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Political Rights and Freedoms in the Croatian National Revival and the Croatian Political Movement of 1848–1849

Reestablishing Continuity

Based on an analysis of chief programmatic texts from the period of the Croatian National Revival and the Croatian Political Movement of 1848–1849, as well as articles published in Zagreb liberal newspapers, this paper illustrates how the Croatian intellectual elite advocated political rights and freedoms in the first half of the nineteenth century. Following the tradition of the Enlightenment, the elite interpreted them as natural rights. While the focus in the first decades of the nineteenth century was on the idea of enlightening the people and the right of the people to nurture their native language, in the 1840s other rights were also included. In the revolutionary year of 1848, the formulation of political rights and freedoms was most complete.

Keywords: political and civil rights and freedoms, Croatia, first half of the nineteenth century, Croatian National Revival, Croatian Political Movement of 1848–1849, Zagreb liberal newspapers

Introduction

This paper presents the manner in which the idea of natural law was received and then gradually concretized through the advocacy of political and civil rights in Croatia in the first half of the nineteenth century. Leaning on the political ideas of the late Enlightenment and debates of Enlightenment philosophers and thinkers on the concept of natural law, the Croatian liberal intellectual elite introduced political and civil rights and freedoms as an important subject of political discourse in 1830s and 1840s, a period marked by the movement called the Croatian National Revival (in Croatian, Hrvatski narodni preporod) and the Croatian Political Movement (Hrvatski politički pokret) of the revolutionary years 1848–1849. Both movements thus reestablished the continuity of the discourse on social reforms in Croatia after several decades of quiescence.

The Croatian National Revival (also known as the Illyrian Movement) was a national, cultural and political movement in Croatia, the main stage of which was the period between the launching of the newspapers *Novine horvatzke* (Croatian Newspaper) and *Danicza horvatzka, slavonzka y dalmatinzka* (Croatian, Slavonian

and Dalmatian Morning Star) in 1835 and the outbreak of the revolution in the Habsburg Monarchy in 1848. The movement emerged out of the political, social and economic development that had been underway in the Croatian lands since the late eighteenth century and was related to the nation-building processes in Europe, in particular the shaping of Slavic nations and the Hungarian nation. The initial stage of the Croatian National Revival can be associated with the political, social and cultural influence of Enlightened intellectuals in several Croatian lands around 1790, including Maksimilijan Vrhovac, Nikola Škrlec Lomnički, Ivan Lovrić, Josip Voltić, Tomo Bassegli (Baseljić) and Antun Mihanović. At the time, Croatian lands were politically divided between the Habsburg and Ottoman Empires, the Venetian Republic and the Republic of Ragusa. Although united by the beginning of the nineteenth century under Habsburg rule, Croatian lands remained subject to various jurisdictions in the Austrian (Dalmatia, Ragusa and Military Frontier) and Hungarian parts of the Monarchy (Croatia and Slavonia). Thus, in decades following 1790, the political and social discourse of the Croatian intelligentsia, especially in Croatia and Slavonia, which at the time was considered the main integrative factor, was imbued with the political disintegration of Croats living in the Monarchy. The specific political position of Civil Croatia within the Lands of the Hungarian Holy Crown was defined by the so-called municipal rights (*iura municipalia*). According to these rights, Croatia was entitled to a certain degree of autonomy, which included its own legislative and administrative bodies, i.e. the Croatian Diet, the Banus (governor), and the county administrations and courts. Since the Hungarian Diet of 1790, as a result of the experiences of absolutistic rule under Emperor Joseph II, Croatia became more dependent on the Hungarian public administration and tax system, which exerted a considerable influence on Croatian-Hungarian political relations in the first half of the nineteenth century. In that period, the Croatian nobility was faced with pressure exerted from two sides: centralistic and even absolutistic tendencies of the Court in Vienna on the one hand and the efforts of the Hungarian nobility to build a strong Hungarian national state within the Monarchy on the other. In this complicated situation, the Croatian nobility was not able to create and implement its own policy, and gradually it gave way to the Hungarian policy of social, political and cultural reforms, concerning in particular the introduction of the Hungarian language into civic life and educational institutions. In the 1830s, a generation of young Croatian intellectuals emerged, mostly of common origin, which started the movement that was originally oriented around various cultural issues as integrative factors

of the Croatian nation (standardization of the Croatian language, newspapers on the Croatian language, cultural societies), but later grew into a comprehensive national and political movement. The Croatian language was initially intended to be standardized under the Illyrian name (hence the Illyrian movement). This name was chosen in an effort to overcome local particularisms and create literary unity among Croats, which at the time was undermined by the wide array of dialects, as well as the similar languages and similar dialects of other Southern Slavic peoples. The idea was formulated by Ljudevit Gaj in his book *Kratka osnova horvatsko-slavenskoga pravopisanja (A short draft of Croatian-Slavic orthography, 1830).* A group of young intellectuals gathered around Gaj, and with the support of Count Janko Drašković became a leading group in the Croatian National Revival.[1]

By the spring of 1848, the movement achieved its main goals: the integration of different social groups in the Croatian nation (although this process was not complete in all Croatian regions or among all social groups), the adoption of Croatian as the official language in Croatia, and the organization of various cultural, economic and political institutions regarded as necessary for the transformation of a feudal society and economy into a civil society and capitalist economy. In the revolutionary years of 1848 and 1849, most of the Croatian political elite—Banus and Banus' Council (in Croatian Bansko vijeće), Croatian politicians, officials and intelligentsia gathered around liberally oriented Croatian newspapers, with the exclusion of so-called *mađaroni* or pro-Hungarians—supported the politics formulated in 1848 in the document *Zahtijevanja naroda* (People's Demands) and consequently in the Croatian Diet. Its main goals were the territorial integrity of the Croatian lands, an independent Croatian government, wide autonomy within the Monarchy, transformation of the Croatian Diet into a modern parliament, and federalization of the Habsburg Monarchy with all nations enjoying equal political rights. Some members of the political elite, especially the intellectuals gathered around liberally oriented Croatian newspapers, requested the legislation of political and human rights.

1 For more on the Croatian National Revival cf. Nikša Stančić, ed., *Hrvatski narodni preporod 1790–1848: Hrvatska u vrijeme Ilirskog pokreta* (Zagreb: Muzej za umjetnost i obrt, 1985) and Jaroslav Šidak, Vinko Foretić, Julije Grabovac, Igor Karaman, Petar Strčić, and Mirko Valentić, *Hrvatski narodni preporod – ilirski pokret* (Zagreb: Školska knjiga–Stvarnost, 1990).

In Croatian historiography, this phenomenon is called the Croatian (Political) Movement of 1848–1849.[2]

The analysis of the discourse on political rights and freedoms in the Croatian National Revival and the Croatian Political Movement of 1848–1849 is based on the most influential programmatic writings of the period in question (the document *Zahtijevanja naroda* from 1848 being the most important one), as well as the articles published in the Zagreb liberal newspapers *Novine dalmatinsko-hèrvatsko-slavonske* (Dalmatian-Croatian-Slavonian Newspaper), *Danica horvatska, slavonska i dalmatinska/Danica ilirska* (Croatian, Slavonian and Dalmatian Morning Star/Illyrian Morning Star), *Agramer Zeitung*, *Saborske novine* (Parliament Gazette), *Slavenski Jug* (The Slavic South), *Südslawische Zeitung* and *Jugoslavenske novine* (The South-Slavic Newspaper) in the late 1840s and early 1850s. I have a few reasons for having chosen these newspapers as the focus of the analysis. Before 1848, the few journals that were published in Croatian lands were not politically colored and were allowed to publish only articles previously published in some of the censored newspapers of the Monarchy. In 1848, due to increased interest in political events, twelve new journals were published in Croatian, though they lasted only a few months. Most of them were locally-oriented and did not address the issues discussed in this paper. Some newspapers that had been published earlier (for example, *Agramer Zeitung* and *Novine dalmatinsko-hèrvatsko-slavonske*) began to write on political issues. Unlike other journals published in the late 1840s in Croatia, the newspapers on which I focus in this paper were political newspapers with a wide range of topics and were distributed all over Croatia. They advocated Croatia's territorial integrity and broad autonomy, equal status of all nations in the transformed, federalist Habsburg Monarchy, and the implementation of moderate liberal ideas in Croatia. Editorial boards and contributing authors of these newspapers argued for the implementation of constitutionalism and parliamentarianism, as well as the affirmation and

2 For more on this political phenomenon cf. Nikša Stančić, "Das Jahr 1848 in Kroatien: Unvollendete Revolution und nationale Integration," *Südost-Forschungen* 57 (1998): 103–28; Tomislav Markus, *Hrvatski politički pokret 1848–1849: Ustanove, ideje, ciljevi, politička kultura* (Zagreb: Dom i svijet, 2000); Tomislav Markus, *Hrvatski politički pokret 1848–1849. godine: Izabrani dokumenti na njemačkom* (Zagreb: Hrvatski institut za povijest, 2009).

protection of political and civil rights.[3] They exerted a relatively strong influence on the views of the politically involved public in the Croatian lands.[4]

The ideas of Enlightenment thinkers, and in particular the idea of natural law,[5] the notion of the people as the source of power in a state, the right of the people to rebel against the authorities with whom they were discontent, and the principles of separation of power, constitutionality and parliamentarianism, were made concrete in the early liberalism of the first half of the nineteenth century, and had considerable impact on political thought in the countries of Western, Central, and South-Eastern Europe.[6] Also important was the idea of universal prosperity and the conviction of (some) Enlightenment thinkers that all people are born equal; this idea, together with the idea of natural law, became the basis for an understanding of the natural rights of humankind: the right to life, liberty, property, and the pursuit of happiness. Natural rights are inalienable and universal, valid for all people, regardless of their race, gender,

3 On the newspapers under discussion cf. Josip Horvat, *Povijest novinstva Hrvatske 1771–1939*, ed. Mirko Juraj Mataušić (Zagreb: Golden marketing–Tehnička knjiga, 2003), 58–156, and Vlasta Švoger, *Zagrebačko liberalno novinstvo 1848–1852. i stvaranje moderne Hrvatske* (Zagreb: Hrvatski institut za povijest, 2007).

4 The politically involved public in Croatia (including politicians, officials, members of the intelligentsia, officers and clergy) mostly came from urban areas. It is, however, worth mentioning that many teachers and priests acted as promotors of (political) ideas among their illiterate countrymen in rural areas (*inter alia*, by reading them newspapers), and that one copy of the newspaper was read by not only by the owner, but by at least a few other people. On the influence of the liberal newspapers in the Croatian public cf. Švoger, *Zagrebačko liberalno novinstvo*, 151–5, 167–75. In the eighteenth century the term "public opinion" meant the opinion shared by many people. However, in the *Vormärz* period, this term was ideologized by the liberal bourgeoisie and interpreted as the oppositional voice of educated citizens of common origin demanding to be represented in the parliament. They identified their own interests with the public interest in a constitutional monarchy and demanded freedom of the press. During the revolution 1848–1849, they legitimized their political demands by relating to public opinion. Lucian Hölscher, "Öffentlichkeit," in *Geschichtliche Grundbegriffe: Historisches Lexikon zur politisch-sozialen Sprache in Deutschland*, ed. Otto Brunner et al. (Stuttgart: Klett-Cotta, 1978), 4:413–67. Andreas Schulz defined the public at the middle of the nineteenth century as the educated, politicized and elitist public, who, with the help of education, intend to become a general civil public. Andreas Schulz, "Der Aufstieg der 'vierten Gewalt': Medien, Politik und Öffentlichkeit im Zeitalter der Massenkommunikation," *Historische Zeitschrift,* no. 270 (2000): 65–97.

