**Burgundian Netherlands to Dutch Republic**

[Mack Holt](http://historytoday.prod.acquia-sites.com/author/mack-holt), 30 November 1995

Mack Holt argues that the early-modern obsession with tradition was sometimes a deliberate smokescreen for innovation.

Twenty-five years ago professor J. H. Elliott first called attention to the obvious problem faced by all historians of early modern Europe: 'how far can historians, accustomed to look for innovation among revolutionaries, enter into the minds of men who were themselves obsessed by renovation – by the desire to return to old customs and privileges, and to an old order of society?' Why was it that those individuals and groups behind the most militantly radical and revolutionary movements were always claiming to be defending traditional liberties and ancient privileges? Part of the problem, as Professor Elliott made clear, was that 'renovation in theory does not of itself preclude innovation in practice; and the deliberate attempt to return to old ways may lead men, in spite of themselves, into startlingly new departures.' ' This does not resolve the main issue, however. Did sixteenth-century actors bent on renovation stumble on to revolution despite themselves or did they knowingly use and sometimes invent tradition to mask innovation? Twenty five years after professor Elliott first raised this question, the cautious answer is still probably a bit of both. The birth of the Dutch Republic in the late sixteenth century provides an illuminating case study of this tension between tradition and innovation and shows that the question is still worth thinking about.

Origins

The Netherlands – from the German for 'Low Countries' – has always been a geographical appellation referring to the generally contiguous small counties, duchies and principalities surrounding the mouth of the Rhine River on the coast of the North Sea. Although entirely independent from one another constitutionally, they only came to be grouped together under the Valois dukes of Burgundy in the fourteenth and fifteenth centuries and made up the northern half of the Burgundian state in the Renaissance. Separated from the French-speaking duchy and free county (or Franche Comte) of Burgundy farther south, these so-called Burgundian Netherlands had only recently been added to the Burgundian state via marriage alliance and conquest. When Phillip the Good succeeded his father John the Fearless as Duke of Burgundy in 1419, for example, his only Netherlands possession were the counties of Artois and Flanders. Within a decade, however, the various marital alliances arranged by his grandfather, Philip the Bold, resulted in the acquisition of the counties of Holland, Zeeland, Hainaut, and Namur, as well as the duchies of Brabant and Limburg. The duchy of Luxemburg was also added to the Burgundian state in 1443, even if a military presence was required to make good the claim. Thus, there is nothing inevitable about the creation of the Burgundian Netherlands. They did acquire a degree of institutional centralization from Philip the Good and his successor, Charles the Bold, but there was never any permanent notion of unity or coherence to its political structures. The various counties, duchies and lordships that made up the Netherlands were simply component parts of a larger Burgundian state. Linguistically, culturally, politically, and economically, the Dutch-speaking Hollanders had no more in common with the German-speaking Luxemburgers than they did with the French- speaking Burgundians: they all shared a common suzerain prince.

The break-up of the Burgundian state after the death of Charles the Bold in 1477 hardly altered this arrangement for the Netherlanders. When the last Valois duke's only heir, his daughter Mary, married Maximilian of Habssburg, they simply substituted, Habsburg suzerain for a Valois. This did result in the Netherlands provinces becoming part of a much larger empire than under the dukes of Burgundy, and the Netherlands provinces themselves increased under Maximilian's grandson, Holy Roman Emperor Charles V, who added the city- state of Tournai, the duchy of Gelderland, and the counties of Utrecht, Friesland, Overijssel and Groningen. This completed the expansion of the Netherlands provinces and brought the total to seventeen. The Dutch provinces were far from united, even after the Convention of Augsburg in 1548 and the Pragmatic Sanction of 1549. The former required the Empire to treat the seventeen provinces as a collective entity in imperial matters, while the latter established Charles V's son, Prince Philip, as the heir to all seventeen provinces. Professor Henri Pirenne was surely exaggerating when he wrote in 1909 that by 1549 'the provinces of the Netherlands were united... [and] the cord that bound together the seventeen provinces was securely tied'.' Events of the next four decades would prove just how inaccurate such a judgment was.

