

Elector Max IV Joseph of Bavaria and the Palatinate, Directive on Reforming the Training of State Officials (June 25, 1799)

Abstract

Following his accession in 1799, the new elector issued the following directive, thereby implementing the portion of Montgelas's reform program that focused on improving the education and practical training of state officials, without regard to rank. But the very fact that state service began with an unpaid apprenticeship meant that most officials were recruited from the propertied classes of society.

Source

[...] While they are still at our universities (from which, according to existing decrees, citizens of our land may not exempt themselves), academics in the future shall be advised, upon the conclusion of their legal studies, that if they wish to obtain an electoral post associated with the administration of justice, they must first strive to obtain practical experience at a rural court in the following areas: the course of judicial civil and criminal justice, the composition of legal documents and interrogations, inventories and inspections, guardianship and deposit affairs, matters relating to the church and charitable foundations, the tax system, the oversight of military billeting, as well as other matters associated with the state police, national culture, and the polity.

As for those who thus wish to be accepted into Our Judicial Colleges as acting councilors in the event of vacancies, We also demand that, after the aforementioned court experience, they complete practical training at an Electoral Judicial College, with the exception of the Electoral Comptroller's Office. For this office, We reserve the right of approval, as we do not intend to grant such approval to anyone who has not successfully gathered practical knowledge at a court beforehand.

To start with, as part of this practical training at the Electoral Judicial Colleges, the trainee, who upon entering service is put under temporary obligation, shall take the minutes in sessions and commissions, with his signature being considered equal to that of a hired secretary. At the same time, he shall familiarize himself as much as possible with the organization of the registry, the keeping of books and repertoires, and [the standards of] order and meticulousness that must be observed in these matters.

After the trainees have acquired practice and skill in these matters (generally speaking, no time limit can be set for this), the Board of Directors must gradually involve them in more important tasks, allow them to exercise a consultative vote in the council meetings, and give them documents for reporting, but only ones for which a co-referee is named at all times. Primarily, though, the trainees shall be employed in commissions, in oral and summary proceedings, and also in criminal proceedings under the supervision of another experienced and reliable commissioner, and in matters of lesser importance without any supervision.

In addition, during the entire training period, administrative trainees can and shall provide court representation to parties that apply to the College for legal counsel or who must receive such counsel *ex officio*; here, it goes without saying that the trainees are not allowed to attend consultations on these cases at the College.

In this way, the training period at the Electoral Judicial Colleges shall work not only toward the *education*

of qualified individuals but also toward the permanent *examination* thereof. And We hope that, by constant and strict observation of their performance and actions, We will always manage to examine and evaluate them more effectively than by giving them a sheet of questions, which always proves a very inadequate test of their knowledge, especially their practical qualifications.

Accordingly, whenever the trainees perform exercises or tasks, the Directorate of the College shall pay constant attention to their conduct, their manner of behavior, their skill, diligence and assiduousness, making not only obligatory note of this in the quarterly reports but also enclosing in the quarterly reports themselves several of the written reports submitted by the trainees from time to time.

Although this administrative training is obligatory, partly for the sake of educating, partly for the sake of examining the aspiring counselors of justice, without regard to rank, it is not a guarantee of an actual right to employment; rather, when vacancies occur they will be filled by the trainees who prove to be the best qualified. [...]

Source: *Münchener Intelligenzblatt*, XXXth issue dated July 20, 1799. Col. 483–485; reprinted in Walter Demel and Uwe Puschner, eds., *Von der Französischen Revolution bis zum Wiener Kongreß 1789–1815*. Deutsche Geschichte in Quellen und Darstellung edited by Rainer A. Müller, volume 6. Stuttgart: P. Reclam, 1995, pp. 128–30.

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Recommended Citation: Elector Max IV Joseph of Bavaria and the Palatinate, Directive on Reforming the Training of State Officials (June 25, 1799), published in: German History in Documents and Images, <<https://germanhistorydocs.org/en/the-holy-roman-empire-1648-1815/ghdi:document-3525>> [October 11, 2024].