5 Karl-Heinz Ilting, "Naturrecht," in *Geschichtliche Grundbegriffe,* 4:245–313.

6 On the influence of the Enlightenment in Central and South-Eastern Europe cf. László Kontler, "The Enlightenment in Central Europe?," in *Discourses of Collective Identity in Central and Southeast Europe (1770–1945): Texts and Commentaries*, vol. 1, *Late Enlightenment. Emergence of the Modern 'National Idea'*, ed. Balázs Trencsényi and Michal Kopeček (Budapest–New York: Central European University Press, 2006), 33–44; Paschalis M. Kitromilides, "The Enlightenment in Southeast Europe: Introductory Considerations," in ibid., 45–53.

mother tongue, religious belonging, social background, or other differences.[7] After World War II, the concept of human rights as a synonym for natural rights came into everyday usage. There is no universally accepted definition of human rights, but the most common is a division by French jurist Karel Vasak, who divided human rights into three generations. Each generation is related to one of the concepts deriving from the chief motto of the French Revolution. Of relevance to this article is the first generation of human rights, i.e. civil and political rights, which he links to the concept of *liberté:* the right to life, liberty, the security of the individual, freedom from gender, racial or other forms of discrimination, freedom from slavery or involuntary servitude, freedom from torture or inhuman and degrading punishment, freedom from arbitrary arrest and exile, the right to a fair and public trial, freedom from interference in privacy and correspondence, the right to resistance and asylum from persecution, freedom of thought, conscience and religion, freedom of opinion, the right to free assembly and association, and the right to participate in government, directly or through free elections. Linked to the concept of *égalité* are economic, social, and cultural rights, and in Vasak's classification the term *fraternité* refers to various group or solidarity rights.[8] The first American codifications of political and civil rights in the 1776 Declaration of Independence[9] and declarations of rights (the 1776 Virginia Declaration of Rights and the 1791 Bill of Rights), which influenced the French Revolution, and the revolutionary codification of political and civil rights in the 1789 Declaration of the Rights of Man and of the Citizen, had a direct or indirect impact on all subsequent codifications of political and civil rights.[10] However, negative aspects of the French Revolution (primarily related to various forms of violence) added negative connotations to the concepts of natural rights and brought about some form of regression. Accordingly, in the 1799 French Constitution, there was no explicit reference to natural rights or the rights of man. Similarly, there were no references to natural

7 Micheline Ishay, *The History of Human Rights: From Ancient Times to the Globalization Era* (Berkeley–Los Angeles–London: University of California Press, 2004) 3.

8 Encyclopaedia Britannica, accessed December 5, 2014, http://www.britannica.com/EBchecked/topic/275840/human-rights.

9 Only life, liberty and the pursuit of happiness were mentioned in the 1776 American Declaration of Independence as the inalienable rights of human beings.

10 Gerd Kleinheyer, "Grundrechte: Menschen- und Bürgerrechte, Volksrechte," in *Geschichtliche Grundbegriffe* (Stuttgart: Klett-Cotta, 1975), 2:1061–82; Dalibor Čepulo, "Francuska revolucija i Deklaracija o pravima čovjeka i građanina 1789. godine: problemi političke demokracije," *Časopis za suvremenu povijest* 21, no. 1–3 (1989): 161–78.

rights in the constitutions of German states drafted in the first decades of the nineteenth century. Instead, references were made to the rights of subjects, or rights of citizens.[11] Revolutionary turmoil in the spring of 1848 marked a great comeback of civil and political rights on the political scene.

Enlightenment Ideas in Croatia at the End of the Eighteenth Century and the Beginning of the Nineteenth

Concepts developed by thinkers of the Age of Reason questioning the existing social order and proceeding from the ideas of liberty, reason, a return to nature, the enlightenment of people, universal prosperity, the concept of natural law and the principal ideas of the French Revolution also had a significant influence in Croatia. Based on (not very extensive) research conducted thus far, it can be stated that the ideas of thinkers of the Enlightenment and French revolutionaries were, in Croatian lands, known to a relatively small circle of intelligentsia from within the ranks of the nobility and the wealthy citizenry, in spite of tightened censorship and a ban on distribution of texts promoting revolutionary ideas. These ideas were disseminated by individuals who were either studying abroad or for some other reason spent time beyond the borders of the Habsburg Monarchy for longer periods, those who secretly read prohibited and smuggled papers and newspapers, and in coastal areas sailors who heard of them during their voyages. The breakthrough of revolutionary ideas in the Habsburg Monarchy coincided with a U-turn in the conservative trend of the home policy following Emperor Joseph II's death (1790), who, under very complex political, diplomatic, and military circumstances and pressured by the nobility, had had to withdraw practically all of his reforms. The strengthening of reactionary forces in ruling circles, and the Monarchy siding in the war against revolutionary France provoked on the one hand stricter censorship with respect to manuscripts intended for publication, while on the other it encouraged the activities of secret societies, mainly Freemasons (which had previously existed in Croatia), striving to pave the way for progressive ideas in the Hungarian and Croatian societies. Former Franciscan friar Ignác Martinovics founded two secret societies in Hungary. Among their members were individuals from Croatia (Chamber auditor Josip Kralj, officer in the Military Frontier Baron Siegfried-Heribert Taufferer and others; even the Bishop of Zagreb Maksimilijan Vrhovac was mentioned as a

11 Kleinheyer, "Grundrechte," 1070–75.

member). Two songs appearing in Zagreb in 1794 and 1796 called for equality among people in the common fight with the French in spreading revolutionary ideas. In Dalmatian towns, resistance was growing among individuals against the monopoly of the nobility to govern the Dalmatian communes. It is in this context that one should interpret three satires appearing in Split public places in 1792, which, following the French model, invited common people to join an armed struggle against the nobility and the clergy.[12] In Croatia, the ideas of the Enlightenment were propagated by learned individuals who promoted them in their works; for example Nikola Škrlec Lomnički, Ivan Lovrić, Josip Voltić, Tomo Bassegli (Baseljić), and they can, in this regard, be considered precursors of the Croatian National Revival. Škrlec, the *spiritus movens* of Croatian politics in the last decades of the eighteenth century, contributed to laying the foundation for the subsequent, more concrete advocacy of political and civil rights in Croatia through his theoretical and practical work. His contribution in particular referred to advocating the principle of natural law and ideas of the Enlightenment in public welfare. He proposed a gradual reform of the feudal system based on the marginalization of all particular interests and the introduction of universal rights including the protection of state institutions, education, public health services or fair trial.[13]

In the last decades of the eighteenth century, Ivan Drašković VIII, founder of the Freemasonry in Croatia, promoted the idea that all people are by nature equal, regardless of social status and origin (but not before the law, and for this reason, members of the fraternity were encouraged to do humanitarian work). In Masonic lodges he founded principles of social equality, and national/

12 Cf. Vaso Bogdanov, *Jakobinska zavjera Ignjata Martinovića* (Zagreb: Novinarsko izdavačko poduzeće, 1960); Olga Šojat, "O dvjema revolucionarnim kajkavskim pjesmama s kraja osamnaestog stoljeća," in *Croatica* 1, no. 1 (Zagreb, 1970): 211–36; Šidak et al., *Hrvatski narodni preporod,* 7–57; Jaroslav Šidak, "Hrvatske zemlje u Vrhovčevo doba 1790.-1827," in Maksimilijan Vrhovac, *Dnevnik*, ed. Dragutin Pavličević (Zagreb: n.p., 1987), 1:9–51; Dragutin Pavličević, "Maksimilijan Vrhovac: Život i djelo," in Maksimilijan Vrhovac, *Dnevnik,* 1:52–79; Josipa Dragičević, "Maksimilijan Vrhovac i slobodno zidarstvo u 18. stoljeću," *Croatica Christiana periodica* 66 (2010): 49–60. On the Enlightenment in Croatian Lands cf. Teodora Shek Brnardić, "Intelektualni razvoj," in *U potrazi za mirom i blagostanjem: Hrvatske zemlje u 18. stoljeću,* ed. Lovorka Čoralić (Zagreb: Matica hrvatska, 2013), 195–218; Ivan Golub, ed., *Barok i prosvjetiteljstvo,* vol. 3. of *Hrvatska i Europa: Kultura, znanost i umjetnost* (Zagreb: Školska knjiga, 2003).

13 For their work cf. Eugen Pusić et al., *Nikola Škrlec Lomnički 1729–1799,* 4 vols. (Zagreb: Hrvatska akademija znanosti i umjetnosti, Pravni fakultet Sveučilišta u Zagrebu, Hrvatski državni arhiv, 1999–2007) and papers by Teodora Shek Brnardić on Lovrić, Voltić, and Bassegli in Balázs Trencsényi and Michal Kopeček, *Late Enlightenment: Emergence of the Modern 'National Idea',* vol. 1. of *Discourses of Collective Identity in Central and Southeast Europe (1770–1945): Texts and Commentaries* (Budapest–New York: Central European University Press, 2006), 57–61, 223–27, 312–15.

ethnic and religious equality were implemented because their members belonged to different social groups (peers, military officers, Catholic and Orthodox priests, as well as Jews and common people), such as servants of peers who were members of the fraternity. Following the disclosure of Martinovics's conspiracy and the arrest of its leaders, the ruler put a ban on all secret societies in 1795, thus terminating the work of Masonic lodges in Croatia.[14]

The reforms of Enlightened absolutism paved the way for the rise of the middle social groups (citizens), in particular on the basis of education, placing the educational system under state jurisdiction. In Croatian Lands, they took advantage of new opportunities for education and the king's bursaries, and the late eighteenth century saw the emergence of educated citizens. They could take part in the political life of the towns in which they lived, and the educated and well-off individuals from among them, the so-called "honorati" (from the German Honoratioren), were able to participate in politics informally through their professional advice and other, similar means.[15] It was at this time that the citizens demanded that their representatives take part in the work of the Croatian Diet. In 1790, the citizens of Zagreb claimed this right from Emperor Leopold II.[16] However, after Emperor Joseph II, under coercion, withdrew his reforms, political life in the Habsburg Monarchy in the following decades was characterized by conflicts between the monarch's Absolutist government practices and the nobility's endeavors to preserve not only its privileges, but also a special political status. Consequently, in 1791, the Lands of the Hungarian crown were defined by the Estates as a free and independent kingdom within the Monarchy, enjoying its own laws and customs. In such a political atmosphere, a positive climate for implementing the idea of political participation of commoners could not emerge until the 1840s, even among the (few) liberally oriented peers in Croatia, and even distinguished representatives of the intelligentsia did not advocate it. It was only in 1844 that commoners were given the right to be employed by public bodies by resolution of the Hungarian Diet (1843/44:5). An 1845 debate in the Croatian Diet on the criteria for selecting deputies for the Croatian Diet from the

14 Ivan Mužić, *Masonstvo u Hrvata,* 6th amended edition (Split: Laus, 2001), 17–23; Dragičević, "Maksimilijan Vrhovac," 53, 59.

