

Chapter 12 : Swedish Legacy (IV) – “The Self Rule”.

In 1809, a new constitution was adopted. Since the 1809-1974 Act was revised no less than 389 times, it is difficult to make a general statement on it. Most of the revisions concerned His Majesty's Office (≈the Government Office). Since under Charles John the Parliament convened only every 5 years, the government had wide ranging powers. The point of conflict being that this was necessary but potentially dangerous: The state had at all times to be effectively governed, but without giving the king undue powers. The solution was to veto everything that demanded money or legislation and provide him with “advisers”. But as has been commented on, Charles on a number of occasions managed to steamroller them into submission. In particular the Liberals were livid with this Charles John's private “self rule”. The alternative being to pay the MPs to be present for the whole term, but this was not considered until the constitutional reforms in 1865/66.

The sections below describe the conditions 1818 at the time of Charles John's accession to the throne.

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§§ 1-10. Hands-on governing

The King makes all decisions. He is immune from prosecution, but he rules under the laws. To help him, he has nine cabinet ministers: The Chief Chancellor of the Court (head of cabinet and responsible for press freedom issues etc.), a Minister of Justice (who is also a member of the Supreme Court), a Foreign Minister & six ministers without portfolio. Four State Secretaries (≈departmental heads) are co-opted as necessary. The four areas of responsibility being: (1) Land & Sea Defence. (2) Agriculture & mining. (3) Finance, trade & small-scale industry. (4) Church & school issues, poverty care etc. In the Civilian State Council (≈Cabinet) all matters except defence & foreign policy are decided. The latter being decided by the king and Foreign minister alone.

The major matters were presented three times - individually (under Charles John's *levée*), in the General Council & finally in the Cabinet meeting. The composition of the General Council varied with the subject at hand. This led to protests because those not present were still legally responsible for its decisions. From march 26, 1816, the General Council was replaced by the State Council. This was a semi-political body (four nobles or clergy + four burghers or peasants – all chosen by the king; a State Secretary as rapporteur & the minister of Justice or crown prince as chairman). The advantage being that the councillors could familiarize themselves with subject matters outside their immediate area of expertise.

While prince regent, Charles John could often make on the spot decisions (=him ignoring his councillors or them shirking their duty). Later the decision making was often put on the back burner in the Council of State before reaching the Cabinet meeting. In the later years there were conflicts because the councillors had become accustomed to registering a reservation at the Cabinet meeting if Charles John deviated from their recommendations in the State Council. The best-known example is from 1830 when all the councillors threatened to resign if he did not stop his currency operations. As Charles John could not replace them *en masse* he was forced to give in. In 1840 a lengthy discussion led to yet another reform where all the ministers were given their own areas of responsibility, hopefully giving them more clout.

That Charles John managed to ignore his councillors did not imply fast work. All government matters - 12 to 13 thousand a year - had to be translated and explained. It was also this with Charles XIII 1811-1818 insisting on approving everything from the sick bed. Politics slowed to a crawl.

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Charles John is said to have favoured long, careful and party-composite investigations. Thyselius (1896) has listed them, but complains of the mess:

[It has] at times proved to be fraught with insurmountable difficulties in acquiring full certainty as to whether a committee ever existed, was ignored or ever produced a report. Further the composition of the committee, the standing of its members and where the report would now be found is often unclear. ... Reports, which are said to have been kept in certain places and in certain archives, have now been found to be unavailable [and must be considered lost].¹

Due to the confusion - probably many of the reports existed only as drafts or notes - it has not been possible to determine what role they had for Charles John's decision making. Rather, the oral presentations marked Charles John's reign, which led his politics to descend into a difficult-to-describe morass of ad hoc decisions & details. There was seldom any overall plan. He expedited rather than reigned.

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Impeachment

The attending cabinet ministers + the secretaries of state (=the advisers) were legally (if not politically) responsible to the Parliament for sanctioning the King's decisions in the cabinet. If these were contrary to law, the advisers could be impeached, so-called ministerial responsibility. In retrospect, the impeachment procedure, "the sledgehammer", in its mix of law, politics, conflicts of interest, lack of custom & poorly documented cabinet decisions was difficult to apply. It was used five times in 1818-54 and then never again. I line them chronologically:

1818: The Stockholm Governor etc. O Rudolph Cederström, as it seems to establish its use & for an accumulation of old sins (=loyal duty) during Karl Johan's Crown Prince years. Cederström was acquitted. As it seems after pressure from Charles John.

1823: State Secretary of War etc. Bernhard Christoffer Qviding, who had sanctioned a decision to reallocate unused funds. Qviding was acquitted.

