must be mistaken, since the bishopric of Vác was in vacancy between 1761-1787 and its affairs were managed either by vicars or by the consistorium of the diocese. László Végh, "Váci Püspökség," n.d., <http://lexikon.katolikus.hu/V/v%C3%A1ci%20p%C3%BCsp%C3%B6ks%C3%A9g.html>.

³⁴¹ The Poor Clares' monastery was the first dissolved monastery of Hungary and the documentation of the process seem to get lost, since I could not find sources about this monastery in the national archives. The names of the nuns were listed in manuscript were preserved in the manuscript collection of the Franciscan Library and Archives of Hungary in Budapest. Euphrasia Sándor's name is listed there, although her first name is probably not her given name, but the one she started to use when she joined the religious order. Magyar Ferences Könyvtár és Levéltár, Kézirattár, Jakosics Gyűjtemény 1. kötet [Franciscan Library and Archives of Hungary, Manuscript Collection, Jakosich Collection, 1 volume] pp. 130-131.

³⁴² Theresia could be her given name.

³⁴³ The corpse attracted special attention because of an unusual post-mortem surgical intervention: her heart was removed from her body after her death for unknown reasons. Lilla Alida Kristóf, "Testek a Múltból. Három 18. Századi Apáca Múmiájának Vizsgálatai [Bodies from the Past. Investigation of the Mummified Bodies of Three Nuns from the Eighteenth Century.]," in *Széchenyi Pál érsek emlékezete: adalékok az életüthöz és a nagycenki múmia vizsgálatának eredményei*, ed. Lilla Alida Kristóf and Vilmos Tóth, 1. (Győr: Universitas, 2012), 162–65.

should not be generalized and projected on all the nuns who referred to health issues in their declarations, Theresia Sándor's example still can illustrate well that undertaking a journey with all its risks and inconveniences could be a real concern for elderly and/or sick(ish) nuns.

5.4.1.1.2. Zagreb

The Poor Clares of Buda, Pest and Zagreb had to act in a specific geographical context: their monasteries were the only nunneries in their towns. If they intended to move into another monastery in order to become its member or to live in an enclosed monastic environment according to the rules of their dissolved order, they had to undertake a longer journey to Vác³⁴⁴ Bratislava³⁴⁵, Győr, Tmava, Košice, Oradea, Sopron or Varaždin.³⁴⁶ None of these nunneries followed the regulation of a contemplative order that could also be a factor in the nuns' decision making, but this was never mentioned in their declarations explicitly. Nevertheless, many nuns considered themselves being too weak, sick and old to take the journey to another female monastery. It is difficult to decide in which cases health condition was a decisive factor and when it was used rather as an excuse.

³⁴⁴ The Institute of the English Ladies was in Vác until their relocation to Pest in 1787. M. Richter, *Az Angolkisasszonyok budapesti Sacra Maria Intézetének története 1770-1937* [The History of the Sacra Maria Institute of the English Ladies of Budapest 1770-1937], 52–53.

³⁴⁵ The second cloister the St. Elisabeth Order in Buda was established in 1785 outside the territory of the castle. Until that time, they had only one monastery in Bratislava. János Poór, "Buda, Pest, Óbuda a 18. Században," *Budapesti Negyed* 20–21, no. 2–3 (1998), <http://epa.oszk.hu/00000/00003/00016/poor2.htm>.

The Congregation of Notre Dame and the convent of the Ursulines were the further options in Bratislava. Velladics, "A II. József korabeli szerzetesrendi abolíció statisztikája (1782-1847) [The Statistics of Secularization in the Age Joseph II. and between 1782-1847]," 1271.

³⁴⁶ Velladics, "A II. József korabeli szerzetesrendi abolíció statisztikája (1782-1847) [The Statistics of Secularization in the Age Joseph II. and between 1782-1847]," 1271.

The Poor Clares of Zagreb were the farthest away from any other nunnery. For this reason, 19 of their 22 members decided to act together and they submitted a common petition instead of individual declarations, in which they asked for permission to stay in the monastery until the end of their lives.³⁴⁷ If it was not allowed, they intended to move into private houses, living from their pensions.³⁴⁸ Only three novices - who had to leave the monastery in four weeks without a pension - decided to move and petitioned for further financial support. Francisca Handl decided to stay with her male relative, Joseph Benk in Timișoara, since her mother living in Bohemia with eight small children could not accept her back.³⁴⁹ She petitioned for a pension. Two other novices, Rosalia Boogin and Johanna Kobbe returned to their parents to Zagreb and Varaždin.³⁵⁰

5.4.1.1.3. Buda and Pest

The Poor Clares of Buda and Pest were in a geographically less disadvantageous situation regarding their distance from other nunneries. But while the nuns living in Trnava and Bratislava could opt for a local monastery, the Poor Clares of Buda and Pest

³⁴⁷ Magyar Nemzeti Levéltár, Országos Levéltár, C 103 Helytartótanácsi Számvevőség - Alapítványi ügyosztály: Inventarien der in Ungarn aufgelassenen Klöster [Hungarian National Archives - Accountant Office of the Consilium Locumtenentiale - Department of Foundations - Inventories of the abolished monasteries of Hungary] – Poor Clares' monasteries – Zagreb. The nuns' decisions about their future lives: *Declaratio M. Abbatissa et Sororum professorum Monialium de futuro Vitae Statu facta*. The names of the nuns can be double-checked thanks to the inventories of their rooms, too: *Anno Dni 1782 dje vero 9a Aprilis in Claustro S. Monialium Zagrabiae Ordinis S. Clarae facta est Inventatio Imaginum Librorum, mobiliumque, et supellectilis privative easv. S. Moniales individualis concernen., et in propriis aequae earund. celis, seu cubiculis inventar., et manentium modo sequenti.*

³⁴⁸ MNL OL C103 Klarissza kolostorok – Záhgráb – *Declaratio M. Abatissa et Sororum professorum Monialiumde futuro vitae Statu facta* ff 87-88.

³⁴⁹ The mother lived in a settlement called Klagendorf in the source. Its nowadays equivalent could not be identified. MNL OL C103 Klarissza kolostorok – Záhgráb - *Declaratio Francisca Handl non professa*

³⁵⁰ MNL OL C103 Klarissza kolostorok – Záhgráb - *Declaratio non professorum Monialium de futura Vita Statu*

still had to undertake a journey if they wanted to join another convent, as they were the only female religious order present in their cities at the time of their dissolutions. The English Ladies were moved from Buda to Vác in 1777, as their former home, the royal palace (practically not used by the ruler as a royal residence) had to accommodate the university that was moved from Trnava to Buda. Furthermore, the only convent of the Saint Elisabeth Order of the country was in Pressburg (Bratislava) and it hardly had enough place for the inhabitants of the five dissolved houses of the Order of Saint Clare.

Even a next decree issued in March 1782 that allowed ex-nuns to join the convents of the Ursulines or any other female religious order providing education, and offered a higher pension for those candidates, could not fully remedy the shortage of places and the problems emerging from geographical distance. For this reason, most of the Poor Clares, especially in Buda, asked for permission to stay in their convent even after the dissolution, hoping that another female order will settle in the city. Therefore, they based their arguments on the Emperor's probable intention to establish a new nunnery in their building. The most attractive alternative of this option was not the relocation into the convent of another religious order in another city, but a (temporary?) return into worldly life at a private place where they could live according to the rules of their religious order.

Each of the Poor Clares sisters in Buda - except the novices - provided a declaration written in first person singular and signed with their own hands.³⁵¹ The statements contained a short summary of the personal data (e.g. name, age, origin) of

³⁵¹ The diversity of handwritings suggests that most of the declarations were written by the nuns themselves.

the author and a resolution of her future plans according to the options offered in the dissolution decree. The declarations' dates cover a longer period: the earliest ones were created on the 10th of April, the last one on the 28th of May.³⁵²

The declarations were not only mechanical responses to the questions raised by the dissolution decree, but also attempts to influence the bureaucratic process and carve out some space for negotiations. The “individual voices” they make “audible” – even if the declarations obviously followed common patterns, a mixture of elements partly reflecting the rules of the dissolution procedures, partly coming from the commonly pursued goals communicated with similar arguments – can be interpreted not only as dissenting opinions that challenged and subverted the predetermined forms of communication, but also as feedbacks and sources of information for the secular authorities, who could also learn about the impact and real-life difficulties of the dissolution procedures. Thus, the declarations – while they mostly did not yield the desired results for the nuns – transmitted pieces of information that could also feed into later modifications of the dissolution procedures.

Two elderly members of the convent of Buda were eager to continue their lives in another religious order according to the ordination of the emperor. The 68 years old Soror Sophia went to the St. Elisabeth Order in Bratislava, while the 60 years old Mater Theresia left the decision to the Emperor. She was the only nun in the monastery who reasoned her decision with her wish to remain the member of a religious order:

³⁵² *idem*

I am 60 years old, I have spent 39 years in this monastery and I want to lead a monastic life in the future as well and I ask for permission for the sake of God to join a newly appointed monastery, because I wish to die in a religious state for God's grace that I hope to receive from the Imperial and Royal Apostolic Majesty.³⁵³

Mater Theresia was directed to the Ursulines' cloister of Győr.³⁵⁴

Nevertheless, wishes and hopes for staying in the building of the convent until the "arrival" of another female order or return into secular, solitary life were far more often expressed, for which the sophisticatedly formulated declaration of the 69-year-old abbess, Julia Andrásy, provides a great example.³⁵⁵

Considering my high age and weak health, I can neither instruct the youth nor care for the sick, nor can I travel to another cloister. But I would voluntarily join another monastery, if His Imperial Majesty would deign to introduce the St. Elizabethan or Ursuline Order into the local monastery, I would like to stay a nun for the rest of my life and would join the new institution. If no new nunnery were set up in the building of the monastery and our actual convent might be secularized, then I would be forced to live in the world and would live with my relatives and try

³⁵³Endes Vnterzeÿnete bin einegebohrne Johanna von Hedewiger, mein Vater ware ein obristleÿdenambt, beÿ Ihro Kayserlichen, Königlichten Maÿestät, bin 60 Jahr alt, habe schon 39 Jahr in diesen Kloster, will auch in Zukufft gantz geistlich leben und bitte umb Gotteswillen In daß NeuangewisseneKloster einTreten zu dürfen; dan ich verlange mit der Gnadt gottes in diesen Geistlichenstant auch zu sterben, welches von seiner König Kayserlichen Abostolischen Maÿestät allerhöstens gnädig zu Erhalten hofe. Ofen 10 Aprill 1782. Mater Theresia von Hedwiger Priorissa"

MNL OL C103 Klarissza kolostorok – Buda – Theresia von Hedwiger's declaration f 15.

³⁵⁴ MOL C103 Klarissenklöster - Buda

³⁵⁵ MOL - Helytartótanácsi levéltár - Helytartótanácsi Számvevőség - Alapítványi ügyosztály: Inventarien der in Ungarn aufgelassenen Klöster (C 103) - Klarissza kolostorok – Buda [Hungarian National Archives - Accountant Office of the Locotenential Council - Department of Foundations-Invetories of the abolished monasteries of Hungary - Poor Clares - Buda]

to lead a lonely life pleasing to God without denying my religious vow and I would request a pension graciously granted by His Imperial Majesty.³⁵⁶

The commissioners summarized the main points of each individual declaration in a tabulated form on the 30th May 1782 and completed it with some information about the novices who had to leave the monastery according to an ordinance of the emperor before the 10th May. Personal data were marked in the table only with keywords and numbers, while a short report about the nuns' intentions regarding their future plans was summarized in the last column (*Anmerkungen*) with slight modifications made by the commissioners.³⁵⁷ They recorded some extra information about the novices who had to leave the monastery already on the 9th May with a lump sum of 150 forints. These short notes on the novices inform about the unusual ambitions of Soror Nepomucena. She was already trained as a surgeon (*gelehrte Chyrurgin*) and she wished to be treated as a

³⁵⁶ "Ich Endes Unterfertigte bin eingebohren Catharina v[on] Andrassy 69 ½ Jahr alt, habe schon 50 derselben in demhei[ligen] clarissen Orden zugebracht, und wäre dahero zur ablegung der 2ten Profession ganz nahe; da nun aber dieser Orden von Seiner Kayserlichen Mayestät auf gehoben worden ist, und allerhöchst dieselben meine weitere Entschlüssung zu wissen anverlangen:

So habean mit zu erklären, daß ich aus Rücksicht meines hohen Alters und gebrechlichen gesundheits Umständen weder zur Instruirung der Jugend noch zur Wartung der Kranken fähig, mithin gar nicht im Stand bin, nicht in ein anderwertiges Kloster zu begeben, sonder wäre urbiettig wann seine Kayserliche Mayestät in dem hiesigen Kloster den Elisabethiner oder Ursuliner Orden einzuführen geruhten, Lebenslang geistlich zu Verbleiben und folglichen in dieses Neue Institut zu treten; allenfalls jedoch wieder vermuthen in den hiesigen Kloster gar kein frauen Orden mehr platz findete und Unser jetziges Convent Saecularisiret würde, so bin ich gezwungen mich in die Welt zu verfügen un werder hirin[n]en beÿ meinen Bluttsfreunden in der Einsamkeitein Gottgefälliges Leben zu führen befeissen seÿe, ohne mich von denen Klostergelübden dispensiren zu lassen Und bitte sonach um die von Seiner Kay[serlichen] Mayestät mir allergnädigst bewilligte Pension. Ofen, den 28ten May 1782. Mater Jullÿanna Andrassy Abtissin"

MNL OL C103 Klarissza kolostorok – Buda - Consignation deren in dem abolirten Offner Clarissen Closter sub Dato 10ten April 1782 vorgefundenen Geistlichen Ordens Gliederen, ihrer Geistl: und Weltlichen Namen, item aufgehabten Dignitaet, lebens Alter, verwendeten Jahren im Closter, und Erklärungen, zu welche Lebens Art sich ein jegliches dieser aufgehobenen Closter Individuen künftighin entschlüssen wollen? Mit denen original Beylagen a Nro 1mo bis 53tium. f 3., 13.