15 On "honorati" cf. Stančić, "Hrvatski narodni preporod," 4–7.

16 Emilij Laszowski, "Zagrebački građani traže god. 1790 pravo glasa na saboru," *Vjesnik Kr. Državnog arkiva u Zagrebu* 6 (1934): 201–04.

Royal Academy of Science in Zagreb testifies to the fact that the implementation of this decision did not go smoothly.[17]

Political and Civil Rights and Freedoms in Croatia in the First Half of the Nineteenth Century

In the first decades of the nineteenth century, the political and social climate in Croatia was strongly marked by the resistance of the Croatian aristocratic elite (together with the Hungarian nobility) to conservative politics of the Court of Vienna on the one side and Hungarian endeavors to spread the use of the Hungarian language to Croatia and Slavonia on the other. Under such circumstances, the Croatian nobility acted defensively, and their political work was oriented mostly towards the protection of their own privileges. This situation was reflected in the major programmatic texts of the Croatian National Revival in the 1830s and 1840s, written mostly by young educated men of common origin. For this reason, most political texts by Croatian authors appearing in the periods mentioned contained only slight indications of Enlightenment ideas, primarily the awareness of the need to enlighten broad social groups and reason as the chief method with which to evaluate human progress and achievements. The idea of the need to enlighten the population and nurture the native language as a reflection of the nation's spirit in accordance with Herder's ideas,[18] as a natural right of the people and, at the same time, a prerequisite for progress and development in the political, economic, social, and cultural sphere was a *Leitmotif* of all of the texts under discussion here from the period of the Croatian National

17 Proposals concerning the election of "einen adeligen Deputirten" in the Academy were dismissed during the debate and, pursuant to the new law, it was decided that the Academy should be requested to send "den Würdigsten." *Die Vollständigen Landtagsverhandlungen der vereinigten Königreiche Kroatien, Slavonien, Dalmatien im Jahre 1845 nebst dem Operat über Turopolje und der neuesten königlichen Resolutionen an das Agramer Comitat,* compiled by J. P. Jordan (Leipzig: Expedition der slavischen Jahrbücher, 1846), 32. This fragment is based on a paper of Ivana Horbec, "Arme Diener des Königs und ihre (verpassten) Chancen: Existentielle Herausforderungen des kroatischen Kleinadels im 18. Jahrhundert," presented at the conference *Soziale Abstiegsprozesse im europäischen Adel,* Tübingen, September 17–19, 2014.

18 On the acceptance of the idea of the German philosopher and writer Johann Gottfried Herder in Croatia cf. Nikola Ivanišin, "J. G. Herder i ilirizam," *Radovi Filozofskog fakulteta u Zadru* 2, no. 2 (1963): 196–225; Wolfgang Kessler, "Die Südslawen und Herder: Einige Anmerkungen," in *Festschrift für Wolfgang Gesemann,* Beiträge zur slawischen Sprachwissenschaft und Kulturgeschichte, 3 (Munich: Hieronymus Verlag Neuried, 1986), 157–75; Vlasta Švoger, "Recepcija Herdera u hrvatskome narodnom preporodu na temelju Danice ilirske," *Časopis za suvremenu povijest* 30, no. 3 (1998): 455–78.

Revival written in Croatian,[19] with the exception of the brochure *De municipalibus iuribus et statutis,*[20] which enumerates Croatian municipal rights in detail. All these writings came into being primarily as a response to contemporary political controversies on the Croatian political scene, which largely determined the conflict between Illyrians—members of the Croatian Revival Movement (the Illyrian Movement)—and *mađaroni* (pro-Hungarians)—members and supporters of the Croatian-Hungarian Party,[21] which closely collaborated with the Hungarian liberal opposition during the reformist period[22]—and the conflicts on the Hungarian political scene and in the Hungarian Diet. Their authors primarily responded to current political disputes and did not present a comprehensive view on important political and social issues. An exception in this regard was *Disertacija* (Dissertation) by Janko Drašković from 1832, the first political paper written in the Croatian Štokavian dialect and the single programmatic text of the Croatian National Revival containing a comprehensive program of development of the Croatian society in the political, economic, cultural, and social spheres, frequently following reform models implemented in Hungary at the time.

Like other members of the Croatian National Revival and their precursors in the late eighteenth century, Count Janko Drašković in his *Dissertation* advocated enlightenment of the people, and the right of the people to nurture

19 Maksimilijan Vrhovac, "Poziv na sve duhovne pastire svoje biskupije," (originaly in Latin, 1813) in *Hrvatski preporod: Temeljni programski tekstovi*, compiled by Ivan Martinčić (Zagreb: Erasmus naklada, 1994), 1:29–33; Antun Mihanović, "Reč domovini od hasnovitosti pisanja vu domorodnom jeziku," in *Hrvatski preporod*, 1:42–56; Ivan Derkos, *Genius patriae super dormientibus suis filiis, seu folium patrioticum, pro incolis regnorum Croatiae, Dalmatiae, & Slavoniae in excitandum, excolendae linguae patriae studium* (Zagreb, 1832; reprint: Karlovac: Matica hrvatska, 1996); [Janko Drašković], "Disertacia iliti razgovor, darovan gospodi poklisarom zakonskim i budućem zakonotvorcem kraljevinah naših, za buduću Dietu Ungarsku odaslanem, držan po jednom starom domorodcu kraljevinah ovih," (original printed in Karlovac in 1832), in *Hrvatski preporod*, 1:96–141; Janko Drašković, *Ein Wort an Iliriens hochherzige Töchter* (Zagreb: K. p. ilir. Nat. Typographie von Dr. Ljudevit Gaj, 1838); Dragutin Rakovac, "Mali katekizam za velike ljude," in *Hrvatski preporod: Temeljni programski tekstovi*, compiled by Ivan Martinčić (Zagreb: Erasmus naklada, 1994), 2:9–28; Ljudevit Vukotinović, "Ilirizam i kroatizam," in *Hrvatski preporod,* 2:33–44; Bogoslav Šulek, *Šta naméravaju Iliri?* (Belgrade: n.p., 1844).

20 [Josip Kušević, Valentin Kirinić, and Ladislav Žužić], *De municipalibus iuribus et statutis Regnorum Dalmatiae, Croatiae et Slavoniae* (Zagreb: Typis Franc. Suppan, 1830).

21 Arijana Kolak Bošnjak, "Horvatsko-vugerska stranka 1841–1848" (PhD thesis, University of Zagreb, 2012).

22 For political activities of the leading Hungarian reformist politicians in the nineteenth century, in particular in the context of their relationship to Austria, cf. István Fazekas et al., *Széchenyi, Kossuth, Batthyány, Deák: Studien zu den ungarischen Reformpolitikern des 19. Jahrhunderts und ihren Beziehungen zu Österreich* (Vienna: Institut für Ungarische Geschichtsforschung in Wien, 2011).

their mother tongue and literature in that tongue,[23] claiming explicitly that no nation is entitled to impose its language on another nation; he proposed that the right to work for public institutions be based on education and intellectual capacity, regardless of origin or social affiliation, and believed that raising the quality of public education was a prerequisite; he advocated improvements to the material and political position of Orthodox priests, but this was not actually a step towards the introduction of religious equality, since he supported the ban on Protestant settlement in Croatia.[24] He advocated that the noblemen treat serfs more humanely (as Škrlec had done in the eighteenth century) and proposed reforms to the feudal social system whereby the ruler would raise educated and honorable commoners to the rank of nobility at the proposal of peers (something similar was proposed by Tomo Bassegli in the late eighteenth century in Dubrovnik),[25] whereas peers convicted of crimes would lose their status and privileges.[26] In his view, this was the way to preserve the feudal system while introducing some elements of civil society. This was a program for the "conservative modernization" of the Croatian society,[27] which was at first only partially accepted by the Croatian nobility, but was accepted by younger intelligentsia, which turned it into a program of the Croatian National Revival Movement.

Some ideas of Drašković were more precisely formulated in the National Party's Draft Manifesto written by Ljudevit Vukotinović in late 1846, which was not officially accepted for reasons that have yet to be fully researched.[28] In this document emphasis was placed on defining the state, legal, and political position of the Triune Kingdom of Croatia, Slavonia, and Dalmatia within Hungary.

23 To this issue, he dedicated a special piece of writing to Croatian women inviting them to raise their children in their mother tongue. This was the brochure entitled *Ein Wort an Iliriens hochherzige Töchter.*

24 One of the major constants in Croatian politics of the first half of the nineteenth century and earlier was the insistence on the right of the Croatian Diet, as provided for by Article 1608:5, to determine its religious policy as one of the municipal rights; this policy was manifested in maintaining the ban on the settlement of Protestants in Croatia. Behind it, *inter alia,* was the fear of the Croatian nobility from the possible settlement of Hungarians, who would have represented strong competition for domestic nobility when competing for positions in the public institutions and offices.

25 Shek Brnardić, "Tomo Bassegli."

26 Drašković, *Disertacija,* 109–10, 130–31, 138–40. He advocated gradual amendment of obsolete laws following the English model and opposed precipitate changes that happened in France in the several decades prior to it. Ibid., 125.

27 Nikša Stančić, "Disertacija Janka Draškovića iz 1832. godine: samostalnost i cjelovitost Hrvatske, jezik i identitet, kulturna standardizacija i konzervativna modernizacija," *Kolo* 17, no. 3 (2007): 137–67.

28 Jaroslav Šidak, "Stranački odnosi u Hrvatskoj prije 1848," in J. Šidak, *Studije iz hrvatske povijesti XIX. stoljeća* (Zagreb: Sveučilište u Zagrebu, Institut za hrvatsku povijest, 1973), 146–50.

Invoking constitutional freedom, the Manifesto called for the equality of Croatia and Hungary and for the achievement of Croatia's territorial integrity; it announced the introduction of Croatian as the official language, and demanded reciprocity in accepting official documents written in Hungarian and Croatian, as well as the implementation of political and social reforms "in a peaceful and legal way," in particular the introduction of parliamentarianism, and the separation of the administration from the judiciary. The Party objective was the achievement of "overall national prosperity," expansion of constitutional freedoms to all members of the nation, universal taxation, the adoption of laws on education of the people, abolition of the corvée upon redemption, and adoption of better laws on universal civil rights.[29]

The spread of the revolutionary wave in the spring of 1848 and a revival of the French revolutionary motto "Liberté, Egalité, Fraternité" encouraged the emergence of more concrete demands for the introduction of civil and political rights in Croatia. Demands for civil and political rights and freedoms culminated in Croatia in 1848 as well. This was evident in the *Želje naroda* (The People's Wishes), which was adopted by the Great Assembly of the City of Zagreb on 22 March 1848. In addition to state and legal requirements, it also contained the following political rights: freedom of the press, the right to political participation for all social groups, equality before the courts, introduction of public, oral and jury trials, universal taxation, and repurchase of serfs' levies by the state.[30] In the most notable programmatic text of the Croatian Political Movement of 1848–1849—*Zahtijevanja naroda* (The People's Demands), which was adopted by the National Assembly on 25 March 1848 in Zagreb—the list of civil and political rights was much broader. In addition to various state and legal, political, cultural, and economic demands, there were also demands for freedom of the press, religion, instruction and speech, the right of political participation based on equality without social distinction, introduction of universal taxation, equality before the courts, public and oral court proceedings, jury and accountability of judges, abolition of corvée and servitude, introduction of the right of assembly, association, and submission of petitions, introduction of equal rights and freedoms for the (male) population in the Military Border as enjoyed by

29 Tihomir Cipek and Stjepan Matković, *Programatski dokumenti hrvatskih političkih stranaka i skupina 1842–1914* (Zagreb: Disput, 2006), 118–20, citations on 119 and 120.

