One of the first deeds of the revolutionary magistrate which took power in Ghent on the 1st of November 1577, was to propose to the city of Brussels to revive the alliance made by Flanders and Brabant in 1339. This was concluded at the time when King Edward III was seeking support in the Low Countries in his struggle for the kingdom of France. Ghent, and the other leading towns of Flanders rejected the authority of their count and took sides with the king of England. It was in Ghent that Edward took the title of king of France, and that the Flemings recognised him as their sovereign.

The reference made in 1577 to these events concerns a whole political programme which the city authorities of Ghent proposed to the States General in May 1579, to be implemented if the peace negotiations with the King of Spain at Cologne were not successful. The general tendency of this programme was the formation of a city-state system, bringing the whole county of Flanders under the control of the three great cities Ghent, Bruges and Ypres.

Ghent prescribed in its own quarter:
- the abolition of autonomous rural districts,
- the creation of a council of representatives of the towns to decide in matters of state, war and public order,
- the reservation for Ghent of one third of the votes in the appointment of aldermen in the smaller towns.

After the introduction of this political system in the quarter of Ghent, it would be recommended for introduction in the three other quarters of the county. At the same time, the so-called Calvinist Republic of Ghent restored the medieval corporative organization which Charles V had abolished after a revolt in 1540.

This model of government elaborated experiences repeatedly made in the history of the Netherlands during the 14th and 15th centuries, and even earlier and was ex-

1 A. C. de Schrevel, Le traité d'alliance, conclu en 1339 entre la Flandre et le Brabant, renouvelé en 1578 (Bruges 1922). For the circumstances and the content of the alliance, see H. S. Lucas, The Low Countries and the Hundred Years' War, 1326–1347 (Ann Arbor 1929) 348–352.
2 Lucas, Low Countries, 364–366.
tended by the claim that the people had the right to choose their prince and to limit his authority with specific conditions for his rule.

Since human innovations often take place in the mental context of references to examples in the past, it seems important to have a look at the precedents for this rejection of monarchical authority. The current expression of “chose publique” or “res publica” which had for a long time been part of the rhetoric of royal chanceries, now became the prerogative of the representatives of the people only. We will pay special attention to Flanders and Brabant not only because they both offer interesting traditions of rejection or reduction of monarchical power, but also because they were the leading principalities in the Netherlands up to the early years of the Revolt. As an indication of this weight, it is sufficient to point to the division of the taxes, established by the States General. Flanders usually paid 34% of the burden, Brabant about 29%, Holland and Zeeland together between 15% and 17%, Guelders 12%, and the other much less.

In this respect, it is hardly surprising that it was the city of Ghent that gave the example of the abrogation of the authority of King Philip II as early as the 6th of August 1579, two years before the Generality did so. Since the king had refused to accept reasonable conditions for peace, his sovereignty was said to have devolved upon the city magistrate. This interpretation went even further than that of the States General in 1581, which still provided for a new prince and lord (not for a sovereign, given the restrictions imposed on the monarchical power for the future); he had to be chosen by themselves and to be held to well defined rules and controls. It was no accident that even this famous Act of Abrogation was written by a Brabantine lawyer who could refer to the long Brabantine “constitutional” tradition.

I shall now first discuss the type of legitimation offered by the monarchs in their negotiations with the representative institutions, and then look for the paths along which these latter developed alternative views. The legitimation of its power offered by the monarchy was absolutely conventional. In his emotional speeches to the States of Flanders in 1470 and 1475, Charles the Bold presented himself as the biblical “Good

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5 The division, mentioning a share of 12% for Brabant and Holland-Zeeland each, quoted by Decavele, De mislukking, 648, may have been somewhat distorted by the situation at the particular moment between the 1st of December 1578 and the 24th of September 1579. The share of Flanders had also amounted up to 34% during the period of 1540–48. The duchy of Guelders at that time contributed almost nothing because it had been incorporated in 1543 only; therefore, the shares of Brabant and Holland-Zeeland were considerably higher in 1540–48: 28.76% and 17.06% respectively: N. Maddens, De beden in het graafschap Vlaanderen tijdens de regering van keizer Karel V (1515–1550) (Standen en Landen LXXII, Heule 1978) 1–11. It seems obvious that Brabant was treated exceptionally generously in 1579 because of the reluctance of the clergy and the nobility to join the Revolt.