³⁵⁷ The dissolution files of the Poor Clares of Buda and Pest contain the name, habitat and the amount of the allocated pension in tabulated forms.

professed nun. She wanted to enter the St. Elisabeth Order that would have fitted her medical skills well and could have ensured her a higher annual pension. She argued that she was still a novice – in spite of the fact that she had already reached the required age limit³⁵⁸ – only because of the rumors about the abolitions that prevented her from taking her monastic vow (*Profession*).³⁵⁹

A comparison of the two nunneries can also shed light on different strategies that were determined not so much by geographical factors, but also by the composition and shared values of the community.

The Poor Clares' monastery of Buda had 53 inhabitants at the time of its dissolution. The community consisted of 37 nuns (*Professin* and *Chorschwester*), 10 lay sisters and six novices.³⁶⁰ The monastery in Pest was much smaller accommodating 14 nuns, 5 lay sisters and 2 novices. The two convents manifested an ethnic and social division: the monastery in Pest was regarded as a “Hungarian monastery” in which the

³⁵⁸ Her age played an important role in her argumentation. The table made by the commissioners indicated that she was already 24 and half years old. This strange accuracy makes sense if we take into consideration that a previous ordinance of Maria Theresa – influenced by Joseph II and Kaunitz – did not allow novices to take their monastic vows before the age of 24. This raise of the age limit was introduced by the State, dismissing papal authority and the dictates of Trent that allowed men to take their vow at the age of 16.

Derek Beales, “Joseph II. and the Monasteries of Austria and Hungary,” 5.

³⁵⁹ MNL OL C 103 - Poor Clares' monasteries – Buda – Consignation deren in dem abolirten Offner Clarissen Closter sub Dato 10ten April 1782 vorgefundenen Geistlichen Ordens Gliederen... (folio 10) „diese Person wäre in Rücksichtdessen, daßsiebereitsam 9ten Janura h: a: das 24te Jahr zurückgeleget mithin der vorgeschriebenen Professions In ist erreicht hatte, als eine würd. professin anzusehen, und nun die verbreitete Nachricht von der erfolgen sollen den Aufhebung dieses Ordens, ist an sothanen Aufschub Ursach gewesen; Und da die auch weiters sie geistlich leben will; so bittet sie um die Erlaubniß, zu Preßburg in den Elisabethiner Order treten zu dürfen.”

Unfortunately there is no trace of further consideration of her request in the dissolution files of the monastery.

³⁶⁰ MOL - Helytartótanácsi levéltár - Helytartótanácsi Számvevőség - Alapítványi ügyosztály: Inventarien der in Ungarn aufgelassenen Klöster (C 103) - Klarissza kolostorok – Buda [Hungarian National Archives - Accountant Office of the Locotenential Council - Department of Foundations-Invetories of the abolished monasteries of Hungary - Poor Clares - Buda]

daughters of Hungarian noble families were in majority, while the monastery on the Buda side was most probably a German-speaking community under the leadership of Júlia Andrassy and Rozália Barkóczy, two descendants of Hungarian aristocratic families. These differences could also determine the choices of the nuns after the dissolutions.³⁶¹

A next table in Latin – most probably made at the Hungarian Chamber - dated 29 September 1782 informs about the outcomes of the nuns' plans expressed in their declarations. It lists the names of the nuns - combining their religious name as first name with their secular surname, still titling them as *choralis soror* or *laica*³⁶² – then it informs briefly about the place of residence of each person and finally it designates the custom and salt offices where the nuns could receive their annual pensions.³⁶³

The summarized declarations and the table reporting about the residence of the ex-nuns make two different tendencies perceptible from which one became dominant in Buda and the other one in Pest.

The nuns from Buda who were exempted from the option of entering another religious order due to their old age and poor health managed to form small informal

³⁶¹ Katalin Schwarcz, "Mária Terézia Látogatása a Budai Klarisszáknál 1751. Augusztus 8-án. Függelék: Budai Klarissza Főnöknők És Helyetteseik (1740-1751) [Maria Theresa's Visit in the Poor Clares' Monastery of Buda on the 8th of August 1751]," *Tanulmányok Budapest Múltjából*, Budapest várostörténeti monográfiái sorozat, A budavári királyi palota évszázadai: kiállítás a Budapesti Történeti Múzeumban 2000. március-2001. január: konferencia 2000. május, no. 29 (2001): 138., 141.

³⁶² The distinction indicated differences in the allocated pension.

³⁶³ MOL - Helytartótanácsi levéltár - Helytartótanácsi Számvevőség - Alapítványi ügyosztály: Inventarien der in Ungarn aufgelassenen Klöster (C 103) - Klarissza kolostorok – Buda [Hungarian National Archives - Accountant Office of the Locotenential Council - Department of Foundations-Inventories of the abolished monasteries of Hungary - Poor Clares - Buda] Tabella exhibens specificam Deductionem, qualem nam aboliti Conventus Monialium Clarissarum Budensium Individua cum altissimo indultu Cao Regio é Claustro egressa vitae statum amplexa sint? ubi commorabuntur? & penes qualem Cassam iisdem Pensiones assignari possent?

communities in private houses that Veronika Čapská calls “the post-community stage of their lives”³⁶⁴ referring to a period “when they were usually no longer part of an institutionally anchored community, but often continued to share a collective identity and a sense of community”³⁶⁵.

The decisions of the leaders of both monasteries could be exemplary for their communities: the two elderly noblewomen, Julianna Andrassy and Margaretha Rosalia Barkóczy leading the monastery of Buda for decades stayed in the Buda castle and provided accommodation to 2-3 nuns and lay sisters from their community, while the abbess of the monastery of Pest, Klara Maria Kutý left Pest and moved to her male relative, the canon of Eger called Dobronay.

The table made in September listed the places where the nuns received their pensions and it also included small hints about the nuns of Buda living together: for instance, Ursula Ottin “entered secular life and lives with Sister Sophia.”³⁶⁶

Two nuns asked for dispensation from their vows and two other ones considered it seriously from the monastery of Buda. Three of these nuns were the daughters of noble families (Beniczky, Desőfy, Zsényei) who moved back to their families’ estates to the countryside, while the fourth nun stayed with her family in Buda. The 26-year-old nun, Soror Rosalia (Anna Maria Fischerin from Buda) opted for a lonely life in secular status as long as she could make “a more mature decision”. The 21-year-old lay sister Soror Eleonora who lived in the monastery since the age of 7 chose the same strategy.

³⁶⁴ Čapská, *Between Revival and Uncertainty*, 32.

³⁶⁵ Ibid.

³⁶⁶ MNL OL C103 Klarissza kolostorok – Buda - Pest

The 36-year-old Soror Josepha – who was actually a baroness called Theresa Zsényei – considered to petition for dispensation from her vow after returning to her father and having enough motivation (*beybringung genugsamer Motive*) to do so. Soror Dominica (Barbara Kolbin) made her decision about the dispensation dependent on her experiences among secular circumstances. Soror Susanna (Anna Josepha Desöffy) seemed to regret her decision, and her dispensation was already in progress at the time when she submitted her declaration. Nevertheless, she felt it important to complete her statement with a clear refusal of marriage:

I have freely decided to undertake the secular life and let myself to be dispensed from my vow, but I will forever stay unmarried and want to live a life pleasing to God.³⁶⁷

Soror Xaveria (Catharina Beniczky) also asked for the dispensation, justifying her decision with her sickness.

Seven nuns of the monastery of Pest decided to return to their families to the countryside³⁶⁸, but none of them asked for dispensation from their vows. Only a 40-year-old lay sister, Soror Crescentia considered to change her lifestyle after a while, but her initial preference was given to the lonely secular life.

31 former Poor Clares decided to live in Buda and 10 in Pest, 41 if we add their number in the two cities together.³⁶⁹ But there is no report about ex-nuns from the

³⁶⁷ “... und bin frey den gesinnt mich in dem weltlichen Stand zubegeben –auch von denen Kloster Gelübden dispensiren zu lassen aber Ewig ledig zu bleiben, und ein wohl Gottgefälliges leben zu führen” MNL OL C103 Klarissza kolostorok – Buda – Anna Josefa de Dersöffy’s declaration f 46.

³⁶⁸ Their destinations were Eger, Szekszárd, Pusztaszántó, Kunszentmárton, Kluknava in the Spiš region and Nógrád.

³⁶⁹ 29 nuns settled in Buda and 4 in Pest from the Poor Clares’ community of Buda, i.e. 33 in total, while from the Poor Clares of Pest 6 ex-nuns stayed in Pest and 2 in Buda, i.e. 8 in total.

convent of Pest living together. Only two nuns lived together in Pest, but they moved there from the monastery of Buda.

But while the nuns of Pest seemed to be more willing to leave the city, the nuns of Buda – probably because of the more far reaching networks of the monastery – had to undertake longer journeys if they wanted to return home. Nuns of Austrian origin were more inclined to join a religious order than to return to their families, while a small cohort of young nuns of Bohemian origin was determined to return to their home country. But a nun and a novice from Cheb still could not leave. The novice was the 24 years old Soror Modesta, Ursula, a descendant of the burgrave of Cheb and a *figuralische Singerin*. The nun was an organist called Soror Agnes or Anna Fejerin. She was 26, but she had lived in the order already for 6 years. Both of them could come to Buda with the mediation of the Poor Clares' monastery in Cheb. They were petitioning for financial support in May to cover their travelling costs, but they were still living with friends in Buda in September. A third Bohemian nun from Tachov – located near Cheb – managed to return to her elderly organist father.

Not all the plans written in the nuns' declaration were realized: in the monastery of Buda Raphaela Theresia Fábry, Alexia Rosalia Kreutzerin and Ludovica Clara Mehrlin all planned to return into secular life and live in solitude. Finally, Soror Raphaela and Soror Ludovica joined the order of Saint Ursula in Győr, and Soror Alexia went to the Saint Elisabeth Order in Pozsony.

Finally, 13 nuns (9 from Buda and 4 from Pest) joined another religious order. Since novices had to leave their monasteries without having a choice to enter another religious order, 47 nuns in Buda and 19 in Pest were in the position to opt for another

order, i.e. 66 nuns in total. 3 from Buda and 2 from Pest, altogether 5 nuns chose the Elisabeth Order in Bratislava. Two further nuns moved to Bratislava, one from Buda joining the Notre Dame nuns and another one from Pest opting for the Ursulines. The Ursulines of Győr took 3 nuns from Buda and 1 from Pest and the same order accepted 2 nuns from Buda in Trnava.

5.4.1.2. Augustinian nuns

The Augustinian canonesses of Eisenstadt were dissolved on 3 December 1782. 21 choir sisters and 1 lay sister expressed their will about their future lives. Only two choir sisters opted for the Saint Elisabeth Order's monastery in Bratislava (it belonged to the archbishop of Esztergom), and all of them petitioned for a pension. 7 sisters opted for the diocese/bishopric of Győr (Raab), 1 for the archbishopric Esztergom (Gran), 1 for Graz, 7 for Viennese archdiocese, 1 for Wiener Neustadt (Neustatt) and 2 for Krieglach in Styria (Steiermark). Salesia Kesnerin was responsible for the small domestic pharmacy of the monastery and nursed her sick sisters, but she didn't wish to join the Saint Elisabeth order after 14 years' service at the Augustinians.³⁷⁰

5.4.2. Male strategies – Dissolution or regulation?

The dissolution could provide larger freedom to the monks to continue their lives according to the rules/agenda of their religious order, while the spared monasteries became controlled by the state authorities in more and more nuanced ways. The state utilized the regulative force of the monastic setting and shaped it according to its own

³⁷⁰ Magyar Nemzeti Levéltár, Országos Levéltár, Helytartótanácsi Levéltár, Departamentum Ecclesiasticum Cleri Saecularis et Regularis - C 71 [Hungarian National Archives – Archives of the Consilium Locumtenentiale – Department of the Secular and Regular Clergy] - 1782 Fons 46 positio 4.

agenda in which providing parish service played a crucial role. This changed the spatial boundaries of the monastery: the active members of the community were directed into the “outer world”, namely to the parishes, while the enclosed space of the monastery became a collecting place of all the “invalid” - sick, old, helpless – members of the religious order.³⁷¹ Derek Beales calls these surviving monasteries “half-monasteries”.³⁷² The novices were directed into the general seminaries – while the initial idea of monastic communities could not have a future perspective anymore.

5.4.2.1. The monks’ response: Camaldolese and Trinitarian declarations

I present the monks’ strategies of accommodating themselves to the new circumstances based on a fragmented collection of 110 declarations out of which the Trinitarians provided the most eloquent, but still typical responses about their considerations regarding their future lives.