Charles V and innovation

Despite the lack of any constitutional coherence, there was indeed innovation in the reign of Charles V (1519-1555), as well as a growing perception of collective identity. The major innovation was an increase in the judicial and financial powers enjoyed by the provinces under Habsburg rule. This was not achieved by any constitutional measure, but was simply an outgrowth of late medieval developments that continued under the Valois dukes of Burgundy. The central government of the Netherlands provinces consisted of the prince and his advisors. Most often, however, this meant the prince's regent, who governed in his stead, and the Privy Council, a group of native aristocratic advisors who counselled the regent. Charles's aunt, Margaret of Savoy, served as his first regent until her death in 1530. She was followed by Mary of Hungary, Charles's widowed sister, who served until his abdication in 1555. In the judicial realm the aristocratic grandees of the Netherlands dominated the Grand Council of Mechelen, which served as the high court and court of appeals in the provinces and was first established by Charles the Bold in the fifteenth century. They also dominated the so-called Secret Council, an offshoot of the Privy Council that Charles V established in 1531 to deal with the internal affairs of the provinces. Families such as the Naussaus, Croys, Lalaings, Montmorencies, Bergens and Egmonts not only served as political counsel and advisors to Charles V's regents on the Privy Council, but they also became very influential in local judicial circles.

On the fiscal side, each province had its own representative assembly known as the States, made up of representatives from the larger towns whose responsibility was to assess and collect revenues. And it was in this sphere that the most significant gains in institutional autonomy were made in the reign of Charles V. The States of Holland, representing the largest and wealthiest of the Netherlands provinces, was particularly impressive. Under constant fiscal pressure to raise revenue for Charles V's involvement in the Habsburg-Valois Wars, the States of Holland in- creased revenues fourfold during Charles's reign. This was achieved largely through issuing public bonds known as renten, which proved to be an attractive investment source for many, including the magistrates of the States who issued them. Other new revenues were raised by hefty tax hikes on land, which affected the peasantry and urban poor disproportionately. Thus, in the process of raising Charles V's war chest, the States of Holland managed to wrest control of the fiscal machinery of the province. While such measures in no way made a revolt and independence inevitable, they did make them possible, as the provinces were to discover in the ensuing fifty years.'

Philip II and provocation

When young prince Philip, son and designated heir of Charles V in the Netherlands, was introduced to his future subjects in a royal tour of the Netherlands in the spring of 1549, he recognized and confirmed the 'Joyous Entry', a list of constitutional liberties, privileges and franchises that had been exacted from the medieval princes in return for popular loyalty and obedience. These were increased considerably upon the death of Charles the Bold in 1477 as both Habsburgs and Valois vied with each other for control of the Netherlands provinces. Even though one of the clauses of the 'Joyous Entry' spelled out that loyalty to the prince was conditional on his ability to safeguard the liberties and privileges of the Netherlanders, no previous prince, and certainly not young Philip in 1549 (and soon to be Philip II of Spain), ever considered this much of a restriction on his authority. On the contrary, the 'Joyous Entry' was perceived by prince and people alike as a contract between a prince and his subjects. Each of the seventeen provinces had its own particular list of privileges, and each new prince had to swear to uphold them in each of the provinces. Although the 'Joyous Entry' of the province of Brabant was the oldest of them, dating back to 1356, it was a ritual that tied Philip to his father as well as to the Valois dukes of Burgundy. In other words, it was perceived as a traditional ritual of political power. For prince Philip in 1549, however, his acceptance of the 'Joyous Entry' in each of the provinces was a tradition that masked considerable innovation.

When Philip inherited the provinces in his own right in 1555 at Charles V's abdication, he inherited territories that clearly had become used to the judicial and fiscal independence they enjoyed under his father. Moreover, the grandees on the Privy Council had also grown accustomed to the participation they were allowed in the internal administration of the provinces allowed by the female regents. One other innovation was already lurking just beneath the surface, however, and it was one that Charles V had struggled with in the German lands of the Empire throughout his imperial reign: Protestantism. The advent of reform that had begun in Saxony under the direction of Martin Luther had cost Charles V his authority in many parts of the Empire, and his inability to defeat the Lutheran princes of the Schmalkaldic League ultimately led both to the peace of Augsburg and to his abdication in 155S. The lesson Philip II learned from his father was a simple one: heresy aid rebellion went hand in hand. And the emergence of Protestant congregations in several Netherlands towns at the outset of his reign was an innovation that he was determined to extirpate. Like his father before him, Philip was committed to a policy of repression of heresy and the restoration of the res publica christiana under the Catholic church.