6 Decavele, De mislukking, 639.

7 M. E. H. N. Mout, Plakkaat van Verlatinge 1581 (The Hague 1979) and Blockmans, Du contrat féodal.
Shepherd" and father, who treats his subjects with love, but who is severe when they disobey. The mention that the Shepherd sacrifices his life for his flock resounds in the words of Charles the Bold as well as in those of Philip II both say that the only sacrifice they did not yet provide for their subjects was, in fact, their own life. As is well known, Charles the Bold died on the battlefield before Nancy. Since every subject can address directly the monarch to obtain his right, Charles considered intermediary institutions such as the town magistrates and the States merely as impediments for an efficient government, they claimed authority over revenues which in fact were derived from monarchical prerogatives. Instead of treating with them, which always had resulted in reluctant and belated aids, the duke wished to administer everything himself.

In a discourse before the States General in 1473, chancellor Hugonet equally considered it convenient to offer a legitimation of the monarchy. Following the late medieval commonplace, he discerned three forms of government: that by the community, by the aristocracy ("par certam nombre de vertueux") and monarchy. This is the most "utile, plus expedient et plus fructueuse" because it provides the best "concordance" in governing. The metaphor of the human body and the reference to the one and only allmighty God were the positive arguments the chancellor could mention. The monarch and the subjects should strive together for "le commun bien de la chose publique". In this short sentence, we find joined two expressions which got specific significations in later centuries: the common wealth and the republic. From the 14th to the 16th centuries, however, they were both used in a very general sense, both by the monarchs and by the representatives of the subjects. In 1552 for instance, Charles V called the Pragmatic Sanction of Augsburg "une œuvre si necessaire et saut-

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8 L. P. Gachard, Collection de documents inédits concernant l'histoire de la Belgique, 3 vols (Brussels 1833–35) I, 219–225 and 249–259. The following quotation on I, 255: "Dist outre que, combien mondit seigneur, à toute extreme diligence, se soit employé a la tuition et deffence de sesdits subgectz de Flandres, et que en ce il n'ait espargne ne corps ne chevance, ans comme bon pasteur y a employé son ame, bonus etam pastor animam suam portion pro ovibus suis ( ) touttesvoyes ieux subgectz se sont demontrez mgratz devers lui ( ) de tout son temps, il a voulu faire avec ses dits subgectz de Flandres par voye d'amitie et proceder comme pere avec ses enf fans". This obviously is a reference to the Bible, John 10:11–18, which text runs as follows: "I know my sheep and my sheep know me like the Father knows me and I know the Father and I wage my life for the sheep. I have more sheep from other flocks which I have to guide and they will hear my voice and become one flock and one shepherd."

9 Ibidem, I, 223: "Je say bien qu'il en y a des aulcuns qui me hayent et, entre vous Flamengs, avez vos dures testes, avez toujours contempte au hay vostre prince, car, quant ilz n'estoent point bien puissant, vous les contempnastes, et, quant ilz estoent puissans et que vous ne leur povoyes nen faire, vous les haystes J'aime meux que vous me hayes que contempnez, ne pour vous previleges, ne altroemente, ne me lesray fouler, ne emprendre rien sur ma haulteur et seignourue, et suy puissant assez pour y resister."

10 J. Barter, Un discours du Chancelier Hugonet aux Etats generaux de 1473, in Bulletin de la Commission royale d'Histoire CVII (1942) 136–139. An account of the speech and further enunciations by chancellor Hugonet in the States General of 1476 are to be found in J. Gueys, J. Dhondt, R. Doehaerd, Actes des Etats Generaux des Anciens Pays-Bas, 1427–1477 (Brussels 1948) 224–266.
taire a toute la Republique Chrestienne". As a legitimation of monarchical power, all this sounded very conventional, and in accordance with the legacy of Aristotle, transmitted through the Arabs to Western Christendom. In similar speeches by Chancellor Gattinara in the States General in 1520 and 1521, references were made to Caesar, Octavian and other Roman emperors who were praised for their clemency and sweetness. Following their example, Emperor Charles V "veult estre non seullement Roy et seigneur, mais pere, protecteur, defenseur et liberateur": the paternalistic view already expressed fifty years earlier by his great-grandfather duke Charles the Bold. The same arguments and themes continued to be used to underpin the monarchical authority in the States General. In 1540, right after the repression of the Ghent revolt, Charles was presented again as the clement upholder of law and order: he had to "mectre l'ordre pour l'advenir au bon gouvernement et administracion des affaires publique (res publica) desdits pays, tout au fait de la justice que la police d'iceulx pays".