The first four monasteries dissolved in 1782 in Hungary belonged to the Camaldolese monks. Unfortunately, their declarations were preserved in the dissolution files of only one house: 18 Camaldolese monks in Červený Kláštor described their future plans.³⁷³

The Trinitarian Order was dissolved on February 25, 1783 in the hereditary lands.³⁷⁴ Dissolution procedures started to be carried out in Hungary from October 20,

³⁷¹ Eduard Winter, *Der Josephinismus und seine Geschichte. Beiträge zur Geistesgeschichte Österreichs 1740-1848*, Prager Studien und Dokumente zur Geistiges- und Gesinnungsgeschichte Ostmitteleuropas (Brünn-München-Wien: Rudolf M. Rohrer Verlag, 1943), 146–47.

³⁷² Beales, “Joseph II and the Monasteries of Austria and Hungary,” 176.

³⁷³ Camaldolese monasteries: Majk (Oroszlány), Landsee (in Hungarian Lánzsér, nowadays administratively belongs to the town Markt Sankt Martin/Sopronszentmárton), Lechnica (Červený Kláštor), Zobor Mountain (Nitra)

³⁷⁴ Gerhard Winner, *Die Klosteraufhebungen in Niederösterreich und Wien* (Vienna, 1967) 187.

1783.³⁷⁵ Out of the dissolution files of seven Trinitarian monasteries, five preserved the declarations of Trinitarians, 92 in total.³⁷⁶

In the case of Bratislava all the 15 monks of the monastery opted for parish work except one who gave a tentative answer, because he intended to return to his homeland, Bohemia. Most of the monks wished to stay in Bratislava.³⁷⁷ But taking into consideration that the number of parish priests was determined in a ratio of 2 priests per 1000 inhabitants in Vienna, and most of the monks were directed to the countryside, the declarations of three Trinitarian monks mirror rather wishful thinking and the uncertain circumstances in which they were required to make their decision.³⁷⁸

The monastery of Komárno represents more explicit diversity. Only two of seven monks refused the secular parish service explicitly, but another three of them gave tentative answers admitting to physical weakness and incapacity, but still petitioning for secular priestly status. The prestige and higher pension offered to the parish priests – if the expectations could be adjusted to the capacities of the person – could make the secular service an attractive alternative. Some of the monks did not drop the option explicitly but left the decision to the bishop of the diocese. Adrianus Czuchner expressed his concerns in the following way:

³⁷⁵ MNL OL C103 –Trinitarian monasteries

³⁷⁶ Magyar Nemzeti Levéltár Országos Levéltára - Helytartótanácsi Számvevőség (C 103) - Alapítványi ügyosztály: Inventarien der in Ungarn aufgelassenen Klöster [Hungarian National Archives - Accountant Office of the Locotenential Council - Department of Foundations - Inventories of the abolished monasteries of Hungary]. The fonds' citation form is abbreviated in the following footnotes as MNL OL C103 and specified with the name of the religious order and location of the monastery. Names of settlements are indicated in accordance with the catalogue of the fonds. Trinitarian monasteries, (underlined if the dissolution files were preserved): Eger, Sárospatak, Komárno, Makkosmária, Trnava, Bratislava, Óbuda, Ilava

³⁷⁷ MNL OL C103 Trinitárius kolostorok – Pozsony –declarations ff 90-135.

³⁷⁸ Harm Klueting, *Der Josephinismus* 327.

A: It does not concern me since I am a professed Trinitarian since 50 years.

B: I cannot opt either for Italy, Spain or to Poland, because I was born and educated in Hungary, and in consequence of this I am not familiar to those lifestyles and countries.

C: I am a 67 years old man, I served in several ways ever since I turned 16 /: for I took the habit here in Komárom on 23th May 1734 :/ I was the teacher of theology and philosophy for 12 years, minister in Eger for 3 years and in Komárom *minister* and *definitior* for another 3 years: How could I in my old age bring myself to enter into another order?

D: As far as pastoral care goes, on account of my above-mentioned age, and of the number of my years, and of my shabby health, I am not suitable. I opt, however, for the ecclesiastic status and to remain here, in Komarom, for the benefit of the parish church to hear the confession of the faithful. The two local chaplains can hardly or with great difficulty do that because the one has to prepare for preaching and the other has to care for the sick.

E: This shall be asked from the bishop separately.

Furthermore, I can also serve God in ecclesiastical status. And I am still not so wretched that I should be pushed away to another monastery to live with people even more wretched than

myself. I have no relatives, all of them are already dead, but I am still not so weak that I would have to stay in a monastery.³⁷⁹

The declaration of Franciscus Schmidt, who was one of the younger monks in Komárno, presents an essentially different attitude. It was written in third person singular –maybe by one of the commissioners - and its formulation mirrors a positive and somewhat competitive attitude through highlighting his skills relevant to parish service:

“2nd. He does not want to emigrate to any foreign country at all, but he wants to stay in His Most Serene Majesty’s country.

3rd. Furthermore, he wants to embrace the secular priestly status and not another religious order. [...]

5th He entered the order when he was 15 years old, but now he is 34 years of an age, he performs the function of a preacher since 7 years and declares with all humility that he wants to comply with and conform to the diocesan statutes unconditionally”.³⁸⁰

³⁸⁰ 2. ad extras provincias se emigrare nullatenus velle, verum in ditionbus Serenissimae Suae Majestatis velle permanere 3. Praeter Praesbyteralem Saecularem Statum, nullum alium ordinem amplecti se velle. 5. Sui ingressus in Ordinem Trinitariorum in 15 annum, aetatis vero suae 34. completorum Annorum

The previously presented ambiguity can be found in the monastery of Óbuda where several monks admitted their physical weaknesses and incapacity to perform parish work, but still expected to receive their pension in ‘ecclesiastical status’.³⁸¹ Only one third of the 21 professed monks – mainly the youngest ones – opted for the ecclesiastical status without any further remarks.

The inhabitants of the monastery of Eger had more limited options for negotiations: their answers were recorded in a tabulated form that eliminated narratives from the written communication between the monks and governmental bureaucrats.³⁸² The clusters of the form were designed to report about their *Intentio* – i. e. when do they want to leave in the building of the monastery-, *Interimialis Provisio* – where do they want to stay after leaving - and *Proposita Accomodatio* –that referred to the way they could make a living. At the last column all the professed monks chose the ‘ecclesiastical status’ except one monk whose illness was proved by a testimony of the county physician and famous doctor of Eger, Franciscus Markoth.³⁸³ The Trinitarians of Eger were the first monks in the process whose health conditions were judged not by the

existens, jam 7. Annis Concionatoris Officio perfungens, saecundum Dioecesani Mandata in omnibus satisfacere et obtemperare velle, in omni submissione se declarat.

³⁸⁰ 2. ad extras provincias se emigrare nullatenus velle, verum in ditionbus Serenissimae Suae Majestatis velle permanere 3. Praeter Praesbyteralem Saecularem Statum, nullum alium ordinem amplecti se velle. 5. Sui ingressus in Ordinem Trinitariorum in 15 annum, aetatis vero suae 34. completorum Annorum existens, jam 7. Annis Concionatoris Officio perfungens, saecundum Dioecesani Mandata in omnibus satisfacere et obtemperare velle, in omni submissione se declarat.

MNL OL C103 Trinitárius kolostorok – Komárom – Franciscus Schmidt’s declaration f 145.

³⁸¹ MNL OL C103 Trinitárius kolostorok – Óbuda – Consignatio Religiosorum Individuorum in abolito ordinis S.S.S. Trinitatis de Redemptione Captivorum Monasterio Vetero Budensi Sub 31. January 1784. ff 11-16.

³⁸² MNL OL C103 Trinitárius kolostorok – Eger – Tabella Remonstrans Statum abolitorium Individuorum Patrum Trinitariorum in Claustro Agriensi ff 10-11.

³⁸³ MNL OL C103 Trinitárius kolostorok – Eger – Franciscus Markoth’s testimony f. 12.

monks themselves, but by a physician. According to his testimony, four of the fifteen inhabitants were old and seriously ill – one of them was the aforementioned monk, the others were lay brothers – i.e. their condition justified their incapacity for secular work.³⁸⁴

The employment of a professional-bureaucratic agent in order to justify the health conditions of the monks was exceptional. Medical examination became a general requirement only after 1786, when the network of county physicians and state-employed medical experts was set up.³⁸⁵

The declarations sometimes refer to other possible alternatives created by the religious themselves in order to manage their lives after the dissolution. Negotiations over bodily (in)capacities appear to be the most common ways to carve out the necessary freedom for individual agency. Taddaeus a Transfiguratione, a monk in the monastery of Sárospatak refers to two of the most often challenged alternatives:

“Since I am weighed down both by the burden of my years and by my weak strength – because for thirty whole years I have fulfilled quite difficult duties within our abolished religious order – I would consider myself less suitable to embrace the rules of a new institution or too old to instruct in the Faith the youth in the schools of the Piarist Fathers or to nurse the sick in the order of the Hospitallers (as I am not familiar with such procedure). In the same way I regard myself as unable – because of my advanced old age – to undertake the more difficult tasks relating to the care of the souls at the side of some parish priest. I have decided to put on the ecclesiastic vestment in Pest or Buda, living and drawing my sustenance with some religious community there, if this is permitted by superior authorities. If, however, I am not allowed to do this, [I beg] to be allowed to receive lodging and sustenance in some private, honorable secular household and in this way pension should be assigned to me and dealt out in the Salt Office of Pest, so that, for

³⁸⁴ MNL OL C103 –Trinitarian monasteries – Eger – Franciscus Markoltt’s testimony.

³⁸⁵ Lilla Krász, “Quackery versus Professionalism? Characters, Places and Media of Medical Knowledge in Eighteenth-Century Hungary,” *Studies in History and Philosophy of Science Part C: Studies in History and Philosophy of Biological and Biomedical Sciences* 43, no. 3 (September 2012): 700–709, doi:10.1016/j.shpsc.2012.02.006.

what is left of my life I should devote myself, in pious silence, and insofar as my diminished strength will allow, diligently to the care of the souls”.³⁸⁶

The declarations shed light only on the beginning of the post-dissolution careers of the ex-monks and -nuns. How their plans for the future described in their declarations could or could not be realized, how realistic their aims and opportunities were can be revealed only on the basis of a great a variety of sources, as they appear and re-appear in the files of the proliferating governmental departments.

5.4.2.2. Monks in pastoral care: endowed monks as parish priests, mendicants as auxiliaries?

Gerhard Winner’s study on the dissolution of monasteries in Lower Austria provides insight into the reorganization of the Viennese parish system and presents how the incorporation of monks into the secular clergy became more differentiated from the summer of 1783: future parish priests and local chaplains of Vienna were selected from and financed by endowed monasteries (*Stiften*), while the mendicants – after having been examined and licensed - were required to fulfill auxiliary functions as

³⁸⁶ Quod cum ego et annorum et debilitatarum virium mole pressus /: 30 enim annis integris abolita Religionis Nostrae sat onerosas functiones sustinui /: me ad amplectandam novi alicujus instituti rationem, aut instituendam in Religione P.P. Piarum Scholarum Iuventutem, senem, aut servitia infirmis in Instituto F.F. Misericordiae praestanda, velut mihi insuetam Methodum minus aptum recognoscam, sed et ad subeunda ad latus alicujus Parochi Cura animarum onerosiora Munia, me in attrita aetate me inhabilem censeam, statui assumpto vestitu Ecclesiastico Pestini aut Buda conducto apud religiosam aliquam Communitatem hospitio, et victu, si id per superiores licuerit, si vero id assequi non possem in Privata aliqua honesta saeculari domo de hospitio et victu providere, hacque ratione ex Clementissimo mihi excindenda Pestinique in officii salis assignanda annua pensione vitam reliquam in religioso silentio et in quantum vires fracta admiserint sedulo cura animarum incumbere.

MNL OL C103 Trinitárius kolostorok – Sárospatak – Taddaeus a Transfiguratione’s declaration

Kooperatoren. For both types of positions, the examination and selection of candidates was carried out by the leaders of the monasteries, but the final decision was made by the consistory of superiors (*Consistorium der Oberen*). Simultaneously, the limited capacities of the monasteries to accommodate their members and the prohibition of collecting alms compelled the mendicant orders even more forcefully to send their members to parishes. Besides lowering the costs of pastoral care, the main benefit of this practice was the preparation of the monks for the tasks of the secular clergy in case of the dissolution of the monastery. However, a court decree issued in October 1783 articulates doubts regarding the monks' necessary competences and political reliability for parish work: the appropriate education of the monks and their ability to fulfill a disciplinary role in the local communities were especially called into question.³⁸⁷

My point of departure was to examine if Winner's statements can be applied to the Hungarian Kingdom, too, and, as much as it was possible in the framework of this dissertation, compare it with the Austrian practice.

Diocesan examinations of the monks started almost simultaneously with the first monastery dissolutions. The bishops overseeing the hereditary lands were instructed in an ordinance issued on 29 January 1782³⁸⁸ to take good care of the selection of monks suitable for parish work and to direct them to places where there was a shortage in pastoral care. The same requirement was communicated to the bishops of the Hungarian Kingdom in February³⁸⁹ and they were expected to provide detailed information about

³⁸⁷ Winner, *Die Klostersaufhebungen in Niederösterreich und Wien*, 159–66. Gerhard Winner, *Die Klostersaufhebungen in Niederösterreich und Wien* (Wien-München: Verlag Herold, 1967) 159–166.

³⁸⁸ Harm Klüeting (ed.), *Der Josephinismus* 287–288.