1834-35: State Secretary of Finance Carl David Skogman & the other ministers present at the cabinet meeting that sanctioned a loan to the Swedish Mortgage Fund that the Parliament had rejected. Skogman was found guilty.

1840-42: Everybody who had sanctioned the 1838 Jew Emancipation, in total 17 people, were prosecuted but acquitted after long negotiations.

¹ Thyselius 1896: förord.

1854: All councillors were prosecuted for sanctioning no less than 54 illegal decisions on the reallocation of tax money, but none convicted.

The outcome of these five impeachments may be interpreted as the Parliament broadly approving of Charles John's & Oskar I's government and choice of advisers, although preferring more spine.

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The Yes-men

The six ministers without portfolio + four secretaries of state had an uncomfortable intermediate position between King and Parliament. The appointments were supposed to be competence based, “knowledgeable, experienced, honest and widely esteemed native Swedish nobles or commoners of the pure Evangelic faith“, but loyalty seems to have been an equally important criterion. I exemplify with the election of Colonel Carl Henrik Gyllenhaal as a minister:

G's credentials as a public official and his experience of parliamentary work were considered limited when he was appointed minister, but no one doubted his loyalty to the king. He was described in the opposition papers as an ignorant “yes-man“. Dardel quotes as typical of G's compliance a statement that he was supposed have made at a government meeting: “Gentlemen, the only law that I acknowledge is the will of my king“.²

In retrospect it is impossible to reconstruct the competence and integrity of individual councillors. Some, like August von Hartmansdorff & Carl David Skogman, have a good reputation, others have been denounced as favourites in need of money, vacillating sops and worse. Some of the compliance can probably be explained by them being employed on a temporary basis & could be dismissed at any time the king so pleased. They saw themselves as civil servants rather than politicians, with the primary task of safeguarding the legal aspect, not to get involved in polemics with the “boss“. The information that is available is that because of their mediocre French, most of them found it difficult to hold their own in the discussions. Charles John did not help the situation. As long as he had the upper hand, every thing was hunky dory, but repeated refusals to sanction his decisions led to dismissal. Staff turnover was high.

The Councillors came both from “inside“ and “outside“. Once appointed, however, they must cut any ties with the Parliament. They were not allowed to sit on the committees nor cooperate with each other. The separation of Councillor-Councillor-Parliament would nip all organized opposition in the bud. As Charles John used to express it “opposition, c'est conspiracy“.

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The powers of appointment

Karl Johan also appointed high officials with tenure, i.e. professors, directors-generals, high officers, etc. The most important thing mentioned is that he is supposed to have favoured the

² Franzén 1967.

nobility at the expense of the other estates, which he did, but since the nobility only constituted 0.39 percent of the population, it was difficult to fill the state's needs that way. The nobility was concentrated in the military, the diplomatic corps and the higher offices of state.

Höjer has devoted a few pages to Charles John's actions:³ The nobility's preference for office had been abolished already in 1789, but the effect was delayed. In the chancellery, the proportion of nobles slowly declined from 50 percent 1810 to 33 percent 1840. A proportion of commoners were appointed to quell liberal criticism. There appears to have been no Councils on appointments: "Higher appointments were decided entirely by Charles John himself, preferably him spring them as a surprise." Probably the candidates had presented themselves or been recommended at one of Charles John's many private audiences. Protests from his advisers were common, but usually ineffective.

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Sidelines

Charles John had considerable freedom of action through his various funds since he had thus made himself independent of Parliamentary handouts. He put a lot of energy into it, but it is hard to trace. Charles John's "private" money was invested in estates & jewels and used for bribes. (Private in quotes because Charles John always had difficulty distinguishing between public and private.) The estates – agriculture, mining and forestry – were scattered all over the country and required administration. As Charles John lacked the time, local knowledge and expertise, he was dependent on his estate managers, some of whom did not speak French. A special problem child was Älvdalen's porphyry factory, whose products were close to unsaleable and used for gifts. Höjer comments:

There may have been an interaction between the less than happy outcome of Charles John's business endeavours [return 2 1/3 per cent] and the fact that he was an extremely difficult client. He constantly suspected his financial confidants and employees of fraud and even communicated these suspicions to them in terrible outbursts of rage. In addition, there were fierce and irrational demands for thrift in the small, strangely combined with unusual generosity in the large.⁴

At the estate inventory, Charles John's reserve fund - 400 thousand Rdr in jewels & 250 thousand Rdr in cash - was found in a safe in the office. This was nearly a quarter of his wealth. One guess has been that Charles John wanted to have a spare exit in case the Swedes grew tired of him or vice versa.

³ Höjer 1960: ss. 306-310.

⁴ Höjer 1960: ss. 544-545. [Citatet något redigerat.]