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The Okocim Brewery and the Association for the Protection of the Breweries of the Kingdom of Galicia and Lodomeria with the Grand Duchy of Kraków

A Failed Attempt to Cartelise the Brewing Industry in Galicia

Preliminary topics: propination in Galicia

Galicia was the last country of the Austro-Hungarian monarchy where the propination issue remained unsolved for a long time.¹ Land reforms of 1848, implemented throughout the Habsburg realm, upended the economic bases for the existence of farmstead breweries. Serfdom was abolished, along with the majority of the privileges of feudal landlords, including control over land and peasants, as well as the duty to purchase alcohol from the landowner. The latter provision was misconceived so that some interpreted it as a release from the propination law. The imperial patent of 7 September 1848 provoked such a fierce outcry that a subsequent decree was soon issued, clarifying that the propination law had not, in fact, been repealed.² As the main argument, the decree explained that the duty to acquire beer and vodka, as well as any obligations related to it, had never been at the core of propination but, rather, only a method of exercising the propination privilege.³

¹ The propination law was discussed e.g. by: Bobrzyński M. 1888; Burszta J. 1950; Burszta J. 1951; Ciesłowa I. 1958; Szczepaniak M. 1977. The problem was recently discussed in detail by: Dryja S. 2025.

² Section 11 of the imperial *patent* stipulated that: *also, compulsory acquisition of beer and vodka is repealed, together with any related obligations*; Kraiński M. 1848, p. 232.

³ Propination was characterised in the following way: *One may use beverages where one so wishes, and consume one's own beverages wherever one finds convenient to do so, without making any payment to the holder of propination right for such liberty*; *ibidem*.

The subject of propination in Galicia was revisited in the late 1860s. Initially, acts drafted in the Sejm envisaged a partial transfer of propination privileges to communes, with manor estates retaining the same rights. In 1868, a proposal was made to partially revoke the propination law: alcohol production would become a fully liberalised industry, while the sale of beverages would fall under state control. However, subsequent drafts from 1869 and 1871 were not enacted, mainly due to disagreement over the principles of the payment of compensation to existing owners, as propination income was vital not only to landowners but also the cities to which the law applied.⁴

A different approach was adopted from 1872 to 1873, when the abolition of the propination law was postulated in lieu of expropriation. The production of alcoholic beverages was to remain unrestricted, whilst their sale would be governed by licensing requirements and state regulations. This was in line with solutions previously implemented in other Habsburg countries. Propination laws were abolished as early as 1868 in Bohemia, Moravia and Silesia, and the system of one-off compensations was financed from a special fund.⁵ Galicia was thus deliberating on a problem which had definitely been solved elsewhere.

Finally, after a few days of debate, an act drafted by Kornel Krzeczunowicz was adopted, with minor amendments. It abolished propination as an exclusive right to produce and sell alcohol, introducing industrial freedom in the production of liquors under the Industrial Act of 1859. Nevertheless, the right to sell remained with the current owners for an extended period – effectively until the end of 1910, when compensation payments from the aforementioned fund were scheduled.⁶

The postponement of a comprehensive solution and the ambiguous structure of the compensation system were widely criticised. Most lawyers pointed out the incongruities of the act, which abolished propination only nominally.⁷ In modern

⁴ With regard to cities, propination revenues significantly exceeded half of their income, in extreme cases constituting more than 90% of the budget; Krzeczunowicz K. 1861, p. 3; Dryja S. 2025, p. 18.

⁵ Minařík M. 2017, pp. 20-24; Dryja S., Szczerba J. 2018, p. 22; Holub P., Starec M., Tichý M. 2023, p. 103.

⁶ *The Act left the sale of beverages in the hands of those who had already enjoyed the privilege for a period of 26 years from the moment of the National Commission's publication of the edict indicating the amount of pure income that the propination right brought to each person entitled from 1869 to 1874. Initially, it was expected that drafting the edict would take about two years, but the Commission's work took much longer, and it was not announced until 1884. In practice, therefore, the validity of the propination law extended until the end of 1910, i.e. for 35 years after the enactment of the act;* Dryja S. 2025, p. 21.

⁷ It was even argued that *this national act, intended to abolish the propination law, must be amended, for it does not make good on the claim implied in the title;* Kleczyński J. 1888, p. 3.

literature, the prevailing view was that, over time, propination became restricted to the right to sell, without affecting the development of brewing and distilling.⁸ However, this judgement is inaccurate. Small manor breweries were able to function almost exclusively thanks to their own propination districts. This inhibited competition and negatively affected the development of the brewing industry, as the owners of the breweries did not appreciate the need to invest in their growth. A substantial share of profits that could have been invested in modernising the plants was instead diverted into the hands of the propinators. It should also be noted that such a system protected the Galician market against beer imported from abroad, whilst remaining in contradiction with the rules in force in other branches of the Galician economy.