³⁸⁹ The ex-monks had to be examined by the bishops in order to be officially licensed for parish work. Those who passed the exam had to receive a certificate from the bishop of the diocese. Velladics, "A II.

ecclesiastical people from 10 September 1782, but there is no trace of a systematic record keeping and administration of ex-monks by the dioceses until 1785. The first lists and tabulated forms arrived at the Hungarian Locotenential Council in the summer of 1785 and they informed about the physical and intellectual suitability of much less monks than the total number of the inhabitants of the dissolved monasteries could be.

Diocesan exams and permissions granted for monks to undertake the duties of secular priests were not a new invention of the time of Joseph II. But, while examinations could be carried out in an organized and systematic way in the operating monasteries, the difficulties of gaining and providing information about ex-monks are clearly perceptible from the reports sent to the Ecclesiastical Committee and then to its Department of the Secular and Regular Clergy. After the monks had left the dissolved monasteries, they often moved to other places, e. g. to relatives or to the place where they could be employed in parish service.³⁹⁰ The dioceses had no similar coercive power to make the ex-monks inform them about their residence and conditions. There is no trace of information flow between the state authorities and the dioceses. Their relocations were probably best traced by the Hungarian Chamber, as it allocated

József Korabeli Szerzetesrendi Abolíció Művészettörténeti Vonatkozásai. Doktori Disszertáció. [The Dissolution of Monasteries During the Reign of Joseph II from an Art Historical Perspective. PhD Dissertation],” 14–47. Márta Velladics, *A II. József korabeli szerzetesrendi abolíció művészettörténeti vonatkozásai* (PhD Dissertation, Eötvös Loránd Tudományegyetem, Budapest, 2001) [The Dissolution of Monasteries During the Reign of Joseph II from an Art Historical Perspective] 14–47; Velladics, “Paradicsom Vagy Pokol? Szerzetesség 1782–1790,” 23., 31–32. Márta Velladics, “Paradicsom vagy pokol?,” 23., 31–32. Klueting, *Der Josephinismus: Ausgewählte Quellen Zur Geschichte Der Theresianisch-Josephinischen Reformen*, 287–88. Harm Klueting, *Der Josephinismus: ausgewählte Quellen zur Geschichte der thresianisch-josephinischen Reformen* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1995) 287–288. duplikálod a címeket

³⁹⁰ The Trinitarians dissipated in the country: some of them moved in the city of their monastery, while the majority moved to other places either to live with their relatives or to become a parish priest. Ferenc Fallenbüchl, *A Rabváltó Trinitárius Szerzetesek Magyarországon [The Order of the Most Holy Trinity for the Redemption of Captives in Hungary]* (Budapest: Stephaneum Nyomda, 1940), 87., 103., 116., 123–124., 135–136., 159–160., 171.

pensions from the *Religionsfond* to the ex-monks and -nuns to the salt offices or custom houses (for thirtieth tariff) at – or nearest to – their place of living, and, for this reason, the state authorities were quite well-informed and up-to-date in this respect. The dioceses had no similar coercive power to make the ex-monks inform them about their habitats and conditions. For this reason, they managed to provide more or less complete lists of one-time Camaldolese, Trinitarian and Carmelite monks living in their dioceses only in 1785 at first. The information they had was clearly fragmented, as they could list not more than 42 monks in total, while the number of ex-monks could be about two-hundred. The diocesan reports reflected mainly on their physical condition, language skills and on their suitability for parish service in general.

It is interesting to note that the bishop of Eger reported about the two former leaders of the Trinitarian monastery of Eger, Pater Isidorus Miklosy, ex-prior and Valentinus Kimmerhoffer, ex-vicar. Though the medical examination did not exclude Miklosy from the physically suitable monks in January 1784, Károly Eszterházy, the bishop of Eger, evaluated him as “barely suitable” (*vix idoneus*), because of his old age, weak physical condition and insufficient language skills (he could speak only Hungarian). Simultaneously, he evaluated the ex-vicar, who was strong, spoke German perfectly, and Hungarian moderately well, as suitable for the care of the souls (*ad gerendam animarum curam idoneus et habilis*).³⁹¹

The missing exchange of information between state offices and the dioceses also appears in respect of the operating monasteries and their diocesan licensing for parish work. Although the dioceses were expected to submit their reports about the monks’

³⁹¹ MNL OL C 71 1785. Fons 243. positio 18.

exams to the Locotenential Council – listing the name of each monk and the evaluation of their performance – in tabulated forms from 1782, the dioceses were apparently ignoring this requirement, even if the exams were made dutifully. The Locotenential Council sent out the directives again and again, attaching more and more sophisticated questionnaires to them and asking for information about the personnel of the parishes, too. But the first reports had not arrived until 1786, and they were sent in only by two dioceses, namely from Oradea and Győr. The tabulated form received from Győr reports about the monks' exams carried out already in 1782. The form indicates the religious order and the location of the monastery, then the name, age, language skills, exam result and health condition of each monk. The report of the bishopric of Oradea was probably made according to the newer and more sophisticated instructions inquiring into the previous theological studies of the monks and their performance at the exam.³⁹²

5.5. Monastic prisons and insanity

The dissolution of female monasteries in 1782 also revealed a story that could give new impetus to the investigation of monastic prisons. In the female Benedictine convent of Göß, a nun called Columba – her secular name was countess Maria Anna Trautmannsdorff – was found imprisoned as a mentally ill member of the community.

³⁹² Each individual had to be characterized according to the following questions:

“Qualiter in studiis instituti, ac signanter genuina juxta praescriptorum Methodum Pastoralis scientia praedictus sit?; In quantum notitas, quae ad reipsa obeundem curam animarum requisita sunt, sibi procuravit; Aut qualiter has sine exceptione, securissima ac brevissima via procurare possit?; Qua studia, quas Theologiae partes, in quo loco, qvove cum successa teste praescripta classificatione audiverit; Aetas et Vires; Annus Religiosis

Magyar Nemzeti Levéltár, Országos Levéltár, Helytartótanácsi Levéltár, Departamentum Ecclesiasticum Cleri Saecularis et Regularis - C 71 [Hungarian National Archives – Archives of the Consilium Locumtenentiale – Department of the Secular and Regular Clergy] - 1785 Fons 241.

She was the daughter of count Maximilian Joseph Thaddäus Franz Trautsmannndorff, and her mother was the Hungarian countess Elisabeth Maria Theresia Zay. She was one of the three daughters of the family, who were all sent into Catholic convents at an early age. Sigismunda, the elder sister of the imprisoned nun lived in the Ursuline convent of Vienna and, being aware of sister Columba's illness, she tried to petition for a better treatment of her sister.³⁹³

Sister Columba's detention became known for the authorities, as the abbess of the Benedictine convent of Göß died in 1779, and on the occasion of the election of the new abbess, Bönicke, the councilor of the consistory of Salzburg visited the convent as the representative/notary of the elector commissioner (*Wahlcommissionar*) bishop of Bressanone/Brixen. He realized that sister Columba was missing from the assembly. The nuns claimed that she was recalcitrant and foolish, and the commissioner found her incarcerated in a small room. He tried to appeal for her liberation. Eight months later, he wrote to the Bishop of Seckau, reporting about the bad circumstances of her detention that could be harmful both for her bodily and mental health. He claimed that he could have a reasonable conversation with sister Columba, who had been in detention for about one and a half years already. She wished to stay a nun and asked for an

³⁹³ According to Adam Wolf, one of the sisters, Anna Maria joined *the Savoysches Damenstift* in Vienna, a religious community of noblewomen. According to Christine Schneider, she entered the convent of the Dominican nuns in Graz. Schneider also informs about the death of the father in 1751. Sigismunda had lived in the Ursuline convent since 1746. Kollonich, the archbishop of Vienna was an influential relative of the Protestant mother, and he enforced that the education of the three daughters of the family should take place in convents. He also adopted the only son, Franz Xaver Ehrenreich, who became a secular priest and later also inherited an annual pension of 1000 fl from Kollonich. After the mother's death in 1778, the maternal inheritance attained Elisabeth Maria Theresia Zay's brother, Ladislaus. The three daughters got annual pensions of 100 florins, from which the two healthy sisters reserved 50-50 florins for Columba, thus her pension was raised to 200 florins. Wolf, *Die Aufhebung der Klöster in Innerösterreich: 1782-1790 ; Ein Beitrag zur Geschichte Kaiser Joseph's II*, 72.; Schneider, *Kloster als Lebensform. Der Wiener Ursulinenkonvent in Der Zweiten Hälfte Des 18. Jahrhunderts (1740-1790)*, 69–70.

opportunity to join another religious order. Bönicke's earlier attempts to change the conditions of her arrestment failed first because of the interference of the nuns who considered sister Columba as a threat against the good order of the community and then because of the election of the bishop of Brixen. As he finally turned to the prince bishop of Seckau, he claimed that better circumstances still could result in sister Columba's recovery and a visit of her sister, Sigismunda, could be helpful to receive a reliable opinion about sister Columba. But his petition yielded no results, and the unfortunate nun remained imprisoned until the dissolution of the convent in 1782. The Gubernium ensured care, accommodation and sustenance for her until the costs of her future care in a secular institute were taken over by the religious fund. The court chancellor count Kolowrat suggested that she should be taken in to the "Spanish hospital" (*Spanisches Spital*) in Vienna, but the journey could have been too exhausting for the sick nun, and the relatives also did not want to undertake higher costs of her sustenance than the annual 200 florins she was entitled to receive as her maternal heritage. This sum, completed with the pension she could expect from the religious fund after the dissolution of the convent, added up to an income of 400 florins in total. Finally count Stubenberg, the commissioner responsible for the dissolution mediated a deal, according to which a lady in Graz, Marie Abholzerin offered accommodation and care for sister Columba.³⁹⁴

Columba's sister Sigismunda appealed for her dispensation from the oath, but she also acknowledged that her pension could not cover the costs of her medical care

³⁹⁴ Wolf, *Die Aufhebung Der Klöster in Innerösterreich: 1782-1790 ; Ein Beitrag zur Geschichte Kaiser Joseph's II*, 72–77. The story is briefly mentioned in Marczali, *Magyarország története II. [i.e. Második] József korában [The History of Hungary during the Reign of Joseph II]*, 2.:132.

and nursing. As their mother died in 1778, her share of the maternal inheritance could ease the financial problems to some extent. The bishop of Seckau tried to secure a place for Columba in the Viennese Ursuline convent from 1779, but the community was probably unwilling to admit such a problematic person. The investigation held in June 1782, i. e., after the dissolution of the convent of Göß in March, concluded that sister Columba's mental and physical condition was not the consequence of the bad treatment and of the conditions of her detention.³⁹⁵

The investigation of monastic prisons became a major issue for secular authorities in January 1783, after Ignaz Aurelius Fessler, a young Capuchin monk had protested the inhuman treatment of a monk incarcerated in the monastery of Mödling, near Vienna.³⁹⁶

Joseph II ordered the investigation of prisons in the hereditary lands on 11 March 1783, and the same ordinance had to be carried out at the same time in the Hungarian Kingdom. The bishops were ordered to list the monasteries in which prisons could be found and to send their reports to the Ecclesiastical Committee of the *Ungarische Statthalterey*. They had to provide a description of the prisons found and give an account

³⁹⁵ Schneider, *Kloster Als Lebensform. Der Wiener Ursulinenkonvent in der zweiten Hälfte Des 18. Jahrhunderts (1740-1790)*, 69–70.

³⁹⁶ Ignaz Aurelius Fessler's pamphlet *Was ist der Kaiser?* published in 1782 also prepared the atmosphere for the investigation of monastic prisons. The famous historian and church scholar started his carrier as a Capuchin monk in Hungary, but he disappointed soon and turned to the Emperor with his complaints. According to his biography, the main turning point in his early carrier was the shocking experience of the monastic prisons. Szinnyi József: *Magyar írók élete és munkái III. (Fa–Gwóth)*. Budapest: Hornyánszky. 1894. <http://mek.oszk.hu/03600/03630/html/f/f05497.htm> (accessed 23 April, 2015); *Was ist der Kaiser? Verfasst von einem Kapuziner-Mönch. Herausgegeben von Fessler*. Wien, 1782. 2 volumes. Lehner, *Monastic Prisons and Torture Chambers*, 24. Quoted source: Allgemeines Verwaltungsarchiv Wien: Bestand Alter Kultus, Kath. Kirche 619, Sign 63, Generalia 339 ex 1783, fol. 13-18 of 27 January 1783

about the prisoners, who were very often insane.³⁹⁷ About mid-March, the Hungarian Locotenential Council was instructed to carry out visitations in the Capuchin monasteries of Bratislava and Buda and check the conditions of their prisons. Joannes Bacho (János Bacsó) was responsible for the preparation of a report to the Ecclesiastical Committee about the visitation submitted on 28 March. He was informed that the prison of the monastery was dissolved in accordance with Maria Theresa's ordinance, and the diocese carried out a visitation in 1775.³⁹⁸ Nevertheless, the monastery still had two correction cells. One of them was empty and in the other cell, a mentally ill monk - mentioned in the report as *maniacus* - was kept in custody. According to Ludwig Raber's book on the Franciscans of Austria, similar cases of mentally ill monks were reported in the Franciscan monasteries of Vienna, Sankt Pölten and Püpping,³⁹⁹ while Adam Wolf informs about that the visitations revealed the detention of a Franciscan monk in Lankowitz and "there was hardly any female convent in which mentally ill nuns were not found."⁴⁰⁰ Although the investigation of monastic prisons, carried out in 1771,⁴⁰¹ could have raised the same concerns, mentally ill monks received more attention first in 1783.