The iconoclastic riots and destruction of Catholic images in the summer of 1566 in all seventeen provinces of the Netherlands was perceived by Philip II as just the tip of an ever-threatening heretical iceberg that must be destroyed. His immediate riposte was to dispatch Spanish troops under the command of the duke of Alva to quell the riots and to restore order as well as Catholic uniformity. Although only a tiny fraction of the Netherlands population in 1566-67 was Protestant, the Spanish military presence came to be the focus of widespread hostility throughout the province. Above all, the recent judicial and fiscal independence of the individual provinces came to an abrupt halt with Alva's imposition of the 'Council of Troubles' to try heretics and the infamous 'tenth-penny' tax, assessed on the population to 'help pay for Philip's Spanish 'Army of Flanders'. The aristocratic grandees on the regent's councils also became alienated when their advice and participation was completely ignored by Philip in Madrid. The final straw for these elites came in June 1568 when Philip executed two influential nobles – the counts of Egmont and Hornes – in the Grand' Place in Brussels for heresy and for opposing his policies. To many Netherlanders it was Philip II who was the innovator in interfering in their (albeit recent) tradition of provincial independence in judicial and 6nancial affairs. One of the ironies of the Revolt of the Netherlands is that both Philip and his rebellious subjects claimed to be defending constitutional tradition against the reckless innovation of the other.

Conservative rebels

As leadership of the rebel cause devolved on to William of Orange in the 1570s, two related problems emerged as Spanish military pressure continued. First, Orange and the rebels recognized that they could not hope to defeat the most powerful army in Christendom without foreign support; yet the very act of seeking support from abroad to oppose the policies of a legitimate king was by any account treasonous. Second, though many Netherlanders were firmly of the opinion that Philip's policies were a clear violation of his 'Joyous Entry' oath to uphold all their traditional privileges and liberties, the language of that oath was more than a little ambiguous on how far they could go to oppose his 'innovations': should Philip ever violate any of the aforementioned privileges and liberties, he granted that his subjects need not remain obedient to him 'until such time as we have reversed and abandoned this policy toward them completely'. Thus, even the 'Joyous Entry' only allowed temporary disobedience to a legitimate prince; there was nothing in their contract with Philip that allowed the Netherlanders to reject him as their prince or to withdraw their allegiance permanently. The genuine innovation of the rebels was clear in the 1570s as the provinces seriously pondered declaring their independence from Philip, their sovereign prince. This innovation took on a very traditional shape, however, as the provinces were hesitant to withdraw their allegiance from Philip without first finding another, more sympathetic prince to replace him. The provinces of Holland and Zeeland first approached Queen Elizabeth of England about becoming their sovereign prince in 1575, and when she turned them down these same two provinces then turned the following year to Francois de Valois, duke of Anjou, younger brother of Henry III of France. This young French prince also rejected the two provinces' offer of replacing Philip II, though his interest was sparked for future negotiation.

It was in this same year of 1576 that the other fifteen provinces joined Holland and Zeeland in their protest against Philip's innovations. The famed Spanish army – now led by Alva's replacement, Don John of Austria, half-brother of Philip II – mutinied because of serious arrears in pay and sacked the city of Antwerp. This event seemed to bind the provinces together as they had never been before, as their opposition to Spanish troops in their midst was spelled out in the Pacification of Ghent. This unity was only temporary, however, as the growing tide of religious difference eventually divided the provinces. By 1579 only the seven northern provinces remained in opposition to Philip II.

In 1580 a delegation from the States-General, a group of deputies who represented the States of the seven provinces still in revolt, journeyed to France to make the duke of Anjou the same offer that Holland and Zeeland had done four years earlier. With neither constitutional authority nor historical precedent, the rebel provinces signed a formal pact with Anjou making the French prince Philip II's successor in those seven provinces. Although Anjou eventually agreed to the terms offered him, he and his advisors were clearly aware that his powers as count of Holland and Zeeland, duke of Brabant, etc. would be significantly altered from those held by his predecessors Philip II and Charles V. In the formal pact signed by Anjou in the autumn of 1580, for example, Anjou was referred to as just 'prince and lord of the said provinces', instead of 'the sovereign prince and lord' of the traditional terms. Moreover, Anjou did not have sole authority to convoke and disband the States-General as both Philip and Charles had. The States General insisted on meeting on its own authority and convoking its own assemblies. Article 2 of the pact with Anjou stated this explicitly and showed how the deputies from the States-General used tradition to disguise innovation: 'the said States have the power to convoke themselves as often as they find it necessary, following their ancient privileges'.' Finally, the Netherlands deputies also revised the 'Joyous Entry' oath to which Anjou would have to swear in each province. Instead of providing for temporary suspension of obedience if Anjou should ever violate his oath, the terms foisted upon Anjou allowed the rebel provinces to discharge their obedience and loyalty to him permanently upon any contravention of their liberties and privileges. When the duke balked at this revision of the oath, the deputies insisted they were powerless to change it, 'since it is an ancient privilege, of which the people guard more closely than any other'.' Once more, innovation was disguised as tradition as the rebel provinces lined up a successor to Philip II, a successor they chose and elected rather than a successor who inherited them as his subjects.