30 Jaroslav Šidak, "'Narodna zahtijevanja' od 25. ožujka – program hrvatske Četrdesetosme," in J. Šidak, *Studije iz hrvatske povijesti za revolucije 1848–49* (Zagreb: Institut za hrvatsku povijest, Centar za povijesne znanosti, 1979), 46–47.

the residents in Civil Croatia, and the introduction of the native language in church affairs. (In October 1847, the Croatian Diet issued a resolution on the introduction of the Croatian language, the "native language," as the official language in schools, administration, and the judiciary.)[31] The *People's Wishes* and the *People's Demands* were formulated under the influence of the *People's Wishes* from Pest, however, adjusted to Croatian political, social, and economic circumstances.[32]

"Liberté, Egalité, Fraternité" was the chief motto and starting point in debates on contemporary political and social affairs in Croatia during the revolutionary years of 1848–1849. In his brochure *Hèrvati Madjarom* (Croats to Hungarians), Ivan Mažuranić demanded equality of all nations, states, languages, and religions recognized by law under the Hungarian Crown, using as a starting point the concept of natural rights and the aforementioned motto. He drew a link between personal and collective/national freedom, considering that one is not complete without the other.[33]

Acting in a similar fashion, the Croatian political elite, assembled around liberally oriented Zagreb newspapers, linked the idea of liberty from the French Revolution to the ideas of the Enlightenment and made them the basic starting point in their campaign for the introduction of civil and political rights and freedoms. The starting premise was that the natural rights of man are inalienable, moral, and above the law. They are rights, rather than an act of the ruler's grace. They were most frequently referred to as "fundamental rights" (*Grundrechte*) or freedom-loving institutions of the West, and very rarely as civil and political rights.

The concept of "fundamental rights" was used for the first time in German speaking countries in 1848, and from there came into use in Croatian political culture. In German lands, fundamental political and civil rights and freedoms were first codified in 1848. The Constitution of the German Confederation, adopted on 20 December 1848 in Frankfurt am Main, made a reference to "the fundamental rights of the German nation" (*die Grundrechte des deutschen Volkes*), which were elaborated in detail and were supposed to serve as a standard when

31 Ibid., 51–52; Dalibor Čepulo et al., ed., *Croatian, Slovenian and Czech Constitutional Documents 1818–1849,* vol. 9 of *Constitutions of the World from the late 18th Century to the Middle of the 19th Century: Sources on the Rise of Modern Constitutionalism,* ed. Horst Dippel (Berlin–New York: De Gruyter, 2010), 39–46.

32 Dalibor Čepulo, "Razvoj ideja o ustroju vlasti i građanskim pravima u Hrvatskoj 1832–1849," *Pravni vjesnik* 16, no. 3–4 (2000): 44.

33 Ivan Mažuranić, "Hèrvati Madjarom: Odgovor na proglase njihove od ožujka mieseca i travnja 1848," in *Hrvatski preporod,* 2:75–76, 79–85.

the individual German lands adopted constitutions.[34] The Constitution of the Austrian Empire of the same year, the so-called Pillersdorf Constitution of 25 April 1848, provides for "civic and political rights of countrymen" (*staatsbürgerliche und politische Rechte der Staatseinwohner*).[35] The draft of the Austrian Constitution made by the Constituent Assembly in Kroměříž (in German Kremsier, today in the Czech Republic) in late December 1848 and early January 1849 defined "the fundamental rights of the Austrian People" (*Grundrechte des Österreichischen Volkes*).[36] This Draft Constitution differs from the other aforementioned

34 The fundamental rights of the German nation were as follows: freedom of immigration and emigration; equality before the law; the abolition of all privileges, public services were made accessible according to abilities, equal military service was introduced; personal freedom was guaranteed (there were detailed provisions for cases where a person can be deprived of freedom); the death penalty as well as the punishments of clubbing and branding were abolished; inviolability of the home was guaranteed (search of the home permitted only with a court warrant), as was the secrecy of correspondence; freedom to express thoughts in words, in writing, in pictures, or in the press; freedom of the press must not be restricted by measures such as censorship, concessions, restrictions on the work of printing-houses or shops selling the press, prohibition of distribution through the post or similar; complete freedom of religion and conscience was guaranteed, as well as the public profession of faith, civil marriage was introduced, and it was provided that public registers would be kept by civilian authorities; freedom of research and teaching was proclaimed, the right to free choice of one's profession, the state took over control of the school system, and teachers in public schools were put on an equal footing with civil servants; furthermore, the freedom of assembly and association (even in the army and the navy, if this is not contrary to military discipline regulations); inviolability of property, every form of servitude is abolished (some taxes and obligations were abolished against no compensation, others against compensation); the entire judiciary was placed under jurisdiction of the state, equality of all before the courts was introduced, as well as public and oral court proceedings, trials by jury for serious criminal offences and for all political offences, the administration was separated from the judiciary, and the final court judgements of German courts were valid in all German lands. Cf. "Die Grundrechte des deutschen Volkes," *Wiener Zeitung* (*WZ*) no. 345, December 28, 1848, 1514–15 and no. 346, December 29, 1848, 1527–28.

35 The first Constitution of the Austrian Empire/Habsburg Monarchy provided for the following civil and political rights: complete freedom of religion and conscience was guaranteed to all citizens, and the right of worship was recognized to all Christian religious communities recognized by law, to Jews, personal freedom was guaranteed (arrest was regulated by law), freedom of speech and the press, secrecy of correspondence; the right to petition and association; freedom of emigration; free access to services; freedom of land acquisition and practice of crafts permitted by law; equality before the law, in taxation and military service; public and oral court proceedings as well as jury trials for criminal offences. Cf. "Staatsbürgerliche und politische Rechte der Staatseinwohner," *WZ* no. 115, April 25, 1848, 551.

36 The Constitutional Draft provided for the following fundamental rights of the Austrian nation: equality before the law, abolition of all privileges; universal accessibility of public services; guarantees of personal freedom; abolition of privileged and extraordinary courts, public and oral court proceedings, jury trials were provided for criminal offences, political, and press offences; abolishment of death penalty for political crimes, as well as the punishments of participation in public works, branding, corporal punishment, deprivation of property, as well as the loss of civil and political rights; inviolability of the home (search of a house and seizure of documents were possible only with a court warrant); secrecy of correspondence; the

codifications of civil and political rights in that it explicitly introduced the principle of the sovereignty of the people and the principle that all people have equal, inborn, and inalienable rights, and these rights are the right to self-preservation, personal freedom, honesty, and advancement of one's own spiritual and material welfare. This Draft Constitution was never adopted because the Constituent Assembly was dispersed by military force and the Emperor issued the Constitution by decree on March 4, 1849. The Austrian March Constitution Issued by Decree did not make any reference to fundamental civil rights and freedoms. In paragraph 5 a reference was made only to the fundamental right of nationalities (*das Nationalitätengrundrecht*), free movement of persons (*das Recht auf Freizügigkeit*), equal access to public services (*gleiche Ämterzugänglichkeit*), and the abolition of servitude (*Aufhebung des Untertänigkeitsverbandes*). The catalogue of "political rights"—narrowed down in comparison with the political rights provided for in the 1848 Constitution and the Kremsier Draft Constitution—was promulgated in the form of a special patent[37] applicable to the lands represented in the Austrian Parliament. "Fundamental rights" were mentioned only two years later in the New Year's Eve Patent (*Silvesterpatent*), when they were abolished.[38]

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right to petition; freedom of assembly and association; freedom of religion and public profession of faith, equality of all religious communities; introduction of civil marriage; freedom of movement for persons and property within state borders, freedom of emigration; freedom of research and teaching; compulsory primary school education at the state's expense; freedom of expression of one's thoughts verbally, in writing, in pictures as well as in the press; this freedom was not to be restricted by censorship, concessions, bails, or restrictions on printing and distribution of printed matter or any other restrictions; equality of all national groups, each national group was entitled to nurture its own nationality and language; equality of all languages that were customary in the state (*landesüblich*) in the school system, administration, and public life; inviolability of property; freedom to dispose of one's property by testament; universal taxation and universal military service. Cf. "Entwurf der Grundrechte des österreichisches Volkes," *Extra Blatt zur Abend-Beilage der Wiener Zeitung* no. 238, December 23, 1848, [1–3].

37 Wilhelm Brauneder, "Die Verfassungsentwicklung in Österreich 1848 bis 1918," in *Verfassungsrecht, Verfassungswirklichkeit, zentrale Repräsentativkörperschaften,* ed. Helmut Rumpler and Peter Urbanitsch, vol. 7., bk. 1 of *Die Habsburgermonarchie 1848–1918* (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 2000), 127. The Patent guaranteed the following political rights for nationals: personal freedom (arrest possible only with a court warrant or during the commission of an offence), complete freedom of religion, religious communities recognized by law were granted the right of free practice of faith, freedom of research and teaching, the right of national minorities to nurture their language, the right to freely express one's thoughts in oral or written form and in pictures, freedom of the press which was not to be restricted by censorship, secrecy of correspondence, freedom of assembly and association, inviolability of the home (the search of a flat was allowed only with a court warrant). *Südslawische Zeitung* (*SZ*) no. 29, March 9, 1849.