The religious orders traditionally nursed their sick and old members inside the monastery. The detention of insane monks could be problematic, because it could easily lead to abuses: labelling somebody as insane could be used as a pretext for incarceration

³⁹⁷ MNL OL C 71 1784. Fons 2.; 1783. Fons 100.

³⁹⁸ "Benignum Rescriptum sub 14a Juny 1773 et Numero 2845 emanatum, viaques Ex consily Locumtentialis Regy omnibus Religiosorum Ordinibus intimatum"

³⁹⁹ Raber, *Die österreichischen Franziskaner im Josefinismus*, 43–45.

⁴⁰⁰ Wolf does not refer to his sources. Wolf, *Die Aufhebung der Klöster in Innerösterreich: 1782-1790; Ein Beitrag zur Geschichte Kaiser Joseph's II*, 77.

⁴⁰¹ Wiedemann, "Die Klosterkerker in der Erzdiözese Wien."

and the strictness of the punishment could make it a “self-fulfilling prophecy”, i. e. it could lead to a mental breakdown of the incarcerated person. Joseph II expressed this concern explicitly in his decree issued in early March (a few days before the decree about monastic prisons).⁴⁰² Leaders of the regular and secular clergy were obliged to make contracts with the Hospitallers and reserve places for the old, sick or insane clergymen in their monasteries or dioceses. It is important to note that this ordinance was issued before the prison visitations were carried out, and thus the visitation reports could give very exact accounts on the insane monks in the monasteries.

Bacho’s report about the Capuchin monasteries of Bratislava and Buda was discussed by the Ecclesiastical Commission and presented to the Locotenential Council in the first days of April. A few weeks later, on 28 April, the Locotenential Council instructed the counties (*Komitaten*) of Hungary and Croatia to visit each monastery in their territories. Their reports were submitted to the Locotenential Council in May and their content was extracted and compiled together in a 40-page long report.

According to the accounts received, 296 monasteries were visited in a few weeks. This fact deserves attention, because this really covered all the monasteries of the country, except those 17 houses that had been dissolved in the previous year and three nunneries that were left out from the investigations. No prison was found in any of the monasteries, but the commissioners provided detailed descriptions of correction cells that were used for disciplining mainly in the Franciscan, Capuchin and Minorite monasteries. In several monasteries, the correction cells still preserved the traces of

⁴⁰² Joseph II’s ordinance, in which he directed all the old and sick clergymen to the hospitals of the Brothers Hospitallers of Saint John of God (Barmherzigen), was issued on March 11, 1783 and it was communicated to the bishops and superiors of religious orders on April 7 and September 29.

more severe forms of incarcerations: double doors, unusually strong locks, barred windows were noted, since the commissioners were instructed in advance to pay attention to such remnants of prisons carefully and initiate their removal in order to prevent their usage in the future.

The investigators found only five incarcerated persons in four monasteries (Bratislava, Kecskemét, Szeged and Caransebeș) in the whole country. Three of them were regarded as mentally ill. The commissioners named the imprisoned persons and inquired into the cause of their detention, its duration and circumstances.

After the visitations had been carried out, monastic prisons were not discussed any more, further actions were refocused on the provision of mentally ill monks and priests. The Hospitallers undertook the nursing of insane clergymen for an annual fee that was negotiated in advance and was included in the contract. Although most of the church leaders reported already in 1784 that they had made contracts with the Hospitallers, some of the bishops complained about the geographical distance of the Hospitallers' monasteries from their dioceses and asked for permission to use their preexisting institutions, the so-called *Defizienten Häuser* established and maintained by the bishops for the elderly members of the secular clergy.⁴⁰³ Nevertheless, these places dedicated for the nursing of clergymen were gradually closed down from 1787,⁴⁰⁴

⁴⁰³ For example, the bishops of Zagreb and Bosnia called attention to the risks and expenses of transporting sick men into faraway monasteries. They asked for and received permission from the *Locotenential Council* to nurse the sick or insane clergymen in Zagreb. Magyar Nemzeti Levéltár, Országos Levéltár, Helytartótanácsi Levéltár, Departamentum Ecclesiasticum Cleri Saecularis et Regularis - C 71 [Hungarian National Archives – Archives of the Consilium Locumtenentiale – Department of the Secular and Regular Clergy] (abbreviated as MNL OL C 71) 1784. Fons 2. positio 13-14.

⁴⁰⁴ Márta Velladics, "Paradicsom vagy pokol? Szerzetesség 1782-1790," Egyháztörténeti Vázlatok. Regnum, (2005): 33. [Paradise or Hell? Monasticism 1782-1790]

and the alternatives of being nursed anywhere else but in the Hospitallers' monasteries were eliminated.

Besides the exams, the health condition of the monks became a factor of selection that determined not only their deputation to parishes, but even their opportunities to stay in the monastery. The investigation of monastic prisons and the attempts to identify and eliminate insane monks from the monasteries is also one of the earliest actions that aimed at selecting monks and nuns according to medical criteria. As the diocesan exams and prison visitations can show, the monasteries and their inhabitants became subject to various inquiries, and the authority of the state penetrated them through the eyes of medical, religious and (local) governmental offices. The network of their examiners was gradually set up in a more and more complex way as it could be described merely with the evolvement of new offices in the governmental apparatus. The state power extended itself through its partners and manifested itself in occasional actions, always with a specific scope, but serving the more general purposes of Joseph II's reform agenda.

From 1786, a network of county physicians was set up and supported the official apparatus.⁴⁰⁵ From this time, the physical condition of monks, even inside the monasteries could and had to be controlled. The provincial leaders had to send quarterly reports to the *Ungarische Statthalterey* in which the age, bodily condition and ability for parish service was reported. In the case of those monks who failed to contribute to parish work for some medical reason, the county physician or surgeon had to prove their

⁴⁰⁵ Lilla Krász, "Quackery Versus Professionalism? Characters, Places and Media of Medical Knowledge in Eighteenth-century Hungary," *Centre and Periphery in the Eighteenth-Century Habsburg "Medical Empire"* 43, no. 3 (Szeptember 2012): 700–709, doi:10.1016/j.shpsc.2012.02.006

inability.⁴⁰⁶ From this time on, medical professionals were involved regularly and contributed with their expertise to decision making and secular control over monasteries. The sophistication of administrative and medical supervision did not only provide more detailed information about the human capacities of monasteries, but it also implied the prevention of arbitrary imprisonment and abuses.⁴⁰⁷

⁴⁰⁶ MNL OL C 71 1787-1788 Fons 501.

⁴⁰⁷ MNL OL C 71 1784. Fons 2.; 1783. Fons 100.

6. MOVING MONKS – KEEPING RECORDS (1786-1790)

6.1. Monks as resources for pastoral care

The ecclesiastical policies of Joseph II were directing monks towards parish service in two ways: on the one hand, the monks expelled from dissolved monasteries could declare their interest in parish service. On the other hand, the monks living in the operating monasteries could be delegated to parishes. This usually meant, in respect of the mendicants, auxiliary positions as chaplains, “cooperators” (*Kooperatoren*) or administrators of the parish.

The selection and distribution of the ex-monks suitable for parish work was the duty of the bishops. In the territory of the Hungarian Kingdom, ex-monks got into the scope of the dioceses before 1786, as the Camaldolese monasteries were dissolved in 1782, then as the Trinitarian monasteries were closed down from 1783, and finally in consequence of the abolition of the Carmelite Order. Further religious orders were dissolved from 1786. Hieronymites, Camillians, Paulanes and Paulines were completely abolished. The first three religious orders were present in the territory of the Hungarian Kingdom with only one monastery. According to the research results of Márta Velladics, the Pauline order had 40 houses and approximately 460 inhabitants in 1786.

I present these data in order to illustrate that the abolition of whole religious orders in the territory of the country suggest radical changes, – and, the lives of the expelled monks and nuns definitely changed drastically –, but the dissolutions interfered into the lives only of a minority compared to the total numbers of the regular clergy.

As I will argue, a reconfiguration of the relationship between people and things (goods) took place only partially in the form of the confiscation of monastic goods and

incomes. In this chapter, I trace a more general shift in acting out state patronage for the Catholic Church: instead of institutions (i.e. parishes, monasteries) individuals became the main units to which financial support could be connected that strengthened the emphasis on the productivity and usefulness of the individual members and increased the interest in checking, measuring, examining the physical and intellectual capacities, skills, knowledge of the monks.

A great number of Franciscans and other mendicants remained the inhabitants of one of the monasteries of their religious order that can be explained also by the limited budget and administrative capacities of the state to finance the pensions of ex-monks and -nuns, manage their affairs and generally to bear the costs of the dissolutions. If we consider these limits as part of the calculations about the number of houses that were closed down and those that remained, the usual narrative of social utility as a decisive factor might be significantly challenged and supplemented with the very practical aspect that determined the pace of the dissolutions.

6.2. Moving monks among parishes and monasteries: a case study on dissolved Capuchin monasteries

On 20 March 1786, the 40 monasteries of the Order of Saint Paul were dissolved. The Paulines were the last religious order in the Hungarian Kingdom that was suppressed completely. Most of the Hungarian monasteries belonged to mendicant orders. They were involved in pastoral care and covered the territory of the country occasionally better than the parishes. For this reason, their complete abolition was not possible, only a selective and gradual reduction of the number of their houses was carried out from

1785. This process took impetus only from 1787, after an extensive survey about the parishes of the country had been made and the dissolution of the individual monasteries could be planned without causing any detriment to “the care of the souls”.

The fact that mendicant monasteries remained active in the country also significantly changed the dissolution procedures: the personnel of the dissolved monasteries did not change its status: the monks did not become secular priests or petitioned for dispensations from their vows but remained in their religious orders and were distributed among the still operating monasteries. The equipment and other possessions of the dissolved mendicant houses were often so poor that securing their storage, delivering them into a depo or arranging auctions for them were not worth their value. For this reason, usually only the buildings and the church equipment were confiscated, while the rest of their property could be delivered by the monks into the still operating monasteries of their religious order. These rather complex redistribution procedures were planned and coordinated not by the secular authorities or by the bishops, but by the provincials who received instructions from the governmental offices and had to inform them about the implementation in detail. Their task was especially complicated as not only the number of the monasteries was gradually reduced, but also the maximum number of people each monastery was allowed – or could afford – to accept.

The pension of mendicant monks was determined as 150 fl for the priests and 120 fl for the lay brothers in a decree issued on 28th September 1786 and confirmed again on 30th June 1787.⁴⁰⁸ Similarly to the ex-nuns of contemplative orders who moved

⁴⁰⁸ MNL OL C 72 1787/88 F 173. p 24.

to nunneries providing education or medical care and whose pensions were also merged with the incomes of these institutions, the relocated mendicants' pensions also served as a contribution to the budget of the monastery or parish they joined.

In order to provide more insight into the procedures through which the amount of and eligibility to pensions were negotiated, I present the case of the Capuchin monastery of Hatvan. The Austrian-Hungarian province of the Capuchin Order had nineteen monasteries in the territory of the Hungarian Kingdom,⁴⁰⁹ out of which eight were suppressed by 1790. The monastery in Hatvan was dissolved on 4th April 1787 as the third one in the row, after the houses in Holíč and Magyaróvár. Three out of its seventeen inhabitants were directed to Máriabesnyő, a monastery in the outskirts of the adjacent manorial center, Gödöllő, only 25 km away from Hatvan. While the dissolution procedure of the monastery of Hatvan was still in progress, prince Antal Grassalkovich, the landlord of the estates in which both Capuchin monasteries were located, was simultaneously negotiating with the Ecclesiastical Commission in Buda and with the diocesan authorities in Vác. Grassalkovich was involved as the patron of the monastery of Máriabesnyő and of the parish church in Hatvan. He wrote a letter to the Ecclesiastical Commission in May 1787 in which he declared that the Capuchin monks of Máriabesnyő had only one source of income since they are prohibited to collect alms, namely their foundation capital. It consisted of natural goods and money and its total sum was not more than 1547 fl. The prince took the amount of the pensions determined

⁴⁰⁹ Fifteen monasteries belonged to the Austrian-Hungarian province: Bratislava (Slovakia), Pezinok (Slovakia), *Holíč* (Slovakia), *Bodajk* (Hungary), Mór (Hungary), *Mosonmagyaróvár* (Hungary), Tata (Hungary), Buda (Hungary), Máriabesnyő (Hungary), *Hatvan* (Hungary), *Tokaj* (Hungary), *Pécs* (Hungary), Osijek (Croatia), Oradea (Romania). Five monasteries belonged to the Croatian custody created by Joseph II in 1783: Rijeka (Croatia), Varaždin (Croatia), *Zagreb* (Croatia), Karlobag (Croatia), *Kaniža Gospička/Lika* (Croatia). The dissolved monasteries are marked with italics.

for mendicants in 1786 as a point of reference for his calculations. He claimed that 1547 fl was not enough for 14 priests and 2 lay brothers, whose pension should be 2340 fl in total. The prince requested a compensation of the difference from the Religious Fund, namely 793fl.⁴¹⁰ He also inquired if the monastery was supposed to operate in the future as a “formal convent” or the monks could devote themselves mainly to pastoral care. In the latter case, as the foundation capital still could cover the sustenance of 10 inhabitants (8 priests and 2 lay brothers)⁴¹¹ – and the monastery could even spare 107 fl for other expenses – he would not think more monks were necessary: those 10 people would be enough to fulfill all the duties related to the pastoral provision of his estate. The guardian of the convent could manage the parish of Gödöllő, who had already taken over the position. Consequently, the Capuchin monastery could receive the benefices belonging to the parish in Gödöllő that could be separated from the parish of Isaszeg, to which Gödöllő was subordinated as a filial church.⁴¹² The request was answered a few days later by count Karl Pálffy, the head of the Hungarian Chancellery. Unsurprisingly, he approved the suggestion that was cheaper for the *Religionsfond* and offered the possibility of better pastoral provision in the countryside: instead of assigning extra money to the monastery of Máriabesnyő, the upper limit of the number of its inhabitants was reduced from sixteen to ten. Nevertheless, the transfer of the parish revenues of Gödöllő to the Capuchin monastery of Máriabesnyő was not approved by the cancellor, as the foundation of the Capuchins had already implied the obligation to provide

⁴¹⁰ This was the difference between the foundation capital and between the pensions calculated for individuals: $14 \times 150 + 2 \times 120 = 2100 + 240 = 2340$; $2340 - 1547 = 793$.