When the formal 'Declaration of independence' was issued by the States-General of the rebel provinces the following July, the rebels duly demonstrated their 'ancient' right to depose a tyrannical prince. Recognizing that the 'Joyous Entry' did not give them the authority to refuse their obedience to a prince permanently, much less depose him, Orange and the rebels had to devise some other justification for their actions. In the event, they resorted to vague language about their being forced to abandon Philip II 'in conformity with the law of nature.' The declaration made it very explicit that Philip was the innovator who threatened their traditional privileges with his revolutionary policies. The duke of Alva was the one who 'began to alter the existing system of justice in the most important places and to remodel it after the Spanish fashion, an innovation which ran counter to the privileges of the country'.' Anjou's death in June 1584 ended a stormy and turbulent relationship with the new 'prince and lord' of the Netherlands. And when William of Orange was assassinated one month later, the now leaderless provinces were forced to turn elsewhere for guidance. After efforts to persuade first Henry III of France and then Elizabeth of England to become their new 'prince and lord' failed, the rebels implemented a temporary experiment with the English nobleman, Robert Dudley, earl of Leicester. When that too floundered in 1587, the seven rebel provinces were left almost by default to govern themselves; they were unable to find another 'prince and lord' who would agree to accept their terms.

Reluctant republicans

Even when faced with this predicament, however, the Netherlands provinces were unable to admit that the form of government they were embarking upon – a self- governing republic – was either an innovation or inconsistent with their ancient privileges and liberties. Francois Vranck, pensionary of the Holland town of Gouda, made this explicit in his Short Exposition written in 1587. Composed in response to attacks on the sovereignty of the states by one of Leicester's councillors, Thomas Wilkes, the Short Exposition of the right exercised from all old times by the knighthood, nobles and towns of Holland and Westfriesland for the maintenance of the liberties, rights, privileges and laudable customs of the country has been called the Magna Carta of the Dutch Republic. Vranck maintained that all princes 'who have ever legally governed, not only started their government at the pleasure and with the approval and. consent of the inhabitants, but have also continued to govern in such a way that all members of the body, at whose head they were established, remained inviolate, unreduced and uncurtailed'. Furthermore, this had always been the case and had never been contested by any previous count of Holland 'for more than five, six, seven hundred years, as far back as the oldest records go'. Vranck thus turned the notion of popular sovereignty into an ancient and traditional privilege. And by 'the people' who held sovereignty of the province Vranck meant the nobles and town magistrates: in essence, the elite. This dual corporation of eIites, he argued, in fact, made up the States of Holland. The thirty or forty deputies who assembled to make policy were only the representatives of the States, not the States themselves. Thus, Vranck concluded his Short Exposition by stating flatly that 'in all matters the sovereignty of the country is with the states'.

Not only had the former Burgundian Netherlands provinces north of the Rhine evolved by 1587 into a Dutch Republic; they achieved this innovation in the name of tradition. In one sense, there can be little doubt that their claim of following the precedent of seven hundred years was just a political smoke-screen. All their rhetoric of tradition and ancient privileges begins to sound hollow in the face of the growing restrictions they placed upon Anjou and Leicester, while the powers of the individual States as well as the States-General increased in the late sixteenth century. In this light Vranck's argument parallels the more 'well-known resistance literature of the Huguenots in the French Wars of Religion, where the right to resist a legitimate monarch and notions of popular sovereignty were traced back to the ancien tribes of Francogallia. On the other hand, the rebel provinces did not seek to become a recognized republic along the lines of Venice. At every stage they sought a replacement for Philip II rather than formal self-government. And some of Philip II's own policies were clear innovations to the de facto independence the provinces had achieved in fiscal and judicial matters under Charles V. Philip also abruptly shattered the traditional status quo of aristocratic participation in matters of state. The road from Burgundian Netherlands to Dutch Republic was thus a long and complicated one. It was neither inevitable nor preordained. But above all, it serves as a useful example of professor Elliott's initial paradigm: that early modern Europe was a period of tension and contestation between tradition and innovation. Contemporary political sensibilities mandated the former, while change necessitated the latter. From the perspective of the late twentieth century, the 'mention of tradition' can no longer be viewed as an innovation.

Further Reading

* R. Vaughan, Valois Burgundy, London 1975
* J. Tracy, Holland Under Habsburg Rule, 1506-1566: The Formation of a Body Politic, Berkeley 1990
* G. Parker, The Dutch Revolt, Harmondsworth. Rev. ed. 1985
* H. Rowen, The Princes of Orange: The Stadholders in the Dutch Republic, Cambridge 1988
* H. Rowen ed, The Low Countries in Early Modern Times, London 1972 (for primary sources
* About the Author

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