38 G. Kleinheyer, "Grundrechte," 1047, 1079.

In the late 1840s and early 1850s, the Zagreb press referred to civil and political rights and freedoms as "civil, public, and people's rights" (*Novine dalmatinsko-hèrvatsko-slavonske*);[39] "free institutions, which other free nations considered life-saving" (*Saborske novine*);[40] "human and civil rights" (*Slavenski Jug*);[41] "Western political ideas" (*Slavenski Jug*);[42] "freedoms and political rights" (*Slavenski Jug*);[43] "March achievements" or "fundamental rights" (*Südslawische Zeitung*)[44] and freedom-loving institutions of the West.[45] In the newspaper *Jugoslavenske novine* civil rights were discussed as belonging to one of four categories: human rights, rights of a man as a member of a municipality, as a member of the state and as a member of a nation.[46]

In the Zagreb newspapers *Novine dalmatinsko-hèrvatsko-slavonske*, *Danica ilirska/Danica horvatska, slavonska i dalmatinska*, *Agramer Zeitung*, *Saborske novine*, *Slavenski Jug*, *Südslawische Zeitung* and *Jugoslavenske novine,* one could not find a precise definition of what was understood under fundamental rights, or civil rights and freedoms. The rights and freedoms most frequently referred to as such were personal freedom and freedom of property, freedom of opinion and expression of thoughts in oral or written form, freedom of the press, freedom of research and teaching, freedom of assembly and association, equality before the law, religious and national equality, the right to nurture one's mother tongue and nationality, and development and preservation of one's identity, personal security and security of property, as well as self-government of municipalities.[47] These rights and freedoms were not systematically enumerated within the same article, rather individual rights were mentioned in different articles, or were generally referred to as the "March achievements" or "freedom-loving institutions," which turned out to be the basis of a free state in the West. When the March

39 I. S., "Današnje stanje pravah dèržavnih," *Novine dalmatinsko-hèrvatsko-slavonske* (*NDHS*) no. 53, May 27, 1848.

40 "Věroizpovědanje," *Saborske novine* (*SN*) no. 1, June 6, 1848.

41 [Dragutin (Dragojlo) Kušlan], "U Zagrebu 22. svibnja," *Slovenski Jug (SJ)* no. 61, May 24, 1849.

42 B. Š. [Bogoslav Šulek], "Mèržnja Zapada," *SJ* no. 80, July 4, 1849.

43 Gustav Dollhopf, "Narodnost i Demokracia," *SJ* no. 16, September 10, 1848.

44 *SZ* no. 146, September 15, 1849.

45 *SZ* no 89, July 7, 1849.

46 "Obćine. I," *Jugoslavenske novine* (*JN*) no. 105, August 12, 1850.

47 In his book *Prava građana i moderne institucije: Europska i hrvatska pravna tradicija* (Zagreb: Pravni fakultet Sveučilišta u Zagrebu, 2003), Dalibor Čepulo analyses political rights in Croatia in the nineteenth century and puts them in a broader European context. He makes a detailed analysis of the right to citizenship and the right to domicile, the right to vote, the right to public assembly, the right to association and petition, freedom of the press, jury trials and equality of religions. See: 73–180.

Constitution Issued by Decree was promulgated, an anonymous author in the *Südslawische Zeitung* wrote that stable political institutions could not exist if civil rights and freedoms were not guaranteed; he proposed that Croats should demand that the so-called Grundrechte, i.e. a catalogue of political rights promulgated by means of a special patent on March 7, 1849, be promulgated in Croatia as well.[48] Editorial boards of the Zagreb liberal newspapers considered that civil rights and freedom played an important role in the development of political culture and civil society. This is indirectly witnessed by the fact that in late 1848 some of the aforementioned newspapers published a list of civil rights and freedoms from the Austrian Draft Constitution, the Patent on Political Rights of Austrian Citizens promulgated on 7 March 1849, and a speech of the Czech deputy in the Austrian Parliament named Ladislav Rieger on the debate on fundamental rights, who emphasized the sovereignty of peoples.[49] While presenting the program of the newly established newspaper *Saborske novine* in its first editorial, its editors Eduard (Slavoljub) Vrbančić and Nikola Krestić emphasized activities on the introduction of civil and political rights and freedoms as its constituent part:

> We believe in the almighty spirit of our age, and therefore we shall struggle for all those opinions, which will direct it so that social and political relations in our Homeland be established on the basis of equality, liberty, and fraternity. We declare that the state organism of our lands is rotten and decayed and requires a life force to refresh it and strengthen it. Therefore, we shall fight for the free institutions which other free nations have considered life-saving. We believe in the unlimited freedom of the press, the right to assembly, and the right to self-government as the sole foundations of the freedom of the state. We declare that we shall struggle for these abovementioned principles

48 "Grundrechte (Constitution) der östr. Staatsbürger," *SZ* no. 1, January 3, 1849 and no. 3, January 8, 1849;

49 Patent of March 7, 1849 about political rights in Austrian countries represented in the Parliament in Kremsier, *SZ* no. 29, March 9, 1849; Editorial, *SZ* no. 89, July 7, 1849; "Unsere Lage," *SZ* no. 146, September 15, 1849. Rieger's speech in the Parliament was published in several instalments: "U Zagrebu 26. Siečnja," *SJ*, no. 12, January 27, 1849, "Riegerov govor o souverenstvu naroda," *SJ* no. 13, January 30, 1849, no. 14, February 1, 1849, no. 15, February 3, 1849 and no. 16, February 6, 1849. The civil rights and freedoms this paper deals with were relatively fully formulated in just three articles. Those were: "Věroizpovědanje," *SN* no. 1, June 6, 1848, "Was ist eigentlich die Konstitution?," *SZ* no. 214, September 18, 1850, and no. 215, September 19, 1850, and "Obćine. I," *JN* no. 105, August 12, 1850.

> and do everything possible to ensure that these principles be preserved until the end of time.[50]

Although civil and political rights and freedoms were not presented in their entirety in any of the newspapers under discussion in a single article, it is beyond dispute that part of the Croatian public assembled around these newspapers considered civil freedoms and rights the basis for progress in all fields of life. The public saw an inseparable link between the freedom of the individual and the freedom of the nation, in other words between individual and collective rights and freedoms, and considered them to be complete only if guaranteed by law. The concept of a free individual as the basis of society was transferred to nations and, in doing so, emphasis was placed on the protection of rights and freedoms of nations as collective bodies made up of free and legally equal individuals.[51] Croatian liberals resolved the dilemma as to whether individual or collective rights and freedoms should have priority on the basis of the German model—the idea of a state based on the rule of law. According to this concept, the basic interest of the state is to protect and develop a community, rather than individuals. The state is only relatively restricted by the subjective public rights of its citizens, which are aimed at satisfying the individual interests of citizens, and the basic interest of the state is to protect and develop a community, not individuals. Rights of citizens are not put before the state, but rather derive from it, and therefore one of the most important functions of the state is the legal and actual protection of the civil and political rights of individuals.[52] Members of the National Party accepted the idea of the state based on the rule of law as a basis for the legal regulation of rights and freedoms of citizens, and other modern constitutional and legal institutions in Croatia, which were (partially) accomplished in the second half of the nineteenth century.

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50 "Věrujemo u svemogući duh věka našega, i zato će mo se boriti za sva ona mnĕnja, koja će ju tamo směrati, da se na temelju jednakosti, slobode i bratinstva osnuju družtvena i politična otnošenja domovine naše. Izpovědamo, da je dèržavni organizam zemaljah naših gnjio i trul, i da trĕba životvorne snage, da se okrĕpi i učvèrsti, zato će mo se boriti za sve one slobodne inštitucie, koje su kod inih slobodnih narodah za spasonosne nadjene. Věrujemo u neograničenu slobodu tiska, pravo sdruženja, pravo sebe sama vladanja (selfgovernment), kao u jedite poluge slobode dèržavne. Izpovědamo, da će mo se za ova višestavljenja načela boriti, i sva moguća učiniti, da ona mejdan odèrže, na věke věkovah." "Věroizpovědanje," *SN* no. 1, June 6, 1848.

51 This is also visible in "Manifest naroda hrvatsko-slavonskoga," which was adopted by the Croatian Parliament in early July 1848. Printed in Tomislav Markus, "Hrvatski politički pokret 1848–1849: Izabrani dokumenti," *Fontes* 12 (2006): 116–23.

52 In his work *Prava građana,* 31–36, Čepulo presents the process of shaping the idea of a state based on the rule of law in German political-legal theory and literature.

The Croatian liberal elite advocated the introduction of religious freedoms and implementation of religious equality,[53] as well as freedom of private and public practice of faith for members of all religious communities in the Monarchy, including Protestants, although they were not strictly mentioned. At that time there was no unique attitude among the politically involved Croatian public or members of political life toward some religious communities. As already mentioned, in March 1848 the document *Zahtijevanja naroda* codified the demand for the freedom of faith and equality before the law, regardless of religion. But only two months later, the electoral law for the Croatian Diet granted passive suffrage only to members of legally recognized religious communities (the Catholic and the Orthodox Church). That meant that the members of all others religious communities, including Protestants and Jews, were denied the right to vote. The legal position of some religious communities improved after 1849, especially after the promulgation of the Octroyed Constitution and the introduction of the respective Austrian legislative regulations. The imperial edict issued on 1 September 1859 defined Protestants as a legal religious community with autonomy in religious and educational affairs and it strictly abolished Article 26 of the Croatian Diet of 1791, which limited the rights of the Protestants in Croatia and Slavonia. Legislative regulations considering civil and religious rights of the Protestants in Hungary were introduced in Croatia, Slavonia and the Military Border by the same edict.[54] The social and political discrimination of the Protestants in Croatia was then abolished for the first time. In the context of advocating of religious equality, one needs to underline efforts for granting civil and political rights to Jews, including the right to the free practice of their faith.[55] It should be mentioned here that, at least until the second half of the nineteenth century, the discrimination endured by the Protestants in Croatia had more to do with their political orientation or/and nationality than with their religious beliefs and could be regarded as a more

53 Advocacy of religious equality as one of the prerequisites for realizing a constitutional Habsburg Monarchy was most clearly expressed in two articles published in *Südslawische Zeitung*: sr, "Klagenfurt, den 5. Juni 1850.," *SZ* no. 131, June 10, 1850; A.[ndrej] E.[inspieler], "Der national- und religiös-indifferente Staat," *SZ* no. 120, May 27, 1850 and 121, May 28, 1850.

54 Čepulo, *Prava građana,* 167–68.

55 "Věroizpovědanje," *SN* no. 1, June 6, 1848; "Bratinstvo," *SN* no. 12, July 4, 1848, no. 13, July 10, 1848 and no. 14, July 18, 1848; "Zagreb 27. ožujka," *NDHS* no. 27, March 29, 1848; "Agram. 28. März," *Agramer Zeitung* (*AZ*) no. 31, March 28, 1848; "Offenes Sendeschreiben an die Israeliten Kroatiens, insbesondere der Gemeinde zu Warasdin," *AZ* no. 51, May 13, 1848; *SJ* no. 32, March 15, 1849; A. T. B. [Andrija Torkvat Brlić], "Iz Zagreba," *SJ* no. 20, January 24, 1850.

or less direct consequence of the complex and dynamic Croatian-Hungarian political relationships. Slovak Protestant Bogoslav Šulek could be mentioned here as an example. Šulek came to Croatia in early 1840s and became one of the prominent publicists of the Illyrian Movement. He then became a political writer and the most distinguished lexicographer in nineteenth-century Croatia. Because of his political orientation, his religious beliefs did not obstruct his professional success or public acceptance. Even more, in February 1850 he was proclaimed the honorable citizen of Zagreb.[56] The situation with Jews was similar, and their social position was strongly influenced by their political views. Some of the Croatian Jews became distinguished members of Croatian society in the first half of the nineteenth century. One of them was Moritz (Mavro) Sachs, the first Croatian Jew to graduate in medicine at the University of Vienna. He became a city physician in Zagreb, military doctor of the Banus Josip Jelačić's army 1848/49, and then professor of forensic medicine at the University of Zagreb. He was the first Jew to become a citizen of Zagreb (in March 1850).[57]

The Croatian liberal elite advocated the implementation of reforms within the Catholic Church in the spirit of liberal Catholicism[58] and vehemently opposed the privileged position of the Catholic Church in the Habsburg Monarchy, the absolute power of hierarchy over lower clergy, and the strengthening of its influence on the school system.[59] Some of the Croatian liberals advocated similar liberally orientated reforms within the Orthodox

56 Državni arhiv u Zagrebu [State archives in Zagreb], HR-DAZG-1 Poglavarstvo Slobodnog kraljevskog grada Zagreba, Knjige građana, Protokoli, no. 24, February 4, 1850.