⁴¹¹ $8 \times 150 + 2 \times 120 = 1200 + 240 = 1440$

⁴¹² MNL OL C 71 F 559. p. 1.

pastoral care for the estates of the Grassalkovich family and, because of that they were not entitled to receive extra payment for such services.⁴¹³

The Capuchin provincial acknowledged this decision in a letter written on 1st August 1787 to the Ecclesiastical Commission⁴¹⁴, but the negotiations continued until late October. The provincial tried to reduce the number of monks in Máriabesnyő by directing three or four lay brothers⁴¹⁵ to the monasteries of Pezinok, Buda and Pressburg, and he still hoped to compensate the extra costs falling to those houses by asking for a pension for the relocated lay brothers.⁴¹⁶ He repeated this request several times until mid-September, but his request was finally declined. The decision was explained by the fact that these lay brothers moved to a new place from a still operating monastery and not from a suppressed one, and thus no pensions could be allocated to them.⁴¹⁷

Simultaneously, during the period between March and October 1787, the relocation of three monks from the dissolved monastery of Hatvan to Máriabesnyő was also negotiated. The provincial started planning the distribution of the monks from Hatvan in March 1787, as he was informed about the dissolution in advance and it was his duty to manage the process.⁴¹⁸ In April, when the dissolution of the monastery in Hatvan started, the higher quota was still in force in Máriabesnyő. Nevertheless, the decisions made between May and July 1787 – the limitation of the personnel to 10

⁴¹³ MNL OL C 71 F 559. p. 1.

⁴¹⁴ MNL OL C 72 1787/88 F 173. p 18., MNL OL C 71 F 559. p. 5.

⁴¹⁵ Lay brothers were in charge of the service of the priests in the monastery and not directly involved in pastoral work.

⁴¹⁶ He practically repeated the landlord's suggestion for compensating extra costs with pensions, but he asked for money not for Máriabesnyő, but for the other monasteries.

⁴¹⁷ MNL OL C 72 1787/88 F 173. p 38.

⁴¹⁸ MNL C 72 1787/88 F 173. p 3.

people and the failed transfer of parish revenues from Isaszeg to Gödöllő – called into question the feasibility of the provincial's plans. While he still intended to move three people from Hatvan to Máriabesnyő, it became clear that no extra income can be secured for the sustenance of the newcomers except their meager pensions. As all his previous attempts to reduce the deficits emerging from the prohibition of collecting alms and from the pressure to reduce the personnel in Máriabesnyő failed, he was especially eager to secure the pensions of the monks coming from Hatvan for the budget of Máriabesnyő. He requested authorization for the guardian of Máriabesnyő to receive the payment of the pensions of the three new monks directly.⁴¹⁹ The Ecclesiastical Commission, instead of approving it, naively asked back whether the maximal number of the monks in Máriabesnyő would be exceeded with the new inhabitants coming from Hatvan and, if yes, how many of them would be above the limit?⁴²⁰

The commission and its subordinated administrative units were obviously overwhelmed with the several individual cases they had to manage, and they probably did not realize that the question had been answered before. The provincial patiently explained again on 19th and then on the 24th September that the upper limit of the personnel in Máriabesnyő was reduced from sixteen to ten persons on 23rd June 1787, and despite all his efforts, there were still eleven inhabitants in the monastery whose number could not be reduced further.⁴²¹ Consequently, the monks coming from Hatvan would be above the limit, but he could not send them to any other monastery either

⁴¹⁹ MNL C 72 1787/88 F 173. p 18.

⁴²⁰ MNL OL C 72 1787/88 F 173. p 30.

⁴²¹ He hinted that one monk could not be transported because of his bad condition (*Mühsamkeit*). This monk was probably dying and waiting out this process could be easier than arranging the relocation of even more monks.

because of the general lack of free places. Consequently, the monastery of Máriabesnyő had no other means to cover their living costs but their pensions.⁴²² Finally, in October 1787, the Ecclesiastical Commission approved the provincial's request and gave permission to the guardian of Máriabesnyő to withdraw the three monks' pensions at the Main Payroll Office (*Hauptzahlamt*) in Buda.⁴²³

Parallel with the Capuchin provincial's negotiations about the quota of Máriabesnyő, the diocese of Vác, to which Hatvan belonged, also tried to make the best out of the situation and pushed the improvement of the pastoral provision in Hatvan, as much as the new administrative framework made it possible. The ordinary requested salary (*Congrua*) for two priests (*Kooperatoren*) to ensure the necessary support for the parish priest of Hatvan after the dissolution of the Capuchin monastery of the town. Unsurprisingly, the two candidates were two Capuchin monks who had been already active in the pastoral care of the community. But the Ecclesiastical Commission was very cautious and sparing in this case, too. Based on a report about the incomes of the parish of Hatvan (prepared in April/May 1787)⁴²⁴, the council held on 27th July 1787 concluded that the revenues of the parish sufficed to employ one more priest, and it emphasized that the *Religionsfond* should not support parishes where the advowson is the right of the landlord and the benefices are provided by him. Instead of providing financial support, the commission suggested that a pensioned ex-monk could be requested by the parish from the diocese.⁴²⁵

⁴²² MNL OL C 72 1787/88 F 173. p 31.

⁴²³ MNL OL C 72 1787/88 F 173. p 38.

⁴²⁴ MNL OL C 71 F 259. p. 14. A copy of this was sent in from Eger, too. MNL OL C 71 F 259. p. 19.

⁴²⁵ MNL OL C 71 F 259. p. 20.

The negotiations about the fate of the church of the monastery and its furniture appeared to be another chance for the diocese to improve the pastoral care in Hatvan. The Ecclesiastical Commission inquired at the ordinary of Vác in December 1787 whether the further operation of the Capuchin church was indispensable for the pastoral provision of the town.⁴²⁶ According to the report prepared by the general vicar, Gabriel Zerdahelyi and sent in on 7th February 1788, more than 2100 Catholics lived in Hatvan, and the gradually growing population of the town was a mixed community of German- and Hungarian-speaking inhabitants. Though the parish church was in a good condition, it was designed only for 800 people. As its size was not big enough to celebrate masses in both languages and to perform pastoral services for both groups equally, Zerdahelyi suggested that the church of the monastery would be ideal for the 700 German-speaking inhabitants and it could be managed by one of the auxiliary priests (*Kooperator*) of the parish – probably by one of the former Capuchin monks.⁴²⁷ Nevertheless, he also added that the revenues of the parish were limited and its patron, prince Grassalkovich could not be expected to cover the extra costs emerging from the maintenance of a second church. Consequently, even if the Germans could get the church, its expenses would fall to the *Religionsfond*.⁴²⁸ The meeting of the Ecclesiastical Commission held on 8 March 1788 discarded the idea without providing any explanation but suggesting that

⁴²⁶ MNL OL C 72 F 539. p. 11.

⁴²⁷ If the parish priest received support from the Capuchins serving as auxiliary priests, he was obliged to employ at least one of the monks from the dissolved monastery as his chaplain in order to ensure the continuous and undisturbed operation of the parish. His salary had to be covered from the revenues of the parish. MNL OL C 72 1787/88 F 173. p. 1. The monk, Pater Pulcherius Nagy, who was taken over by the parish after the dissolution served earlier as Hungarian preacher. MNL OL C 103 – kapucinus kolostorok – Hatvan – Ausweis N^{ro} 12. Aller in dem den 4^{ten} Apr[il] 1787 aufgehobenen Kapuziner Kloster zu Hevesser Ko[m]itat, sowohl wirklich gegenwärtig befindlichen, als auf dem Lande als Kapläne abwesenden Geistlichen

⁴²⁸ MNL OL C 71 F 259. p. 63.

the general vicar should negotiate with prince Grassalkovich about the possibilities of expanding the parish church.⁴²⁹

6.3. Control inside the monasteries: quarterly reports from 1787

Most monks still remained under the direct supervision of the leaders of religious orders until the end of Joseph II's reign. The process of making monastic leaders the main informing and executing agents of the state was the most important alternative of the abolition, while the role of the bishops was significantly reduced.

In 1787 the superiors of the Augustinian, Dominican, Franciscan, Capuchin, Servite and Piarist religious orders submitted reports to the Department of the Secular and Regular Clergy (*Departamentum ecclesiasticum cleri saecularis et regularis*) subordinated to the Ecclesiastical Committee of the Locotenential Council. The reports followed a strictly regulated pattern of providing information about their monks: they had to indicate in a tabulated form the name, age, language skills and physical condition of each monk and then answer the questions whether he was able to do parish work and if he had passed the diocesan exam. The tabulated forms also gave account of the number of the monks who were already employed at parishes.⁴³⁰

6.3.1. Franciscans – a case study with data analysis

The reports about the suitability of monks for parish service were submitted to the Locotenential Council from 1787 and, in the case of the Franciscans, they inform about

⁴²⁹ MNL OL C 71 F 259. p. 64.

⁴³⁰ MNL OL C 71 1787/1788 F 501

five provinces (Marian, Salvatorian, St. Ladislaus, St. John of Capistrano, Croatian) and they contain data about 1743 monks in total.

The tabulated forms reveal how many monks belonged to each province and enable a sophisticated analysis of the question how the communities of different sizes were geographically distributed. The two largest provinces were the Marian and the Salvatorian provinces: they included nearly two thirds of the total number of Franciscans in the Hungarian Kingdom. The remaining one third of the Franciscan monks belonged to the three other provinces (Croatian, St. Ladislaus, St. John of Capistrano), and their houses were located mainly in the south-western territories, partly in Croatia.

If we consider the territorial distribution of the Franciscan monasteries, we can also see that their administration by the dioceses would have been rather complicated, as the territory of a province coincided with the territory of several dioceses and the Franciscan monasteries in the territory of a diocese could also belong to various provinces. This would have resulted in a fragmented picture of the provinces provided by the dioceses, as the more actors were involved, the less uniform reports could be expected, and a general overview of the provinces would have never been achieved. For this reason, the necessary information for the reports was collected and compiled together by the provincials. The role of the provincials as cooperative partners of the state offices fulfilling requests according to specific guidelines and instructions, strongly resembles the coordinating and intermediary role assigned to the bishops in respect of the parishes. This fact contradicts the assumption that Joseph II's reforms pursued strictly and entirely the management of ecclesiastical affairs only according to

the territorial division of the dioceses and shows that networks overarching territorial (e.g. county, diocesan) boundaries were also taken over and integrated into the supervisory system reporting to the central authorities.

I investigated the reports of the five – Marian, Capistran, Salvatorian, Croatian, and Ladislaites – Franciscan provinces that provided information about 1743 monks. The monks' suitability for parish service had to be examined by the bishop of the diocese in which the monastery was located, and the result of the successful exam had to be testified in a certificate provided to the monks. The results of the exams were later briefly included into the reports submitted by the provincials, just like the testimonies of the doctors about the incapacitating health conditions of the physically unsuitable monks.

Out of this number, only 48 Franciscans were considered as unsuitable on the basis of the exam. Some of the monks failed the exam not because they could not meet the preset knowledge requirements. Some of them were already prohibited to work in parishes for disciplinary reasons (e. g. alcoholism), some of them were prevented from taking the exam because of their old age or sickness. Nevertheless, medical reasons did not always prevent monks from taking the exam. In several cases, even the seriously ill and old monks were considered as suitable based on the knowledge they demonstrated in front of the bishop or his representative. All in all, the relatively low number of the monks who failed the diocesan exam suggests that the exam was not the main factor in the selection of monks for parish service.

The reports of the year 1787 also provide insight into a developing complexity and more and more sophisticated labor division in the examination and evaluation

process of the religious. The bodily capacities of the monks were examined thoroughly and, as they appeared to be the most common reason for avoiding parish work, the monks' incapacity had to be attested by a county physicians and/or county surgeon. Such a systematic medical control was not possible earlier, the health condition of the ex-monks was still assessed by the bishops in the reports of 1785. As already mentioned, the only exception were the Trinitarians of Eger, who were examined by the famous physician of the city, Franciscus Markoth, during the dissolution process. However, Eger was in an exceptional situation in terms of medical supervision, as it was the only city of Hungary in the previous decades that had the potential for establishing a university with a medical faculty. But what was exceptional in 1783 became generally available after 1786, when a newly arranged network of state-employed county physicians and surgeons started to operate and send regular reports to the Department of Health Affairs of the Locotenential Council.⁴³¹ From this time, the physical condition of monks, even inside the monasteries, could be controlled. In the case of monks who failed to contribute to parish work for some medical reason, the county physician or surgeon had to prove their inability.⁴³² From this time on, medical professionals were involved systematically and contributed with their expertise to decision making and secular control over an ecclesiastical domain. The system of medical police that was being established in this period in the Habsburg monarchy thus began to play a role in the ecclesiastical reforms and to extend its arm to the ecclesiastical personnel as well.⁴³³

⁴³¹ Krász, "Quackery versus Professionalism?," September 2012.