The beginnings of the “Association for the Protection of the Breweries of the Kingdom of Galicia and Lodomeria with the Grand Duchy of Kraków” and its relations with the brewery in Okocim

As the propination law was about to expire, the owners of breweries started discussing the plans to establish an organisation to protect their interests in the new reality. First concepts for founding an alliance called the “Association for the Protection of the Breweries of the Kingdom of Galicia and Lodomeria with the Grand Duchy of Kraków” [“the Association”] appeared in 1907.⁹ In this respect, the owners of medium-sized breweries, gathered around Count Zdzisław Tarnowski, the owner of the brewery in the Dzików Estate, played a key role. The meetings in the palace in Dzików were attended by representatives of breweries in Busko (property of the Badeni family), Krasieczyn (property of the Sapieha family), Tarnów (property of the Sanguszko family) and Korolówka (owned by Stefan Weiss).¹⁰ In September 1908, the following objectives of the prospective association were formulated: *In addition to the centralisation of prices, which can happen no earlier than in 1911 [i.e. after the expiry of the propination law], the subcommittee notes that an*

⁸ Spyra A. 1994, p. 63. Some emphasised the positive aspects of keeping certain elements of the propination law for landowners: Kwieciński M. 2009, p. 126 (footnote).

⁹ Correspondence between the owners of breweries in Dzików and Korolówka is dated to 1907. The project's progress indicates that the talks must have started much earlier; ANK, Tarnowski family's Dzików Archive, ref. 3177.

¹⁰ The talks were undoubtedly complicated by the death of Kazimierz Badeni in July 1909. A representative of the brewery in Busko did not even appear at the founding meeting of the association in Dzików; ANK, Tarnowski family's Dzików Archive, ref. 3177, sheet 47.

*alliance of breweries can already fulfil its purpose by protecting the interests of breweries from the government, mainly in view of the issuing of executive regulations, as well as from foreign breweries and sellers. The subcommittee emphasises the need for the owners of breweries in Krasieczyn, Busko and Tarnów to influence the breweries in Okocim and Lviv in their own well-understood interest in order to establish the proposed organisation.*¹¹ Count Zdzisław Tarnowski played a crucial role in the talks with Jan Albin Goetz.¹² As members of the Galician National Sejm, both were interested in the development of domestic industry and political activity. Tarnowski was president of the Kraków Agricultural Society in 1903-1914, while Goetz for 22 years (from 1897) served as the Marshal of the District Council in Brzesko, and was a member of the Austrian State Council (since 1892), holding the position of President of the Polish Circle.¹³ Negotiations with Goetz were conducted in Lviv by representatives of the organising committee of Rev. Władysław Leon Sapieha and Count Zdzisław Tarnowski. At the conference, intentions of mutual agreement between breweries were announced and certain basic conditions were submitted to the Okocim brewery, with a view to striking some deals.¹⁴

The original concept of brewing market organisation in Galicia was far-reaching. Anticipating the pressure from foreign breweries since the expiry of propination, the Association proposed *that breweries producing a very small amount of hectolitres or bad quality beer would be completely barred from the new Association – and smaller breweries would be mortgaged and shut down.*¹⁵ For this reason, they were offered a guaranteed pension in the amount lower (without specifying the extent of the reduction) than the pure profit determined on the basis of the accounts from the last years of production, or a share in a company set up by the Association, bearing the risk of profit but also loss, *as well as other breweries in operation.* The Association gained a few percentage market share on this operation, filling the gap after defunct breweries, while the owners of the latter received a guarantee of stable income, although in the amount lower (again, without mentioning the magnitude of the reduction) than the most recent profit. In hindsight, the offer proved extremely advantageous: when the propination system ended, small breweries faced severe difficulties, most of them drastically cutting production or shutting down entirely.

¹¹ ANK, Tarnowski family's Dzików Archive, ref. 3177, sheet 110.

¹² Jan Götz was conferred the title of Freiherr by Emperor Franz Joseph in 1908, equivalent to the title of a baron, with his own coat of arms and the heraldic motto: "With Work and Truth." In 1911 he legally established the Polish spelling of his surname and, from that time onward, he signed his name as Baron Jan Goetz Okocimski; Włodek J.M. 2001, p. 36.