The image of the human body was used again in 1542 to urge the representatives in the States General to stay united during the emperor's absence, ("conioinczt comme tous estans membres d'ung corps soubz ung chief et pere"). The theme of the paternal affection was repeated from Charles the Bold to Philip II. Even when from 1540 onwards, the notions "bon prince", "bon gouvernement" and "bonne administration" appear frequently, their content remained purely conventional: "la quietude et tranquillite de ces pays", "la bonne et paternelle affection que sa majesté a tousiours porté ausdiz pays et subjectz".

Philip II again presents himself as the good and loving father providing protection against an evil enemy: "faict (pour la preservation et protection de ses pays et sujets) tout ce que ung bon prince desirans se montrer vray pere de ses subjectz vouldra et polroit faire".

This review of the legitimation of the monarchy, as it was presented to the members of the States General, shows an entirely traditional and immobile view on the exercise of power. It did not provide for any old or new tendencies in the society claiming a more pluralistic political system. The monarch is a good and loving father who sometimes has to castigate his ungrateful children.

On the other side, real day-to-day problems taught the subjects how to oppose extravagant monarchical power. Of course, circumstances could favour or prevent the development of civil rights. In the duchy of Brabant, the dynasties had to face an extraordinary level of discontinuity: from 1261 to 1430, 8 out of the 9 successions to the throne created serious difficulties because the heir was minor or linked to a foreign dynasty. Moreover, financial difficulties of the duchy added to the opportunities for the subjects to intervene. A clear case was the succession by Duke John III. His father

12 ARA, RSA, 1232 f° 9-22.
13 ARA, RSA, 1232 f° 98 r° and v°.
14 ARA, RSA, 1232 f° 129.
15 ARA, RSA, 647 f° 119 (anno 1559), 648 f° 63 r° and v°, f° 264 (anno 1550).
could foresee the difficulties since in his will of 1312, just before his death he installed a council of regents for his twelve years old heir. However, the debts left by the duke created such immense trouble for the international trade of the Brabanters, that the representatives of Antwerp organised a coalition of the towns and of the nobility to get a firmer grip on the government. In 1314, the towns managed to get control over the finances of the duchy by offering an aid to resolve the urgent needs but, at the same time, by themselves taking care of the payments to the duke’s creditors. They imposed a new council of regents, in which the towns had at least an equal number of members as the nobles. And, most remarkable of all, they could prolong the official minority of the duke for another six years, so that it lasted from 1312 to 1320, when John III was already 20 years old. As it is well known that the usual age of majority was 14 or 15, the postponement up to the age of 20 was a drastic infringement of the duke’s prerogatives. The financial difficulties left by the former duke explain the necessity of a prolonged period of stabilisation. Nevertheless, the regency offered opportunities for the cities to govern during six years, to appoint officers, to use the duke’s seal and all his other rights.

Of course, this situation was an emergency, and the regency did not deny the duke’s right to take over the government when the problems would be cleared. But their autonomous decision to continue the regency was legitimised by the “common interest”, an argument the burghers could now use in their own – often private – interest.

Although John III proved to be a cunning and firm duke, his succession created anew a constitutional problem. Again, the great cities took initiatives which went far beyond the rules of traditional monarchy. John III died on the 5th of December 1355. His principal heir was a daughter, married to Wenceslas, count of Luxemburg and brother of emperor Charles IV. The will included secret stipulations giving parts of the duchy as apanages to the duke’s younger daughters; thus, the important towns of Antwerp and Mechelen would pass into the hands of the count of Flanders who was married to Margaret of Brabant. The cities were firmly opposed to this partition of the territory and also feared foreign interventions in the government.