⁴³² MNL OL C 71 1787-1788 Fons 501.

⁴³³ G. Rosen, "Cameralism and the Concept of Medical Police," *Bulletin of the History of Medicine* 27, no. 1 (February 1953): 21–42; George Rosen, "The Fate of the Concept of Medical Police 1780-1890," in *From Medical Police to Social Medicine: Essays on the History of Health Care*, by George Rosen, 1.

Besides the diocesan exams and the medical checkups, the Franciscan superiors were also expected to report about each monk, whether they were suitable for the care of the souls in general. It usually yielded a conditional or tentative answer that was dependent on the health condition or the completion of the exam. It also indicated conditions that could make a monk unsuitable for parish service: alcoholism, laziness, impatience or the lack of the necessary language skills. These were the columns that contained information mainly provided by the guardians of the individual monasteries and/or by the leaders of the provinces.

On the basis of these reports, I investigated how many of the suitable monks were really employed as chaplains, cooperators or administrators of parishes. Since getting reliable information about the suitability of monks for parish service was not an easy task for the contemporary officers, the evaluation of the tabulated forms can be challenging for the nowadays researcher, too. My reading of the questionnaires was, on the one hand, driven by the extraction of data for my analysis, while on the other hand, I also tried to detect different strategies of the Franciscan provinces to cooperate with the secular authorities and to communicate their observations and experiences through the questionnaire. The reports sent by the various Franciscan provinces followed the uniform guidelines, nevertheless, the extent to which they were “talkative” varied to a great extent. Consequently, the three questions of the tabulated forms inquiring into the

ed (New York: Science History Publ, 1974), 46–62; George Rosen and Edward T. Morman, “Mercantilism, Absolutism, and the Health of the People (1500-1750),” in *A History of Public Health*, Expanded ed, Johns Hopkins Paperbacks History of Medicine (Baltimore: Johns Hopkins Univ. Pr, 1993); Krász, “Quackery versus Professionalism?,” September 2012; László Kontler, “Polizey and Patriotism: Joseph von Sonnenfels and the Legitimacy of Enlightened Monarchy in the Gaze of Eighteenth-Century State Sciences,” in *Monarchism and Absolutism in Early Modern Europe*, ed. Cesare Cuttica and Glenn Burgess (London: Pickering and Chatto, 2012), 75–90 and 232-236 (notes).

suitability for parish service were answered sometimes in lesser, sometimes in greater detail. The greater the detail given in the answer, the more difficult it is to decide whether the person was considered as suitable or not. The answers cover rather a spectrum and inform about the extent to which a monk was “usable”, referring to certain types of tasks he was able to perform. When I evaluated the tabulated forms, I considered only those as fully suitable about whom no restrictive comments could be found at all. I considered only those as completely unsuitable about whom one of the answers given for the three questions (physical condition, exam, general suitability) clearly stated that he was not suitable. I established a “Maybe” category for those who fell between the criteria of the “Yes” and “No” categories. This category includes those who were old, disabled, or whom temporary disease, laziness, bad habits or alcohol problems prevented from working at a parish by themselves, but still could fulfill certain duties under the supervision of a parish priest, i.e. they were quasi suitable with certain restrictions. After taking these factors into consideration, my analysis of the data revealed that approximately two thirds of the Franciscan monks were unequivocally suitable for parish service, and this number was even higher if the monks in the “Maybe” category are considered.

I investigated how many of the clearly suitable monks were actually employed in parishes as chaplains, *Kooperatoren* or administrators. In the Marian, Salvatorian, Croatian and St. Ladislaus provinces only one third of the clearly suitable monks was active at parishes. The proportions in the St. John of Capistrano province were significantly different: in this province, two thirds of the monks were employed in parishes. In total, 40% of the suitable Franciscans were involved in pastoral care,

usually in one of the smaller settlements in the countryside in the catchment area of the monastery.

Another important benefit of the reports was their suitability to reconstruct the topography of the five Franciscan provinces of the Hungarian Kingdom. I could not only indicate the location of each monastery, but also assess their size and provide a more precise picture of the dispersion of Franciscans in the Hungarian Kingdom. Thus, I laid down the bases of a database in QGIS (Quantum Geographic Information System) that I can complete with my future findings, too. I use it for further analyses with two main goals.

The first one is a more sophisticated analysis of the geographical distribution of the Franciscan monasteries and the number of their inhabitants. What can be already seen is that Buda and Pest together constituted the greatest “hub” of Franciscans, since two Marian and one Salvatorian Franciscan monasteries were located there. The northwestern territories had fewer monasteries, but with a larger number of inhabitants, while the monasteries in the Southwestern territories, mainly in Croatia had a greater number of houses, but with quite small communities. This leads to the questions how the number of monks related to the number and size of the parishes in their surroundings, how many Catholic inhabitants in the district of a parish could be found and how the topography of the territory could influence the contacts between the monks, the parishes and the Catholic inhabitants of the region.

My second goal is to get a more precise idea about the feasibility of the monastic policies. The *Klosterregulierung*, as this later phase starting in 1787 is sometimes called, mirrored not or not only which monastery was considered as socially useful

enough to be spared, but it reflected how many dissolutions the state offices could deal with and what was economically manageable from the resources of the Religion Fund (*Religionsfond*). The allocation of pensions to 1743 Franciscans was obviously not feasible. The rearrangement of the parish network (*Pfarregulierung*) in 1785 also did not lead to the immediate creation of so many new parishes or auxiliary positions as the number of suitable monks could have covered. A further quantitative and geospatial analysis could reveal how the ambitious goals of the monastic policies to turn the human capacities into usable resources could be realized and to what extent the monks' capacities taken into account could be harmonized with the demands detected by the census and parish regulations and with the financial means to satisfy them.

7. CONCLUSION

My thesis examined how church policies and particularly monastic policies fed into a more general endeavor of developing, representing and managing the Habsburg composite state as an empire.

Instead of marking the starting point of imperial uniformity with largely identical legal texts issued on the same day or with minor delay in the central lands by Joseph II, I emphasize the synchronicity of policies and developing bureaucratic structures in the various Habsburg domains from the 1750s, when both the blueprints of discursive patterns and administrative structures started taking shape on an imperial scale.

I consider the church policies as a complex agenda that was never explicated in advance in its entirety, but existed as a set of envisioned, desirable goals among which always the most feasible elements were put forward among the limits of the local legal framework, administrative infrastructure and economic basis. This perspective also opens up new ways of considering the place of the Hungarian Kingdom among the Habsburg realms. The recovery of the Hungarian Kingdom from the Ottoman wars and the Rákóczi Rebellion enabled the resettling of religious orders in the country. Nevertheless, it was also an opportunity to introduce changes that had been pursued in other parts of the Habsburg realms, too: the restoration of the earlier privileges the Catholic Church, and particularly of the religious orders could be “filtered” and negotiated. Their (re-)admissions in the country were approved by the diets from 1715 and the conditions of the readmission explicated at these occasions could also serve as

(relatively recent) legal reference points for restricting the land acquisitions or alms collecting activities of the church.

This could occasionally allow more – or simply made less or different kind of changes necessary – than what was possible in the lands where monasteries were operating since the Middle Ages continuously, and their privileges and political representation were based on much older traditions.

From 1750, the preparation of new regulations started both in the Austrian Netherlands and in the hereditary lands, among which the Bohemian territories' Renewed Constitution provided a firmer legal basis for Habsburg interference than in the (narrowly meant) Austrian lands. It was the preparation of the law of amortization – and the design of its later amendments – that first considered individuals as economic factors: while it intended to put a halt on the accumulation of mortmain properties, it recognized not only acquisitions as business activities, but also the act when a future monk or nun devoted himself or herself to the service of a religious order. The act of taking monastic vows could coincide with offering a source of income to the convent from which the expenses of the sustenance of the new member could be covered fully or partially for a lifetime. This was a contested issue for multiple reasons: the goods assigned to the convent at the time of its foundation were supposed to cover these expenses for a certain number of individuals expected to fulfill the duties connected to the purpose of the foundation. This principle was set up as a normative basis for the further regulations and as a justification of state interference – as it was considered as the ruler's right and duty to keep in check, and, if necessary, restore the harmony between the number of monks and nuns, the means for their sustenance and the duties

they had to perform. While this principle could be reasonable in respect of the endowed monasteries, mendicants constituted a different problem. Their foundation could not cover their sustenance, but they had to “earn” it through collecting alms or providing services. The latter ones could be paid, but, as the report of the general vicar of Nitra in 1765 described, they could also operate on the basis of a “gift economy”, i.e. through exchanges during which transactions took place not explicitly as commercial activities, but as donations and alms provided (and expected) in exchange of helping out in the parishes or for providing medical care and medicaments for the local population. For this reason, when it came to mendicant religious orders, the inquiries revolved around the relations between the number of individuals living in the monasteries, their living costs, the necessity and/or usefulness of their activities and the incomes gained from alms and their paid services. Unlike the endowed monasteries, mendicants devoted themselves to a lifestyle in which the availability of accountable, regular incomes was deliberately limited. Consequently, precise calculations with alms and donations – that were also not or only partially recorded – were not possible. This uncertainty, on the one hand, meant that there was a wide space for speculations about incomes exceeding the actual needs of monks, who were supposed to live in poverty and mendicant religious orders could be condemned for burdening the public easily. Nevertheless, on the other hand, calculating with regular salaries for the monks who could be employed in parish service or pensions for those who could not be utilized in some way, was also not possible and the church policies could not rely on well-considered financial plans as long as no sufficient, reliable data were at the disposal of the decision makers.

The demand for being well-informed coincided with the changing role of archives. The laws of amortization paved the way not only towards considering individuals as important economic factors in the design of church policies, but also created an opportunity to mobilize various strata of the society to collect and present documents to the state authorities that supported their legal claims for certain goods. It is beyond the compass of this thesis to examine how this – so far neglected aspect of the laws of amortization – fed into a larger trend of requesting written documents as decisive evidence in disputes over property relations (e. g. vis-à-vis oral testimonies) and such practices could differ in the various territories of the Habsburg realms, but I sketch up how this endeavor first proved to be the most successful in terms of ecclesiastical affairs in the Low Countries in the 1750s and then in Lombardy in the 1760s. The archives of aristocratic families, dioceses and monasteries were also considered as rich depositories of documents from which the unearthed information had to be submitted to the state authorities in copies. Besides the intense collection of historical documents informing about property relations, state archives became depositories of the written results of extensive inquiries, too. In respect of ecclesiastical affairs, the activity of the *Giunta Economale* is considered as exemplary of this, but extensive data gathering can also be evidenced in the Hungarian Kingdom. Further research will probably reveal parallel projects in the hereditary lands and other territories as well.

My dissertation advocates for investigating the connections between memoranda written by Joseph II, Kaunitz and other key figures of the secular and ecclesiastical government, historical studies written by archivists and librarians and the

transformation and expansion of the role of the archives as sites of producing both descriptive and quantified statistical knowledge.

Merely a closer reading of the secondary literature revealed the potentials of further archival work that would enable the assemblage of a broader textual corpus of an empire-wide memorandum-production and -circulation among the top governmental actors that would go beyond the geographical and thematical scope of the hitherto known and published texts marking out Lombardy as the central site of experiments. I sketched the outlines of this broader “memoranda-landscape” on the basis of the hints of the literature in order to show how historical reasoning, a systematization of “old information” appeared together with and justified the demand for collecting and archiving up-to-date, contemporary information about the human and material resources of ecclesiastical institutions.

This is a point where I found the re-contextualization of ecclesiastical reforms unavoidable. While the boundaries between the secular and ecclesiastical power were intensely negotiated with legal and historical arguments – that also turned out to be dominant in the historiography of Maria Theresa’s and Joseph II’s church policies – the boundaries of knowledge regarding ecclesiastical domains (literally and symbolically) were transgressed with the same means of and as part of surveying the resources of Habsburg territories. The questionnaires, visitations and reports about monasteries fed into the larger framework of mapping and census taking, and clergymen, including monks, need to be considered along the same lines as the evolving network of officials or medical experts has been examined. While it is widely accepted that the improvement of the parish system was a high priority, its realization is hardly researched, and the

additional tasks parish priests were meant to fulfill in respect of monitoring the population – e.g. providing “conscriptions of the souls” and keeping population records up-to-date – are still largely unexplored. Despite these serious gaps of our knowledge, my thesis sheds light from the so far ignored perspective of the regular clergy that was supposed to be transformed according to an envisioned image of the secular clergy.

As I have demonstrated, by the end of the 1760s, the costs and potential benefits of sustaining individual monks and nuns became the subject of extensive inquiries and both ecclesiastical and secular authorities were instructed to submit detailed reports according to various questionnaires. Nevertheless, my studies also showed that a single, general survey of the regular clergy had never been carried out and it was (and still is, including myself) the ambition of historians and of researchers of historical demography or statistics to create a comprehensive picture from data compiled from various sources. The recognition and acknowledgement of this “lack of interest” became a key element in my understanding of the surveys and, ultimately, in the structure of my thesis. By tracing how various religious orders were “pre-classified” for various surveys and how the inquiries were designed according to the (already in the 1750s and 1760s) envisioned reforms of their operation and personnel, I opened up not only the data collected in the surveys for further analysis, but also the often neglected “epistemological features” of the design of the questionnaires became accessible. In other words, I tried to see not only what the reports and tables allowed to see from the “monastic landscape”, but also the pre-existing visions through and with which the (largely unknown) questionnaire-designers looked at it and wanted to direct the gaze and standardize the answers of their informants.