57 Vladimir Dugački, "Dr. Mavro Sachs (1817–1888) – prvi medicinski docent zagrebačkoga sveučilišta," *Acta Medico-Historica Adriatica,* 8, no. 2 (2010): 377–80.

58 Jedan iz kola mladih svetjenikah, "Iz Zagreba," *NDHS* no. 39, April 25, 1848; B.[ogoslav] Š.[ulek], "Cèrkva i naša doba," *NDHS* no. 88, August 17, 1848.; [Adolfo Weber Tkalčević], "Robstvo duhovnikah," *NDHS* no. 64, June 22, 1848; [Adolfo Weber Tkalčević], "Odgovor na dvanaest lažih opovèrgnjenih," *NDHS* no. 90, August 22, 1848, no. 91, August 25, 1848. For liberal Catholicism in Croatia in the mid-nineteenth century cf. Mirko Juraj Mataušić, "Odnos Katoličke crkve prema novim idejnim strujanjima u hrvatskim zemljama 1848–1900.," *Bogoslovska smotra* LV, no. 1–2 (1985): 196–215; Iskra Iveljić, "Katolička crkva i civilno društvo u Hrvatskoj 1848. godine," *Časopis za suvremenu povijest,* 25, no. 2–3 (1993): 19–42; Vlasta Švoger, "Liberalni katolicizam u Hrvatskoj i Strossmayer," *Zbornik 7. i 8. Strossmayerovih dana* (Đakovo: Grad Đakovo, 2011), 77–123.

59 *SJ* no. 23, February 22, 1849 and no. 26, March 1, 1849; *SZ* no. 40, February 18, 1850; A., "Die geistlichen Gerichte," *SZ* no. 102, May 3, 1850; "Die Kirchenfrage," *SZ* no. 101, May 2, 1850; "Die Kirchenfrage," *SZ* no. 104, May 6, 1850; "Stimmen über die neuesten Regierungsordonanzen in Angelegenheit der katholischen Kirche," *SZ* no. 106, May 8, 1850; [Imbro Ignjatijević Tkalac], "Politische Rundschau. III.," *SZ* no. 109, July 31, 1849.

Church.[60] Other religious communities were not discussed among the politically involved or interested Croatian public.

Of all the political rights and freedoms analyzed in Croatian liberal newspapers in the mid-nineteenth century, freedom of the press was the one that was given the most scrutiny. This is understandable because following the abolition of (preventive) censorship in March of 1848, it was necessary to regulate the new situation by law. The majority of Croatian liberal journalists in Zagreb newspapers advocated freedom of the press and its legal regulation as a prerequisite for the effective functioning of institutions of civil society—civil and political rights and freedoms, constitutionality, and parliamentarianism. Freedom of the press was, as a rule, associated with freedom of thought, speech, and expression of thoughts in writing, and these freedoms quickly merged into the concept of freedom of the press and were only rarely referred to separately. The freedom of the press was associated with the principle of publicity and interpreted as protector of liberal constitutional institutions and guarantor against abuse and violation of civil and political rights of individuals and nations.[61]

Freedom of the press and the phenomenon of publicity related to it were treated most comprehensively in a series of articles published in *Danica horvatska, slavonska i dalmatinska.* In two articles published in several successive issues of the paper, an anonymous author analyzed—in a systematic and well-argued way—the function of the general public and of public opinion in political and social life, and freedom of the press, with all its positive and negative aspects. He corroborated his views by invoking, *inter alia,* relevant French and German authors. His starting premise was that freedom of the press was closely associated with freedom of thought and expression of thought, and that these freedoms were elements of non-transferrable and inalienable natural rights of man as an individual and community member. In his text, he analyzed the pros and cons of freedom of the press and determined that the benefits of freedom of the press were incomparably greater than the potential risks of abuse of the press. He concluded that freedom of the press was one of the cornerstones of constitutional states, an important tool in enlightening the people and also in the fight against mediocre laws and abuse by civil servants, and the indicator of the

60 *SJ* no. 73, June 21, 1849 and no. 77, June 30, 1849; "Prošnje i želje klera eparkie pakračke," *NDHS* no. 46, May 11, 1848.

61 Vlasta Švoger, "Zagrebačko liberalno novinstvo o slobodi tiska i društvenoj ulozi novina od izbijanja revolucije 1848. do uvođenja neoapsolutizma 1851. godine," *Povijesni prilozi,* 30 (2006): 204–23.

people's mood. Therefore, the author advocated complete freedom of the press and opposed its restriction by means of special laws on the press or censorship. He clearly opted for the regulation of press offences in civil and penal laws with public and oral trials and juries.[62]

Most authors writing about freedom of the press in the Croatian newspapers under discussion felt that an individual has a natural and inalienable right to express his opinion freely orally, in writing, or in the newspapers, and advocated unrestricted freedom of the press. However, there were other views as well. Dragutin Kušlan, editor of *Slavenski Jug,* in his commentary on Ferdinand Žerjavić's article in issue no. 63 expressed the view that there can be no unrestricted freedom of the press in civil society, just as there is no unrestricted freedom of the individual, because such freedom is restricted by the freedoms of others. In an article written just before the promulgation of the Provisional Press Law (enacted by Banus Josip Jelačić in early May 1849), Kušlan reiterated this view, but opposed the adoption of a special law on the press because he believed that freedom of the press had been regulated by civil and penal laws. In his view, special laws on the press in fact restricted freedom of the press and reintroduced censorship under a new name. An anonymous author of the article entitled *Političke iskrice* (Political Sparkles) also advocated regulation of freedom of the press through civil and penal laws, like Bogoslav Šulek, editor of *Novine dalmatinsko-hèrvatsko-slavonske.* The only Zagreb newspaper in favor of adopting a special law on the press in the spring of 1849 was *Agramer Zeitung.* In the course of 1850, the editorial boards of *Südslawische Zeitung* and *Jugoslavenske novine* championed the adoption of a quality law on the press, which would have put an end to arbitrary acts of official authorities towards the press. This view was a consequence of deteriorating political circumstances and conditions under which the press operated in the Habsburg Monarchy and Croatia, as well as the failure to implement Jelačić's Press Law (except its provisions about bail).[63]

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62 "Sloboda štampe," *Danica horvatska, slavonska i dalmatinska* (*DHSD*) no. 44, October 28, 1848, no. 45, November 4, 1848, no. 46, November 11, 1848 and no. 47, November 18, 1848.; "Javnost," *DHSD* no. 49, December 2, 1848, no. 50, December 9, 1848, no. 51, December 16, 1848, no. 52, December 23, 1848 and no. 53, December 30, 1848. Petar Korunić wrote about publicity and freedom of the press as foundations of the civil society in "Osnovice građanskog društva u Hrvatskoj za revolucije 1848–49. godine," *Radovi* – Zavod za hrvatsku povijest, 32–33 (2001): 69–104.

63 A. Z., "Niekoliko riečih o namienjenom nam štamparskom zakonu," *SJ* no. 61, December 23, 1848; F. Žerjavić, "Niekoliko riečih o slobodi štampe," *SJ* no. 63, December 30, 1848; Einladung zum Abonnement auf die Südslawische Zeitung, December 14, 1848, National and University Library in Zagreb, Manuscripts and Old Books Collection, R VII.-2°-6.; [Avelin Ćepulić], "Iz Hrelin-grada 22. svib.," *JN* no. 50, June 7,

Although Croatian journalists in the mid-nineteenth century were aware that freedom of the press could be abused, according to prevailing opinion its positive aspects were more important: it played an important role in enlightening the people, in furthering acceptance of democratic models of conduct and modern institutions, as a tool in the defense against poor quality legislation and cases of abuse in the public service, and as a tool with which to establish trust between the government and the people.[64]

The following quotation by Dragutin (Dragojlo) Kušlan, editor of *Slavenski Jug*, illustrates how in the mid-nineteenth century the Croatian liberal press understood the role of civil rights and freedoms:

> As nations gradually began to develop their conscience and remove the fetters which had been put on them by some individuals and a crowd of their courtiers solely for their own personal benefit, human and civil rights were gradually being introduced. They belong to man by nature, and they are for example: freedom of thought and religion, freedom of speech, of the press, of trade, crafts and teaching, personal freedom, and freedom of property etc. Yet, rulers, still holding some power in their hands, supported either by the aristocracy or by military force, struggled for power, and whatever freedom they gave to the people was granted bit by bit, and much more out of necessity than of their own good will. Therefore, they first granted the people only those freedoms, which somehow ensured personal freedom and freedom of property.[65]

1850; editorial, *JN* no. 186, November 18, 1850; "U Zagrebu 22. svibnja," *SJ* no. 61, May 24, 1849; A. Z., "Političke iskrice," *SJ* no. 58, December 16, 1848; B.[Bogoslav] Š.[Šulek], "Najpréčji zakoni," *NDHS* no. 56, May 10, 1849; "Das Preßgesetz," *AZ* no. 54, May 5, 1849; Stephan Moyses, "Agram, 13. Mai," *AZ* no. 58, May 12, 1849; "Iz Zagreba," *JN* no. 136, September 19, 1850 and leading article, *SZ* no. 33, February 9, 1850. The 1849 Law on the Press as well as related laws on court proceedings in cases of press offences was published by Tomislav Markus, "Dokumenti o hrvatskom pokretu iz 1849. godine," *Časopis za suvremenu povijest,* 30, no. 3 (1998): 577–95.

64 F. Žerjavić, "Niekoliko riečih o slobodi štampe," *SJ* no. 63, December 30, 1848; "Od Drave 18. lip.," *JN* no. 71, July 3, 1850; "Iz Pariza 9. sèrp.," *JN* no. 84, July 18, 1850.

65 "Kada su se narodi pomalo počeli osvješćivati i skidati okove u koje ih sapeše pojedini ljudi sa družbom dvorjanika svojijeh, jedino svoje osobne koristi radi, onda su se sve pomalo uvadjala prava čovječja i gradjanska, koja idu čovjeku po naravi, kao što su: sloboda mnjenja i vjerozakona, sloboda govora, štampe, trgovine, zanata i naučanja, sloboda osobe i imetka i.t.d. Ali vladari, imajući još ponešto sile u rukuh podkrijepljeni koje aristokraciom, koje vojničkom silom, otimali su se koliko moguće za vlast dojakošnju i što su godj davali slobode narodom, to je išlo sve kap po kap i više s nevolje no s dobre volje. Zato i nijesu oni izprva narodom rado davali do jedino onakove slobode, kojima se je nekako osigurala sloboda osobe i imetka." [Dragutin (Dragojlo) Kušlan], "U Zagrebu 22. svibnja," *SJ* no. 61, May 24, 1849.