¹³ Ibidem, pp. 50-51

¹⁴ ANK, Tarnowski family's Dzików Archive, ref. 3177, sheet 45.

¹⁵ Ibidem, sheet 35.

Members of the Association were offered a permanent market share in accordance to two types of quotas: efficiency, which was to be calculated on the basis of production in the past three years and determine the percentage share in the company, and a production quota, calculated in relation to the past year, defining the volume of production, *which in principle must not be exceeded*. The Association also reserved the right to set production prices according to data provided by each of the associated breweries. Pricing was to be based on historical financial performance and *taking into account important and decisive production factors, e.g. freight, labour but [those which were] common to all breweries*. The intention was to unify the prices of individual beer styles produced by the members of the Association.

The implementation of production quotas, coupled with the allocation of exclusive sales territories to individual breweries, exhibited all the hallmarks of market cartelisation.¹⁶

Talks with Goetz were continued in Okocim. *After lengthy deliberations, Mr Goetz fully recognised the need for mutual agreement between the breweries and declared his readiness to make necessary arrangements, making it clear that he needed some time to contemplate the proposal.*¹⁷

In September 1909, an agreement was reached, radically altering the original assumptions of the Association: *After a lot of bargaining and mutual concessions, the principles of the agreement and the grounds for a possible arrangement were established in order to promote mutual interests after 1910, namely: a/ the Okocim Brewery reserves the right to enjoy complete freedom of development, that is, it does not accept any quotas or regional restrictions, b/ the Okocim Brewery is willing, together with larger, properly administered, state-of-the-art breweries, which generally warrant some certainty as to their contractual performance, to make a settlement that would extend and be territorially limited for each of these breweries individually, in comparison to the previous area of operations of each individual brewery, or individual cities, or in the current markets*. In particular, the Okocim brewery agreed to refrain from the sale of low-tier beer, i.e. lager, approved the provisions on shared contractors and shared warehouses (under agreements separately concluded between breweries), a price 8 kronas higher per 1 hectolitre of beer (4 hellers per half-litre glass) than beers from other breweries, and also set a minimum price for March beer at 20 kronas per hectolitre *loco (ex)* railway station Slotwina near Brzesko (excluding national tax). Similar restrictions were applied to beer bottles. Thus, in one warehouse, or on one site, the recipient had to choose cheaper local or Okocim – beer

¹⁶ Ibidem, sheet 11 et seq.

¹⁷ Ibidem, sheet 45.

of a reputable brand, for a proportionally higher price.¹⁸ The brewery in Żywiec decided to join the Association; only the management of the Lviv brewery initially hesitated but finally managed to overcome their doubts.

A good example of mutual agreement is the arrangement between the breweries in Okocim and Dzików. Shared warehouses were to be established in four political districts: Tarnobrzeg, Mielec, Nisko and Kolbuszowa, supported by equivalent agreements with contractors from these districts. Correlating prices, however, was the most important aspect: *Okocim beer will be sold at 8 kronas more per hectolitre, i.e. at 4 hellers per glass, than Dzików [beer] and the Okocim Brewery is obliged not to sell their March beer to these districts cheaper than at 20 kronas per 1 hl ex Słotwin without national tax* [thus, the upper price level for Dzików beer was 12 kronas per hl]; a similar relationship has been established for bottled beer. The intermediary's margin was also regulated, ranging from half to 1 krone per ¼ hl (i.e. 2 to 4 kronas per hl).

This vividly illustrates the Okocim brewery's pricing strategy: setting its product prices well above those of its medium and small competitors. This was not driven by higher production costs – on the contrary, these were significantly lower – but rather by a deliberate cultivation of brand prestige, where consumers willingly paid a premium for consistent, high-quality products. It also allowed Okocim to conclude similar agreements with competitive breweries, which provided a cheaper, generally worse product, purchased by a less affluent (and perhaps conscious) customer. Thus, the so-called “cheap” beer was not a competitive commodity, but rather a complement to the offer of local representatives, who could earn on both Okocim beer and the “inexpensive” beer from the local brewery designated by their stronger partner.