What followed could be the plot of a thrilling novel. Representatives of the city of Louvain – the oldest of the duchy – brought the duke’s archives within their walls, and adapted a tower of Saint Peter’s church as a fortified room to keep them. Three keys were made for the chest in which the charts were kept: one for the duchess, another for the city of Brussels, and the third for the city of Louvain. The latter city, however, was the sole holder of the keys of the gate leading to the archives.

Meanwhile, the dead duke’s body was not buried. This meant that no succession was possible and that the power could be legitimately exercised by others in the name of the late John III. We find here an early example of the medieval theory that the King

16 P. Avonds, Brabant tijdens de regering van Hertog Jan III (1312-1356). De grote politieke krisissen (Brussels 1984) 17-77.
17 Ibidem, 184-224.
embodies public authority and therefore never dies. As long as there is a body of a ruler the government can thus be exercised in his name.\(^1\)

Again, the burghers managed to prolong the power vacuum in order to obtain the guarantees they wanted. A first step was the concession, on the 3rd of January 1356, of a long charter, the famous “Blyde Incomst” or “Joyeuse Entrée.” It was not sealed, however, before the 20th of February, when Joan and Wenceslas held their Entry in Louvain. Only then was her father’s body buried, two and a half months after his death. It is obvious that the towns used all the means at their disposal to get their view accepted and to enlarge their influence. They built up a tradition of interference in government and in postponing the recognition of their dukes until their conditions had been met. Although the Inauguration Charter was formally invalidated since August of the same year 1356, similar texts where conceded at every succession in Brabant until 1794\(^2\).

A third occasion in which the Brabantine towns, supported by the larger part of the nobility, took effective power occurred when Duke Anthony was killed in the battle of Agincourt, in 1415. His eldest son, John, was not yet thirteen. The States of Brabant immediately took over the government, took all the measures for the funeral, recognized John as the successor to the throne and installed a Regency council of eleven members, two prelates, five noblemen and representatives of each of the four major cities. Within the two first weeks of November 1415, the States created a government responsible to them and acting in the name of the duke. The States firmly resisted claims by John’s uncle Duke John the Fearless of Burgundy, to the exercise of the regency, and by the Roman King Sigismund who claimed that the duchy had fallen to him since 1405. The Regency Council provided for the normal government in all its aspects. The States kept a firm control by prescribing that all acts issued by the duke should be sealed in the presence of four councillors at least, whose names were to be mentioned in the act. In this way, the States introduced the system of the responsibility of the councillors towards the representation of the subjects.\(^3\) After two years, the duke was near to reach his fifteenth anniversary. Clearly pushed by one councillor belonging to the lower nobility, he tried to get rid of the control by the regents and the States. He succeeded with the former, not with the latter. Conflicts arose between individual barons and cities on the one hand, and the duke or his court on the other. The loss of Holland and Zeeland, in which Duke John IV had acquiesced notwithstanding an aid granted by the States to recover them, provoked indignation. In May 1420, the city of Louvain summoned the other towns and several nobles. They drafted a list of grievances against the government, for which the duke’s councillors were held responsible.

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\(^{18}\) E. Kantorowicz, The King’s Two Bodies. A Study in Medieval Political Theology (Princeton 1957) 314 ss, B. Guénon, L’Occident aux XIVe et XVe siècles Les États (Paris 1971) 87. The sequence “le Roi est mort – vive le Roi,” during funeral ceremonies equally illustrates the continuity of royal power through the bodies.


\(^{20}\) A. Uyttebroek, Le gouvernement du duché de Brabant au bas moyen âge (1355–1430) (Brussels 1975) 490–496.
Alternatives to Monarchial Centralisation

responsible. The States considered themselves empowered to initiate a trial for infringements against the Inauguration Charter and the Regency stipulations. The complaints against the bad councillors were simply refuted by the duke: he considered them responsible only to himself. He equally dismissed the claims by the States for control of the expenditure of the aids, of financial policy and of the nomination of high officers.

