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The Bureaucracy of Belonging (Late Habsburg Monarchy/Austria)

Citizenship rights in the late Habsburg Empire were complex and layered. The legislation was familiar with the categories of imperial citizenship, state citizenship (either in the Austrian or Hungarian part) and *Heimatrecht* (local citizenship or right of residence). *Heimatrecht* – the focus of this paper – was fundamental for a citizen's status, rights and possibilities within the state territory. It determined the only place in which a citizen had an unconditional right to undisturbed domicile and an entitlement to public poor relief. This was also the place where a person regarded as destitute or as a threat to public security could be deported to. The *Heimatrecht* was inherited or acquired by marriage, and although municipalities could award it, they almost never did so voluntarily when it came to poor residents. As a result, by the end of the 19th century a growing share of citizens did not have a *Heimatrecht* at their place of domicile. Their *legal* belonging did not mirror social reality or *actual* belonging but instead contradicted the 'right of free movement', as contemporaries put it. Yet, while these regulations did not prevent mobility, they caused inequality and vulnerability. It was only after a law reform of 1896 that entitlement could be achieved by usucapion. That reform fundamentally restricted the municipalities' autonomy to decide who was a member or a resident while still leaving considerable space for municipalities' discretion.

Up to now, research on the *Heimatrecht* (which remained in effect in the first Republic of Austria) has mostly focussed on legal or political debates at the level of the central state. However, the administration of procedures on the local level – an often complex and lengthy matter – has rarely been studied in a systematic way. In such procedures, the review of the formal criteria – an uninterrupted and voluntary stay of ten years in which a person did not become dependent on poor relief – relied on identity papers and registers. But such documents frequently turned out to be patchy, incoherent, and incomplete. When they had to be interpreted, further inquiries and interrogations were required. In this context, municipalities often showed creativity in producing arguments and reasons for rejecting applicants, not all of which were correct or legally relevant and not all of which – in case an appeal was filed – passed the scrutiny of district authorities. These types of records allow us to draw a nuanced picture of the role municipalities claimed and actually played in controlling settlement within their territories. They give insight into their criteria, permitting one to access the authorities' ambitions and options for administering and "pinning down" citizens. At the same time, such records allow

us to study and differentiate how citizens – diverse in many respects – (strategically) interacted and negotiated their cases with authorities in this context, as well as how they could use documentation (or lack of it) for their purposes, while evoking and justifying their belonging. Although such interactions were certainly asymmetrical, I will show that each of the involved parties were able to make use of administrative loopholes.