The Okocim brewery's adamant stance, combined with the reluctance to set quotas and sales territories, was a result of the policy adopted by Jan Albin Goetz in the face of the approaching abolition of propination. As early as 1909 (the talks probably took place earlier), the organisation of the sales network was started, which involved local representatives (contractors) running wholesale warehouses in larger (usually district) towns. The contracts were executed to a uniform standard. All of them became effective on 1 January 1911. Selected representatives included existing propination lessees, administrators of competitive breweries, distinguished representatives of the local industrial and commercial elite. Over the space of two years, a dense sales network extending over the western part of Galicia (with its tentative boundary running along the San River) and the largest cities on the

¹⁸ Ibidem, sheet 116-117.

eastern side (where representatives were allowed to appoint subcontractors).¹⁹ The Okocim brewery intended to capitalise on the newly introduced market rules in liquor trade. Jan Albin Goetz considered the creation of the association of breweries as beneficial, at the same time imposing conditions that would not threaten his brewery's policy but, on the contrary, which would make the deal profitable. Other breweries failed to appreciate or perceive this outcome of the end propination and only started to build their distribution networks after the law expired (e.g. the Sanguszko family brewery in Tarnów followed suit on 1 January 1912).²⁰

A general meeting of the founders of the Association was held on 26 June 1909 in Dzików. Its attendees included representatives of breweries from Dzików, Krasiczyn, Okocim, Zaczernie, Limanowa, Lviv, Stanisławów, Żywiec, Kraków, Korolówka, Tarnów and Tenczynek. During the meeting, the Association's charter was adopted and the board was appointed, headed by the president Jan Goetz (Okocim) and vice-president Zdzisław Tarnowski (Dzików). The management board included: Jerzy Klein (Lviv), Waclaw Umlauf²¹ (Żywiec), Paweł Sapięha (Krasiczyn), Adam Jędrzejowicz (Zaczernie), Zygmunt Mars (Limanowa), Tadeusz Bednarski (Kraków) and Stefan Weiss (Korolówka). A decision was made to establish an office in Kraków and a fee of 1 heller for each hectolitre of beer sold, charged per the whole year 1909, was allocated for *administrative overheads*.²²

Organisational matters related to the registration of the Association and amendments to the charter took another six months. The full-scale activity of the newly established entity is thought to be dated from 14 January 1910, when a general meeting took place in the George Hotel in Lviv. Unfortunately, the surviving first full report on its activities is available only for the period from 1 June to 20 October 1910. At the end of 1912, its members included 43 breweries (almost 44% of the total number of brewing plants active at the time), including the largest Galician breweries in Okocim, Żywiec, Lviv, Lesienice, Busko and Krasiczyn. In terms of production, they covered more than 90% of the market. The complete list of members is as follows: Bochnia, Bołszowce, Busk, Chlebów, Dobromil (Huczko), Drohobycz, Dukla, Dzików, Grybów, Husiatyn, Hyrawka, Kałusz (Zagórze), Kamionka Strumiłowa, Korolówka, Kraków, Krasiczyn, Lesienice, Lesko, Limanowa, Lviv, Łañcut, Mazurówka, Mikulińce, Myślenice, Nagórzaka (Buczacz), Nałuże,

¹⁹ ANK, Goetz-Okocimski Archive, ref. 376-460.

²⁰ ANK, Sanguszko Archive, ref. 15591.

²¹ Waclaw Umlauf – the Archduke's manager of the Żywiec estate. Born on 16 January 1862, he remained in service of the archduke until 15 October 1884 and retired on 15 October 1919 after 35 years of service; AP Katowice, Bielsko-Biała branch, Administration of the Żywiec Estate in Żywiec, ref. 127, sheet 26-30.

²² ANK, Tarnowski family's Dzików Archive, ref. 3177, sheet 121-123.

Nowy Targ, Okocim, Przywalicha, Radziechów, Snowicz, Stanisławów, Strzyżów (Przedmieście Strzyżowskie), Sucha, Tarnów, Tenczynek, Terpiłówka, Trzcinica, Zaczernie, Zagrobela (Tarnopol), Załuże (Zbaraż), Zarszyn, Żywiec.²³

By 1910, the Association supported the campaign of the Industrial Aid League, which consisted in boycotting Prussian goods *for domestic beer production purposes*, by allocating 300 kronas. Efforts were initiated to obtain freight discounts on the railway but, above all, to reach some agreements between *breweries in small groups, i.e. mainly between 2-3 neighbouring establishments, so as to secure beer prices, sale terms and conditions, ownership of vessels, etc., as well as to promote a more consistent sales area and protection against the influx of beer from abroad*. When the propination law had finally ceased to apply, it was foreign beer which raised the most concerns.²⁴