Conclusion

Following the ideas of the Enlightenment propagated by Croatian thinkers of the late eighteenth century and the positive reception of the ideas of moderate liberalism in Croatia, the concept of civil and political rights of individuals gradually spread among educated people in the first half of the nineteenth century and reached its culmination in 1848. During the first three decades of the nineteenth century, the Croatian nobility (as the only representative of official Croatian politics) was faced with the strengthening conservative politics of the Court of Vienna on the one side and the pressures of Hungarian politics on the other. Under these circumstances, the nobility acted defensively, and their political work was oriented mostly towards the protection of their own privileges. The social changes were not in the focus of political discourse at the time. The situation, however, changed in 1830s with the emergence of a young generation of educated intellectuals, mostly of common origin, who introduced various topics of social and cultural reforms into the political discourse. Within the framework of the Croatian Revival Movement and the Croatian Political Movement of 1848–1849, the Croatian liberal intelligentsia considered civil and political freedoms and rights—freedom of the press, of opinion and speech, the right to assembly and association, the right to petition, personal safety and security of property, freedom of learning, and equality of religions, nations, and languages, equality before the law, oral and public court proceedings and jury—prerequisites for the creation of a constitutional monarchy and the foundations of civil society.[66] The intelligentsia demanded political and civil rights which were somewhat less ambitious in scope than the "fundamental rights" formulated in the German and Austrian Constitutions of 1848 and in the Kremsier Draft Constitution. They advocated the concept of a state based on the rule of law and believed that the role of the state was to ensure the rights and freedoms referred to, but also to control the exercise of these rights and freedoms under the law and in line with the freedoms and rights of others, placing emphasis on collective rights and freedoms.[67] In practice, however, the same political elite did not respect the personal rights and freedoms of those who did not share their political views. This became most evident in their relationship towards pro-Hungarians (*mađaroni*) during the revolutionary years of 1848/49 and the

66 Korunić, "Osnovice građanskog društva," 69–104 and Švoger, *Zagrebačko liberalno novinstvo,* 470–86.

67 These principles were most clearly formulated by the anonymous author of the article "Was ist eigentlich die Konstitution?," *SZ* no. 214, September 18, 1850 and no. 215, September 19, 1850.

propaganda war waged then.[68] Advocating the idea of natural rights, civil and political freedoms, other liberal ideas, and ideas of the Enlightenment, the Croatian liberal political elite, acting as a part of the European liberal movement, reestablished the temporarily lost continuity in the spiritual heritage of the Enlightenment and laid the groundwork for the development of civil society in Croatia. In spite of the fact that many of those advocating the introduction of civil and political rights participated in the work of the Croatian Parliament of 1848 (and in later Parliaments) and that the Parliament's work was based on the *People's Demands*, the emphasis of the Parliament's work was on the creation of a state and legal framework for the modern autonomy of Croatia within the Habsburg Monarchy. Due to this and an early cessation of the Parliament's session in July of 1848, these ideas—except for the abolition of serfdom and introduction of equal taxation[69]—were implemented in legislation only at the time of far-reaching legislative activities on modernization during the rule of Banus Ivan Mažuranić (1873–1880).[70]

Bibliography

Državni arhiv u Zagrebu [State archives in Zagreb], HR-DAZG-1 Poglavarstvo Slobodnog kraljevskog grada Zagreba, Knjige građana, Protokoli.

Nacionalna i sveučilišna knjižnica u Zagrebu [National and University Library in Zagreb], Zbirka rukopisa i starih knjiga [Manuscripts and Old Books Collection].

Agramer Zeitung (AZ)
Danica ilirska/Danica horvatska, slavonska i dalmatinska (DHSD)
Jugoslavenske novine (JN)
Novine dalmatinsko-hèrvatsko-slavonske (NDHS)
Saborske novine (SN)
Slavenski Jug (SJ)
Südslawische Zeitung (SZ)
Wiener Zeitung (WZ)

68 Arijana Kolak, "O Mađarima i mađarskoj politici u javnosti banske Hrvatske 1848–49" (MA thesis, University of Zagreb, 2006), 80–93 and Švoger, *Zagrebačko liberalno novinstvo,* 320–30.

69 Articles 1848:27 and 1848:29, in Čepulo et. al., ed., *Croatian, Slovenian and Czech Constitutional Documents* 105–12.

70 Čepulo, "Razvoj ideja o ustroju vlasti," 46–53.

Bogdanov, Vaso. *Jakobinska zavjera Ignjata Martinovića* [The Jacobin conspiracy of Ignác Martinovics]. Zagreb: Novinarsko izdavačko poduzeće, 1960.

Brauneder, Wilhelm. "Die Verfassungsentwicklung in Österreich 1848 bis 1918." In *Verfassungsrecht, Verfassungswirklichkeit, zentrale Repräsentativkörperschaften,* edited by Helmut Rumpler and Peter Urbanitsch, 69–237, vol 7. bk 1 of *Die Habsburgermonarchie 1848–1918.* Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 2000.

Cipek, Tihomir, and Matković, Stjepan. *Programatski dokumenti hrvatskih političkih stranaka i skupina 1842–1914* [Programmatic documents of Croatian political parties and groups 1842–1914]. Zagreb: Disput, 2006.

Čepulo, Dalibor, Mirela Krešić, Milan Hlavačka, and Ilse Reiter, eds. *Croatian, Slovenian and Czech Constitutional Documents 1818–1849.* Vol 9 of *Constitutions of the World from the late 18th Century to the Middle of the 19th Century: Sources on the Rise of Modern Constitutionalism,* edited by Horst Dippel. Berlin–New York: De Gruyter, 2010.

Čepulo, Dalibor. "Francuska revolucija i Deklaracija o pravima čovjeka i građanina 1789. godine: problemi političke demokracije" [The French revolution and the Declaration of the Rights of Man and the Citizen: Problems of political democracy]. *Časopis za suvremenu povijest* 21, no. 1–3 (1989): 161–78.

Čepulo, Dalibor. "Razvoj ideja o ustroju vlasti i građanskim pravima u Hrvatskoj 1832–1849" [The development of the ideas of organization of government and civil rights in Croatia 1832–1849]. *Pravni vjesnik* 16, no. 3–4 (2000): 33–53.

Čepulo, Dalibor. *Prava građana i moderne institucije: Europska i hrvatska pravna tradicija* [Civil rights and the modern institutions. European and Croatian legal tradition]. Zagreb: Pravni fakultet Sveučilišta u Zagrebu, 2003.

Derkos, Ivan. *Genius patriae super dormientibus suis filiis, seu folium patrioticum, pro incolis regnorum Croatiae, Dalmatiae, & Slavoniae in excitandum, excolendae linguae patriae studium.* Zagreb, 1832; reprinted in Karlovac: Matica hrvatska, 1996.

Die Vollständigen Landtagsverhandlungen der vereinigten Königreiche Kroatien, Slavonien, Dalmatien im Jahre 1845 nebst dem Operat über Turopolje und der neuesten königlichen Resolutionen an das Agramer Comitat, compiled by J. P. Jordan. Leipzig: Expedition der slavischen Jahrbücher, 1846.

Dragičević, Josipa. "Maksimilijan Vrhovac i slobodno zidarstvo u 18. stoljeću" [Maksimilijan Vrhovac and the freemasonry in the eighteenth century]. *Croatica Christiana periodica* 66 (2010): 49–60.

[Drašković, Janko.] "Disertacia iliti razgovor, darovan gospodi poklisarom zakonskim i budućem zakonotvorcem kraljevinah naših, za buduću Dietu Ungarsku odaslanem, držan po jednom starom domorodcu kraljevinah ovih" [Dissertation or treatise,

given to the honourable lawful deputies and future legislators of our kingdoms, delegated to the future Hungarian diet, by an old patriot of these kingdoms] (original printed in Karlovac, 1832). In *Hrvatski preporod: Temeljni programski tekstovi* [Croatian national revival: The basic program texts], compiled by Ivan Martinčić, 1:96–141. Zagreb: Erasmus naklada, 1994.

Drašković, Janko. *Ein Wort an Iliriens hochherzige Töchter.* Agram: K. p. ilir. Nat. Typographie von Dr. Ljudevit Gaj, 1838.

Dugački, Vladimir. "Dr. Mavro Sachs (1817–1888.) – prvi medicinski docent zagrebačkoga sveučilišta" [Dr Mavro Sachs (1817–1888): The first medicine lecturer of Zagreb University]. *Acta Medico-Historica Adriatica* 8, no. 2 (2010): 377–80.

Fazekas, István, Stefan Malfèr, and Péter Tusor, eds. *Széchenyi, Kossuth, Batthyány, Deák: Studien zu den ungarischen Reformpolitikern des 19. Jahrhunderts und ihren Beziehungen zu Österreich.* Vienna: Institut für Ungarische Geschichtsforschung, 2011.

Golub Ivan, ed. *Barok i prosvjetiteljstvo* [Baroque and Enlightenment], vol. 3. of *Hrvatska i Europa: Kultura, znanost i umjetnost* [Croatia and Europe: Culture, sciences and arts]. Zagreb: Školska knjiga, 2003.

Hölscher, Lucian. "Öffentlichkeit." In *Geschichtliche Grundbegriffe: Historisches Lexikon zur politisch-sozialen Sprache in Deutschland,* edited by Otto Brunner, Werner Conze, and Reinhart Koselleck, 4:413–67. Stuttgart: Klett-Cotta, 1978.

Horbec, Ivana. "Arme Diener des Königs und ihre (verpassten) Chancen: Existentielle Herausforderungen des kroatischen Kleinadels im 18. Jahrhundert." Paper presented at the conference *Soziale Abstiegsprozesse im europäischen Adel,* Tübingen, September 17–19, 2014.

Horvat, Josip. *Povijest novinstva Hrvatske 1771–1939,* edited by Mirko Juraj Mataušić. Zagreb: Golden marketing–Tehnička knjiga, 2003.

Ilting, Karl-Heinz. "Naturrecht." In *Geschichtliche Grundbegriffe* (Stuttgart 1978), 4:245–313. Ivanišin, Nikola. "J. G. Herder i ilirizam" [J. G. Herder and the Illyrian movement]. *Radovi Filozofskog fakulteta u Zadru* 2, no. 2 (1963): 196–225.

Kessler, Wolfgang. "Die Südslawen und Herder: Einige Anmerkungen." In *Festschrift für Wolfgang Gesemann,* Beiträge zur slawischen Sprachwissenschaft und Kulturgeschichte, 3:157–75. Munich: Hieronymus Verlag Neuried, 1986.

Kitromilides, Paschalis M. "The Enlightenment in Southeast Europe: Introductory considerations." In *Late Enlightenment: Emergence of the Modern 'National Idea',* edited by Balázs Trencsényi and Michal Kopeček, 45–53, vol 1. of *Discourses of Collective Identity in Central and Southeast Europe (1770–1945): Texts and Commentaries* Budapest–New York: Central European University Press, 2006.