After several months of sharp confrontations, the duke fled from Brussels on the 30th of September 1420, which opened the opportunity for the States to call upon his younger brother, Philip of Saint-Pol, to act as regent. Again, the States held “evil councillors” responsible for bad government and evil advice to the duke. Again, the States took over all the responsibilities and prerogatives, such as raising troops and nominating officers. The regent had agreed to rule with full respect for the privileges and to follow the advice of councillors appointed by the States. After two attempts to get control in Brussels, which failed mainly because of popular uprisings against John IV and his patrician partisans, the duke had to submit entirely to the conditions of the States on the 4th of May 1421. He had to subscribe to the principle that the States could lawfully refuse any service to the duke and choose a regent in his place in the case that, and as long as, the duke infringed any rights or privileges of the three States or any of their separate members.

Confrontations during the following years showed the firm intention of the barons and towns to keep the control they had gained\(^{21}\).

It is obvious that none of these cases shows any republican thought: always, the barons, cities and States acted in the name of the prince. Materially, they had nevertheless been building up a tradition of self-government in periods when they judged it necessary. This mentality is to be considered as the necessary precondition of republicanism and was surely not less radical than any political theories of its time.

During the period of continuously strong ducal power between 1430 and 1476, however, their positions became much less provocative. The fact that the barons acted in coalition with the major cities, and that the assembly of the three States played an active role, foreshadows a similar configuration in the 16th century. It offers a contrast with Flanders where the three major cities were much more predominant.

If we now turn to the county of Flanders, we also find a series of periods of several years each during which the large cities set aside the monarch and exercised the government themselves. Four general uprisings were directed against the monarchical power from the early 14th century to the Revolt of the late 16th, covering together 23 years in a period lasting roughly 260 years: a proportion of 1 to 11. Moreover, 4 major revolts covered each one of the quarters of the county, involving one of the leading towns. Taken together, these regional revolts lasted about 14 years. If one adds to these large movements the recurrent local uprisings, the intensity of social protest appears to have been extraordinarily high. Social movements directed against the monarch occurred on average once in seven years, a frequency which, like that of the bad harvests,

\(^{21}\) Ibidem, 496–517.
must have left its imprints on people's minds. The longest intervals lasted 41 and 45 years, each of them following a particularly heavy and long conflict.

The collective experiences of the populations in their struggles with rulers created a pattern of social action, provided models and a programme. Many revolts were aimed indeed at the undoing of previous acts of monarchical centralisation. In 1577, the "Ghent Republic" first of all wanted to abolish the shameful limitations of the urban autonomy, Charles V had imposed in 1540. Hembyze and his followers wanted even to achieve the return to the medieval status of the city, meaning by this the corporative organization and the practice of city-states which had existed during the earlier revolutionary periods.22

The Ghent Republic thus was linked to the chain of Flemish revolts which were all inspired by the same alternative to monarchical centralisation: a state organization based on the autonomous power of the great cities, controlling each a quarter of the county. This control extended to fiscal, military, juridical, economic and, from 1578 onwards, also to religious matters. Such was the pattern of the revolt of the peasants in Western Flanders, supported by Bruges from 1323 to 1328, of James van Artevelde's policy in the years around 134023 of that of his son Philip forty years later, and that of all the subsequent revolutionary regimes during the Burgundian and Habsburg regimes. During each of the revolts of Bruges (1436–38) and Ghent (1447–53 and 1537–40) separately, and of the whole county under their direction in 1477 and 1482–92, the same model of state power was put forward. It rested on the domination by the three major cities of their respective hinterlands, within which representative structures were allowed within the boundaries of the self-interest of the capitals. The "quarters" of the county formed a federation where decisions were necessarily taken in the localities, in a similar way, the leading towns could enter into other federations such as the States General of the Netherlands or, more temporarily, commercial networks. In all these cases, a monarch was recognized.24

Count Louis of Nevers was recognized by the revolutionary government of James of Artevelde, as long as he corroborated the city's policy. So, the count was forced to agree with the alliance between Flanders and Brabant, concluded in his presence on the 3rd of December 1339. He fled from his county the day after, and when the rupture seemed irreparable in 1342, Artevelde provided a regent in the person of Simon de Mirabello, an Italian banker at Ghent who was married to a half-sister of the count.25 During the revolt of 1379–85, when the relations with the count were again broken, his legitimacy was respected in the person of his son-in-law and future successor, duke Philip the Bold of Burgundy.