In mid-May 1911, the Association's Kraków Office commenced operations, headed by a full-time employee Gustaw Wolfram. From the first report we learn that, in the meantime, a special press fund was set up, supported by additional contributions equal to the basic rate. One of the office's first decisions was to allocate three thousand kronas to Baron Roger Battaglia *in support of a promotional campaign in "Gazeta Wieczorna,"* published in Lviv. In a short time, sponsored articles appeared in many press titles, depicting the Galician brewing market in a favourable light.²⁵

Numerous mediation activities were also undertaken between warring breweries. The conflicts were largely settled, often with positive results: namely, between Snowicz and Chlebów, between Bołszawce and Lviv, between Skawina and Tenczynek, between Radziechowo and Kamionka Strumiłowa, between Tarnów and Skawina, between Tarnów and Żywiec, between Krasiczyn, Węgielka and Koniaków, between Mikulińce, Zbaraż and Kozowa, between Trzcinica, Dukla and Strzyżów, and between Kałusz and Żurawno.²⁶

Campaigns were also launched in support of increasing fees collected from national beer in Bukowina to 8 kronas per hectolitre (i.e. to the level in force in Galicia), successfully completed in October 1911, when the National Sejm in Bukowina passed the relevant law.²⁷

²³ Ibidem, ref. 3177.

²⁴ Ibidem, sheet 182-183.

²⁵ Ibidem, sheet 205-206. *The period of Galician autonomy was conducive to a dynamic development of the press, despite the onerous press law of 17 December 1862 and the implementing regulations. The 1867 Constitution brought freedom of the press, obviously within the limits of the law, but abolished the licence system and, from July 1894, the obligation to submit licences;* Kolasa W.M., Jarowiecki J. 2006, p. 31. This triggered a rapid growth of the press. Most of the titles, however, were short-lived; Jarowiecki J. 2002.

²⁶ ANK, Tarnowski family's Dzików Archive, ref. 3177, sheet 310.

²⁷ Ibidem, sheet 390, 418.

Conclusions

The establishment of the Association was an important step in the development of the brewing industry in Galicia, albeit the original plan to cartelise the market failed. The main impediment was the brewery in Okocim, for which maintaining the existing sales markets and production levels was not an option. The brewery followed its own concept of expanding the sales network based on the company's warehouses in almost every major town of Western Galicia and in large towns on the eastern side of the San River. Joining the Association was an extremely beneficial move for Okocim, since it secured its influence on the Association's policy and control over competitors. The main advocate of cartelisation, Count Zdzisław Tarnowski, was won over by a favourable agreement for the construction of joint warehouses in the area which was a natural sale market for the output of the Dzików brewery, an arrangement which quite effectively protected its interests.

Jan Albin Goetz's vision proved accurate, enabling the Okocim plants to maintain a decisive edge over their competitors. Already in the first year after the abolition of the propination law (from 1 October 1911 to 30 September 1912), the Okocim brewery reported a nearly 22% increase in sales relative to the previous period. At the same time, the remaining breweries saw a small (about one percent) increase, corresponding to the overall market situation. Far from being limited to the Galician period, these advantages were also successfully exploited by the Okocim brewery during the inter-war years.

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Abstrakt

Galicia was the last territory of the Austro-Hungarian Empire where the issue of propination remained unresolved for a long time. Although the agrarian reforms of 1848 abolished serfdom and many feudal privileges, ambiguous provisions of the imperial patent led to disputes over the continued validity of propination. A subsequent decree confirmed that the right had not been abolished, and the problem resurfaced in the 1860s. Conflicting interests of landowners and towns delayed reforms until 1872-1873, when the abolition of propination was approved while maintaining freedom of alcohol production and licensed retail. The 1875 act formally abolished propination but in practice allowed former holders to retain retail rights until 1910, which provoked strong criticism. In reality, the propination system restricted competition and hindered the development of brewing, favouring small manor breweries and protecting the Galician market from foreign imports. Anticipating its abolition, breweries began to organise. In 1907, an initiative emerged to establish an association of Galician breweries, formally founded in 1909 and active from 1910, representing over 90% of beer production. The organisation focused on market protection and industry cooperation. A key role was played by Jan Albin Goetz of the Okocim brewery, who emphasised autonomy, product quality and an independent distribution network. This strategy enabled Okocim to achieve a marked increase in sales immediately after the abolition of propination and ensured long-term competitive advantages.

Keywords: Galicia, Okocim Brewery, Jan Albin Goetz-Okocimski, Association for the Protection of the Breweries of the Kingdom of Galicia and Lodomeria with the Grand Duchy of Kraków, cartel, beer