Kleinheyer, Gerd, "Grundrechte: Menschen- und Bürgerrechte, Volksrechte." In *Geschichtliche Grundbegriffe* (Stuttgart: n.p., 1992), 2:1047–82.

Kolak, Arijana. "O Mađarima i mađarskoj politici u javnosti banske Hrvatske 1848–49" [On Hungarians and the Hungarian politics in the public of civil Croatia 1848–1849]. MA thesis, University of Zagreb, 2006.

Kolak Bošnjak, Arijana. "Horvatsko-vugerska stranka 1841–1848" [The Croatian-Hungarian Party 1841–1848]. PhD diss., University of Zagreb, 2012.

Kontler, László. "The Enlightenment in Central Europe?" In *Late Enlightenment: Emergence of the Modern 'National Idea'*, edited by Balázs Trencsényi and Michal Kopeček, 33–44, vol 1. of *Discourses of Collective Identity in Central and Southeast Europe (1770–1945): Texts and Commentaries.* Budapest–New York: Central European University Press, 2006.

Korunić, Petar. "Osnovice građanskog društva u Hrvatskoj za revolucije 1848–49. godine" [Foundations of the civil society in Croatia during the Revolution 1848–1849]. *Radovi – Zavod za hrvatsku povijest,* 32–33 (2001): 69–104.

[Kušević, Josip, Valentin Kirinić, and Ladislav Žužić], *De municipalibus iuribus et statutis Regnorum Dalmatiae, Croatiae et Slavoniae.* Zagreb: Typis Franc. Suppan, 1830.

Laszowski, Emilij. "Zagrebački građani traže god. 1790 pravo glasa na saboru" [Zagreb citizens claim the right to vote on the Croatian diet in 1790]. *Vjesnik Kr. Državnog arkiva u Zagrebu* 6 (1934): 201–4.

Markus, Tomislav. "Dokumenti o hrvatskom pokretu iz 1849. godine" [Documents on the Croatian movement of 1849]. *Časopis za suvremenu povijest* 30, no. 3 (1998): 577–95.

Markus, Tomislav. *Hrvatski politički pokret 1848–1849: Ustanove, ideje, ciljevi, politička kultura* [The Croatian political movement of 1848–1849: Institutions, ideas, goals, political culture]. Zagreb: Dom i svijet, 2000.

Markus, Tomislav. "Hrvatski politički pokret 1848–1849: Izabrani dokumenti" [Croatian political movement 1848–1849: Selected documents]. *Fontes* 12 (2006): 9–354.

Markus, Tomislav. *Hrvatski politički pokret 1848–1849. godine: Izabrani dokumenti na njemačkom* [The Croatian political movement of 1848–1849: Selected documents in German]. Zagreb: Hrvatski institut za povijest, 2009.

Mažuranić, Ivan. "*Hèrvati Madjarom: Odgovor na proglase njihove od ožujka mieseca i travnja 1848.*" [Croats to Hungarians: Answer to their proclamations from March and April 1848]. In *Hrvatski preporod: Temeljni programski tekstovi,* compiled by Ivan Martinčić, 2:71–95. Zagreb: Erasmus naklada, 1994.

Mihanović, Antun. "Reč domovini od hasnovitosti pisanja vu domorodnom jeziku" [Manifesto to the fatherland on the benefits of writing in mother tongue]. In

Hrvatski preporod, compiled by Ivan Martinčić, 1:42–56. Zagreb: Erasmus naklada, 1994.

Mužić, Ivan. *Masonstvo u Hrvata* [Freemasonry among Croats]. Split: Laus, 2001.

Pavličević, Dragutin. "Maksimilijan Vrhovac: Život i djelo" [Maksimilijan Vrhovac: Life and work]. In Maksimilijan Vrhovac. *Dnevnik,* edited by Dragutin Pavličević, 1:52–79. Zagreb: Kršćanska sadašnjost, Sveučilišna naklada Liber, ČGP Delo, OOUR Globus, Zavod za hrvatsku povijest Filozofskog fakulteta u Zagrebu, 1987.

Pusić, Eugen et al., ed. *Nikola Škrlec Lomnički 1729–1799.* 4. vols. Zagreb: Hrvatska akademija znanosti i umjetnosti, Pravni fakultet Sveučilišta u Zagrebu, Hrvatski državni arhiv, 1999–2007.

Rakovac, Dragutin. "Mali katekizam za velike ljude" [A little catechism for great people]. In *Hrvatski preporod: Temeljni programski tekstovi* [Croatian national revival: The basic program texts], compiled by Ivan Martinčić, 2:9–28. Zagreb: Erasmus naklada, 1994.

Schulz, Andreas. "Der Aufstieg der 'vierten Gewalt': Medien, Politik und Öffentlichkeit im Zeitalter der Massenkommunikation," *Historische Zeitschrift,* no. 270 (2000): 65–97.

Shek Brnardić, Teodora. "Intelektualni razvoj" [Intellectual development]. In *U potrazi za mirom i blagostanjem: Hrvatske zemlje u 18. stoljeću* [In search for the peace and prosperity: Croatian lands in the eighteenth century], edited by Lovorka Čoralić, 195–218. Zagreb: Matica hrvatska, 2013.

Shek Brnardić, Teodora. "Ivan Lovrić: The Customs of the Morlachs." In *Discourses of collective identity in Central and Southeast Europe (1770–1945): Texts and Commentaries.* Vol. 1. *Late Enlightenment: Emergence of the Modern 'National Idea',* edited by Balázs Trencsényi and Michal Kopeček, 57–61. Budapest–New York: Central European University Press, 2006.

Shek Brnardić, Teodora. "Josip Voltić: A Dictionary of the Illyrian, Italian and German Languages." In *Late Enlightenment: Emergence of the Modern 'National Idea',* edited by Balázs Trencsényi and Michal Kopeček, 223–7, vol 1. of *Discourses of Collective Identity in Central and Southeast Europe (1770–1945): Texts and Commentaries.* Budapest–New York: Central European University Press, 2006.

Shek Brnardić, Teodora. "Tomo Bassegli: Patriotic Musings." In *Late Enlightenment: Emergence of the Modern 'National Idea',* edited by Balázs Trencsényi and Michal Kopeček, 312–5, vol 1. of *Discourses of Collective Identity in Central and Southeast Europe (1770–1945): Texts and Commentaries.* Budapest–New York: Central European University Press, 2006.

Stančić, Nikša. "Hrvatski narodni preporod 1790–1848" [Croatian national revival 1790–1848]. In *Hrvatski narodni preporod 1790–1848: Hrvatska u vrijeme Ilirskog pokreta* [Croatian national revival 1790–1848: Croatia in the period of the Illyrian movement], edited by Nikša Stančić, 1–30. Zagreb: Muzej za umjetnost i obrt, 1985.

Stančić, Nikša. "Disertacija Janka Draškovića iz 1832. godine: Samostalnost i cjelovitost Hrvatske, jezik i identitet, kulturna standardizacija i konzervativna modernizacija" [The dissertation of Janko Drašković from 1832: Independence and territorial integrity of Croatia, language and identity, cultural standardisation and conservative modernization]. *Kolo* 17, no. 3 (2007): 137–67.

Stančić, Nikša. "Das Jahr 1848 in Kroatien: Unvollendete Revolution und nationale Integration." *Südost-Forschungen* 57 (1998): 103–28.

Šidak, Jaroslav, Vinko Foretić, Julije Grabovac, Igor Karaman, Petar Strčić, and Mirko Valentić. *Hrvatski narodni preporod – ilirski pokret* [Croatian national revival – Illyrian movement]. Zagreb: Školska knjiga–Stvarnost, 1990.

Šidak, Jaroslav. "Stranački odnosi u Hrvatskoj prije 1848" [Relationship between parties in Croatia before 1848]. In idem. *Studije iz hrvatske povijesti XIX. stoljeća* [Studies on the nineteenth-century Croatian history], 125–51. Zagreb: Sveučilište u Zagrebu, Institut za hrvatsku povijest, 1973.

Šidak, Jaroslav. "'Narodna zahtijevanja' od 25. ožujka – program hrvatske Četrdesetosme" [The people's demands from March 25 – the program of 1848 in Croatia]. In idem. *Studije iz hrvatske povijesti za revolucije 1848–49* [Studies on the Croatian history in 1848–1849], 33–74. Zagreb: Institut za hrvatsku povijest, Centar za povijesne znanosti, 1979.

Šidak, Jaroslav. "Hrvatske zemlje u Vrhovčevo doba 1790–1827" [Croatian lands during the life of Maksimilijan Vrhovac, 1790–1827]. In Maksimilijan Vrhovac, *Dnevnik* [Diary], edited by Dragutin Pavličević, 1:9–51. Zagreb: Kršćanska sadašnjost, Sveučilišna naklada Liber, ČGP Delo, OOUR Globus, Zavod za hrvatsku povijest Filozofskog fakulteta u Zagrebu, 1987.

Šojat, Olga. "O dvjema revolucionarnim kajkavskim pjesmama s kraja osamnaestog stoljeća" [On two revolutionary Kajkavian poems from the end of the eighteenth century]. *Croatica* 1, no. 1 (1970): 211–36.

Šulek, Bogoslav. *Šta naměravaju Iliri?* [What do the Illyrians intend?]. Belgrade: n.p., 1844.

Švoger, Vlasta. "Recepcija Herdera u hrvatskome narodnom preporodu na temelju Danice ilirske" [The reception of Herder's ideas in the Croatian national revival based on the journal Danica Ilirska]. *Časopis za suvremenu povijest* 30, no. 3 (1998): 455–78.

Švoger, Vlasta. "Zagrebačko liberalno novinstvo o slobodi tiska i društvenoj ulozi novina od izbijanja revolucije 1848. do uvođenja neoapsolutizma 1851. godine" [Zagreb liberal press on the freedom of the press and the social role of the newspapers in the period between the revolution of 1848 and the introduction of neoabsolutism in 1851]. *Povijesni prilozi* 30 (2006): 204–23.

Švoger, Vlasta. *Zagrebačko liberalno novinstvo 1848–1852. i stvaranje moderne Hrvatske* [Croatian liberal press 1848–1852 and the building of modern Croatia]. Zagreb: Hrvatski institut za povijest, 2007.

Vrhovac, Maksimilijan. "Poziv na sve duhovne pastire svoje biskupije" [Call for all priests in his diocese]. In *Hrvatski preporod: Temeljni programski tekstovi* [Croatian national revival: The basic program texts], compiled by Ivan Martinčić, 1:29–33. Zagreb: Erasmus naklada, 1994.

Vukotinović, Ljudevit. "Ilirizam i kroatizam" [Illyrism and Croatism]. In *Hrvatski preporod: Temeljni programski tekstovi* [Croatian national revival: The basic program texts], compiled by Ivan Martinčić, 2:33–44. Zagreb: Erasmus naklada, 1994.

Encyclopaedia Britannica. http://www.britannica.com/EBchecked/topic/275840/human-rights. Accessed December 5, 2014.