22 Decavel, De mislukking, 636–638
23 D. Nicholas, Town and Countryside: social, economic, and political tensions in fourteenth-century Flanders (Bruges 1971) 175–200
In 1477, the States General and the States of Flanders, Brabant and the other principalities, recognised Mary as duchess without any problem, since she was prepared to accept reforms in the state structure and an effective participation by the estates in power. During the revolts of the years from 1482 to 1492, the Flemings refused Maximilian of Austria the regency because they had learned to know him as an autocrat, trying to abolish their cherished privileges newly formulated in 1477. They found no difficulty in creating a Regency Council, emanating from the three States and to govern the county during nearly eight years in the name of the young Philip the Fair.

The Brabanters in 1312, 1355 and 1415 and the Flemings in 1339 and 1482 did not put aside monarchy as such, they looked for a regent when their prince had fled, and recognized the legal heirs even if they were unmarried young women or minors. But in all these cases of a weakened princely power, they tried to put into practice a very similar political model in which the prince found himself bound on all sides. And, even more remarkably, the citizens managed fairly well in ruling their countries during the periods of factual vacancy, and probably better than the princes, at least from the subject’s point of view.

In fact, when the States General decided to “leave” the authority of king Philip of Spain in 1580, they immediately sought another prince to be their overlord. It was only the Calvinist Republic at Ghent that proclaimed the sovereignty of the city itself in 1579. It is clear that most contemporaries could not think about states without a prince. The concept of Republicanism found its roots in local authority, in towns with surrounding hinterlands, in the Netherlands as well as in Switzerland and in Italy, of course. From there, it could be transferred, from the bottom up, to larger federations. In this type of political system, local authorities were empowered to decide in all matters, and only explicit delegation enabled decision making on the higher levels of the quarter, the principality and the “Generality.” In this respect, the Dutch Republic was solidly linked with the institutional model elaborated in Flanders and Brabant during centuries of opposition against monarchs.

The quick spread throughout the whole county of Flanders of the “new order” inaugurated by the Ghent Republic from 1578 onwards, and also in the most important

28 Blockmans, Du contrat feodal, 148-149.
29 However, political pamphlets of this period elaborate the concept of a state without a monarch with an increasing frequency. This matter will be treated in the PhD thesis by Mr. Martin van Gelderen, to whom I am indebted for this information.
cities in Brabant, Brussels, Mechelen and Antwerp, would have been impossible without a preconceived model for the state organization. Both in Brabant and in Flanders, this model was the city-state system, based on the supremacy of the major cities each in their quarter, as they had shaped it during the recurrent revolutionary periods of the 14th and 15th centuries. On the level of the principalities, the capitals had practised for centuries a system of consultations and collective conflict-solving.

This was the model of the Northern Netherlands, and Holland especially had the opportunity to develop further and to prove it was not at all obsolete. It proved to be perfectly adapted to highly urbanised areas with the function of metropolis for the world-economy, a position Holland took over from Flanders and Brabant at the end of the 16th century. The communal, federative and constitutional model of a political system, as it was carried to its fullest expressions in Flanders and Brabant, could be elaborated up to the level of the federation of the Seven Provinces. It was indebted to a strong institutional tradition but the combination with a core position in the world-economy provided the means to stand up against the claims of surrounding monarchies. One could even argue that a loosely structured state was a necessary condition for the functioning of a core in the pre-industrial capitalist world-economy.

Faced with an immobile and increasingly inadequate legitimisation of the monarchy, the highly urbanised provinces of the Netherlands could easily shift to their alternative of a state organization which they had been developing during nearly three centuries of revolts and constitutionalism. It did not matter very much to them if they practised it with or without a monarch, as long he had no real power over them.

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30 Although the major Brabantine towns did not reach the size of Bruges and Ghent before 1500, and consequently were less powerful within the context of the duchy, they equally tended to control their "quarters" in juridical, economic and fiscal matters. Ph Godding, Imperialisme urbain ou auto-defense le cas de Bruxelles (12e–18e siecles), and R Van Uytven, Imperialisme of zelfverdediging de extra-stedelijke rechtsmacht van Leuven, in Bijdragen tot de Geschiedenis 58 (1975) 7–72 and 95–123.