Instead of evaluating the quality of the inquiries from the standards of statistics developed later – as it often happens in studies pointing at several shortcomings of the conscription of the souls and of the Josephinian census from a modern perspective – I wanted to understand the contemporary understanding of comprehensiveness. While the census, the surveys on medical practitioners, bureaucratic personnel, military conscriptions, etc. all had been studied as different fields of historical research, I suggest connecting these disjoined fields together and looking at surveys designed to investigate certain types of religious orders as part of a large, all-embracing endeavor in which the boundaries between the particular and the general were drawn according to different standards as we would expect after the professionalization of statistics, cartography, medicine, etc. in the nineteenth century. In my opinion, besides the very practical economic considerations, we also need to consider the vision of an “omniscient”, imperial archives in a similar vein as it is described by Richards in respect of the late-nineteenth-century archives of the British Empire, as a driving force beyond the inquiries, and consider the surveys exploring ecclesiastical personnel as part of this utopian vision of the state and its archives.⁴³⁴ While reading, evaluating and processing the information gathered about monks and nuns, it should not be forgotten that these

⁴³⁴ Richards’ book “traverses an interval of time, between 1870 and 1940, during which institutions like the British Museum could not keep up with all the knowledge they were amassing, a period in history when the task of collecting and classifying knowledge increasingly fell to civil servants operating under state supervision. Victorian England charged a variety of state facilities with the special task of maintaining the possibility of comprehensive knowledge. This operational field of projected total knowledge was the archive. The archive was not a building, nor even a collection of texts, but the collectively imagined junction of all that was known or knowable, a fantastic representation of an epistemological master pattern, a virtual focal point for the heterogeneous local knowledge of metropolis and empire. [...] The ordering of the world and its knowledges into a unified field was located explicitly in the register of representation, where, most successfully of all, the archive often took the imagined form of a utopian state.” Thomas Richards, *The Imperial Archive: Knowledge and the Fantasy of Empire* (London ; New York: Verso, 1993), 11.

records, while produced to serve the utilization of monks and nuns as very practical tools, also had fictional components: the subjects of the records were also appropriated or taken possession of to some extent through the descriptions and they could be transformed – through the well-directed and trained gaze of various reporters – according to envisioned ideals. These ideals were often defined by activities performed in the framework of the career paths designed and offered in the ordinances, that were sometimes taken or even competed for, but they were more often challenged, modified, negotiated according to the circumstances, capacities or any kind of interests of individuals and/or their monasteries.

I identified the files of three surveys focusing on three different kinds of religious orders of the Hungarian Kingdom between 1765 and 1779. Individuals gained the most attention in the inquiries about mendicant orders, as their sustenance could be far more expensive, especially in the long run, than the income that could be expected from the confiscation of their goods. Their living costs could be compensated by their services in pastoral care unless old age, sickness or some other incapacitating issue did not prevent them from meeting the expectations. The extremely high number (ca. 3500) of mendicant monks was a characteristic feature of the Hungarian monastic landscape that became clearly visible by 1770. However, even if the regulation of their alms collecting districts also provided an occasion for data gathering about their catchment area and the value of the alms as a source of income could be estimated, the central offices received the detailed reports of a relatively small number of the monasteries. For this reason, even if the high number of mendicant monks could serve an indicator of

their living expenses that was largely covered from alms, the extent to which they “burdened the public” could still not be precisely calculated.

While Kaunitz had pointed at the role of the monasteries as caretakers of the old, sick, mentally ill or simply less capable members of their community – and, thus also “spared” costs and services to the society – already in 1765, this aspect of calculating with (in)capacities was turned into policies only during the reign of Joseph II. Nevertheless, the investigation of monastic prisons first in 1771 (and then again in 1783) was important not only in terms of negotiating legal authority, but also to generate discussion about the proper treatment and handling of insanity.

The surveys were also reflecting the difficulties of establishing common categories. While the Franciscans, Capuchins, Minorites, Dominicans appeared in the reports without any further ado, the houses of Camaldolese monks were not necessarily reported.

Among the relatively low number of female monasteries in the Hungarian Kingdom, only the Poor Clares and the Augustinian canonesses of Eisenstadt led a contemplative lifestyle, all the other nunneries of the country were involved either in teaching or in medical care. In the Hungarian Kingdom, only three out of the five convents of the Poor Clares were surveyed. The inquiries focused on the immovable and movable goods of these three nunneries in detail. The dowry of newly admitted candidates, according to the same principles discussed already in the 1750s – was considered as a source of income, while the living costs of the nuns (food, clothing, medical expenses) had to be reported and an annual average sum of their living expenses had to be estimated. Nevertheless, the response of the nunneries also showed that these

two factors were not necessarily so directly interrelated in the everyday economy and record keeping practices of the convent as the inquiries would suggest and thus the requests for the reports probably served multiple purposes. They shaped not only the knowledge of the state about the economic conditions of the convents, but also could have a didactic purpose: the reports could be regarded also as exercises for the convents to learn new methods of thinking about and administering their own economic resources. The writing practices they tried to establish were part of a “management know-how” openly considered as superior – more up-to-date, more efficient, better for the public good, etc. – to the preexisting practices and, last, but not least, it could also increase the compatibility of the record keeping methods between ecclesiastical and governmental institutions. As the correspondence between the Franciscan provincial and the abbess of Trnava showed, the reports were not only tools of providing insight, but they could also be manipulated, and the reporters still had some space to assert their own agency and design their answers according to what they wanted to allow to be seen. Their cautiousness might seem to be exaggerated in the context of their “local chronology”, as the first monastery dissolutions started in the hereditary lands and in the Hungarian Kingdom only twelve years later. But if we consider that several smaller monasteries had been merged in Lombardy in the second half of the 1760s and the Suppression of the Jesuits had already taken place by 1770 in the Portuguese, French and Spanish territories, the anxieties and cautiousness triggered by the inquiries appear in a different light.

There is no trace of any surveys that would have explored the goods and personnel of endowed monasteries (abbeys and provostries) before the late 1770s. As

the lists of addressees shows in the files, the central offices were ambitious to reach out to as many abbeys and provostries of the country as possible, however, they were apparently very badly informed about their actual existence (some of them on the list had never been restored and existed only nominally after the Ottoman era) and only very few, often only fragmentarily submitted (or preserved) reports were returned to the Locotenential Council. This very limited sample informs about serious shortages of personnel: most of the abbeys and provostries operated as filial institutions of monasteries located in Austrian or Bohemian territories and their repopulation with monks progressed extremely slowly. As they were struggling to achieve the minimal number of members necessary to the formation of a monastery formally, the questions regarding the minimal number of monks needed to fulfill the duties connected to their foundations turned out to be redundant, the personnel responsible for the management of their estates sometimes turned out to be a more dominant factor than the monks – if there were any living there.

Whether the information gathered from the mid-1760s was used to prepare Joseph II's policies, and if yes, how and to what extent, cannot be evidenced. However, the very existence of the files and reports mentioned makes it clear that the opportunity to calculate the potential costs and benefits of the suppression of monasteries and to prepare further policies on the basis of previously gathered information was by and large established during the 1770s and the main trends (large number of mendicants, the incomes of the richest female convents, the conditions of the endowed monasteries) had been explored and were at the disposal of Joseph II at the beginning of his reign in 1780.

The importance of the archives as a governmental tool increased further from 1780 and followed the creation, proliferation and reorganization of several bureaucratic units. Consequently, what was considered as a case, became also more specific and fragmented – especially from the perspective of the nowadays historian, who needs to search through several files of various departments to piece together the careers of individuals, the fate of one specific monastery or wants to focus on one religious order. All these categories – despite their overall usage in catalogues and index books – seem to dissolve in a sea of record production. This experience also leads to the question how the members of the Ecclesiastical Commission relying on the work of various departments – or any official – could trace individuals or monasteries through the maze of documents or if they had such intentions at all; to what extent was the integrity of people and institutions considered as an important container of organizing knowledge or the practice of putting them apart according to the scope and operation of specialized bureaucratic units also mirrored a desired way of handling their affairs in thematic units in which the members of various religious orders were merged together if they had similar issues?

As I have demonstrated, the very first dissolutions in 1782 and 1783 could still be managed with relatively modest administrative efforts and the number of monks and nuns involved was very small in comparison with the overall number of the members of the regular clergy in the Hungarian Kingdom. At the same time, the record keeping methods allow deeper insight into the various levels of decision making, hinting at the ways in which ex-monks and nuns made their decisions. It also makes detectable how a larger space for negotiations opened for individuals in the dissolution procedures and

shrunk after 1783 again, while a complex network of examiners was set up and expected to report about the members both of dissolved and spared monasteries according to more and more complex criteria.

The Religious Fund provided higher or lower pensions for the members of the dissolved monasteries according to the career path they chose. Nevertheless, the governmental offices only registered but did not direct or regulate their mobility. My investigation also showed that both the individual preferences and the ecclesiastical supervision had more gender-specific features than merely the text of the first dissolution decree would suggest. Parish service was not an option for women, their only option to keep their status as nuns was admission into another convent. Nevertheless, it is remarkable that monks chose only parish service and there is no trace of any monk in Hungary who would have decided for the Piarists or the Brothers Hospitallers of Saint John of God. The redistribution of monks to parish service largely remained the responsibility of the bishops and provincials, even if they had to follow precise instructions, while there is no trace of any intention to check and record the capacities of nuns and no ecclesiastical or secular authority was commissioned with directing them to other convents. Despite the fact that the dissolution decree offered both the male and the female religious the option of joining another religious order, the tendencies diverted and entering another convent became an entirely female strategy, while opting for parish service an entirely male one.

The bishops were commissioned to check monks as suitable people for parish service, both as still members of a convent and as ex-monks. The members of contemplative orders were mobilized by disbanding them from their monasteries, while

the mendicants and other religious orders had to take exams from 1783 (?) and their monitoring was still “locally fixed” by their connection to their monasteries.

However, the utilization both of the female and male religious was limited by the available opportunities: neither the convents nor the parishes, chaplaincies, etc. could offer as many positions as the number of capable members in the religious communities was.

In the Hungarian Kingdom, the suppression of the Pauline Order is considered as the most radical, since it was the last one among all religious orders that was completely abolished. It was also the most populous, at least if one considers the number of houses. However, as the size of the communities was often very small, the number of individuals makes it questionable whether it really exceeded the usual scale of the earlier or later dissolutions. I argue that the gradual dissolution of the Franciscan, Capuchin or Minorite houses – just because not all monasteries were dissolved at once – did not make less monks leave their monasteries than in the case of the suppression of whole religious orders, while, at the same time, probably much fewer monks left their religious orders than the total number of the members of the dissolved houses and moved into still operating monasteries. This could also justify the significantly reduced amount of the pensions, as the potential expenses of an accommodation could be deduced and only their sustenance had to be covered.

The amount of the pensions could change from one monastery to another, i. e. ex-monks of the same religious order could end up in one of the spared houses with different amounts of pensions. These pensions de facto did not provide an income for the individuals, but they could be withdrawn by the guardians in order to complete the

budget of the monastery that, ultimately, still provided accommodation and sustenance for the newcomers.

As the boundaries got blurred and both the personnel and most of the goods of the dissolved monasteries could be merged into the personnel and equipment of the spared houses, the ordinances and instructions also became precedent-based, piecemeal decisions that were usually generated by a concrete situation in which the commissioners found themselves confronted with the boundaries of the applicability of the regulations and asked for further clarifications. These regulations were preserved mostly in the files of individual cases and never got into the law collections later assembled and, consequently, also could not become part of the publicly accessible knowledge about the dissolution procedures.

As the individual cases demonstrate, the dissolution of a convent and the pensioned status of ex-nuns and monks did not necessarily mean the end of their career as part of the regular clergy. The nuns either joined another convent or continued living according to rules of their religious orders in their privacy. But while women could withdraw from secular life relatively freely, ex-monks, unless some kind of disability prevented them, remained under the command of their dioceses or provincials and could be obliged to serve as auxiliary priests. Consequently, the pensions of the nuns who opted for teaching or medical care and the pensions allocated to any capable ex-monk who could be used for pastoral work, were not only financial aid for people who lost their livelihood, but, through their labor force, investments into the evolution of welfare arrangements and means through which new forms of state power could be manifested. The pensions allocated to monks were also essential, but so far largely neglected means

to restructure the former patronage system of ecclesiastical institutions. The financial support provided by the state was, on the one hand, more and more monetized (e.g. pensions or salaries had to substitute the alms usually received in kind) and it was less (or not at all) connected to the institution, but to the person who worked there. The capabilities of individual monks with which they could contribute to pastoral provision became a mobile capital that could be deployed where it was needed. Simultaneously, the patronage rights – and, especially the responsibilities – of landlords were also carefully spared and state authorities consistently refused to interfere where the necessary costs were covered by a foundation.

The distribution of the secular and regular clergy was still largely coordinated by the dioceses, but they received instructions from and regularly reported to the Ecclesiastical Commission that, as a central coordinating organ and, simultaneously, as a mediator between the Hungarian Kingdom and Vienna, ambitioned what had never been achieved before: an overview of the ecclesiastical topography and economy of the whole country – constantly in motion, constantly negotiated, but less and less likely to remain intact from the infrastructural power of the state.

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