

Republic and popular sovereignty.

The Belgian case: 1830-1831

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1. *Introduction*

The history of ideas has undergone a particularly interesting evolution over the past few decades¹. Ideology research is now seldom reduced to an approach that considers ideas merely as generating forces. The breakthrough of the socio-political orientation in history has engendered a history of ideas in which interaction with the socio-political context is considered. Political ideas are now linked to philosophical, religious, cultural, political and social circumstances and are seen as part of broader movements. Research is no longer restricted to the study of texts, but also focuses on those who produced the texts and on how they were received by those to whom they were directed. More popular types of sources are referred to and sociological analyses of intellectuals as ideology producers are introduced. The producers are approached with reference to their backgrounds, networks and the role they played

in the political field. The nature of the production of ideas is linked to this context while attention also focuses on the way in which concepts are passed down and on the political culture of the followers.

Discourse obviously occupies a fairly central position in all this research so that the studies naturally connect to discourse analysis, which emphasizes the structuring and creative nature of discourse. This was how in the English-speaking world the School of the New History of Political Thought emerged, which attempts to gain insight into the complex relationship between text and context and examines why and by whom innovative elements are introduced in which language communities. Political ideas and the way in which they are approached also give rise to political action. The School, which generates new studies on a very regular basis, directs its attention to political languages in a historical perspective and – to a lesser extent though more frequently than before² – to particular concepts. German conceptual history

does this systematically. What is researched is the interaction between concept formation and developments on the socio-political level. Concepts have their own dynamic that needs to be put into a social time frame. New concepts emerge, aimed at examining the changing present and forcing older concepts further into the background³. Other authors for their part put the emphasis on the fact that discourse constructs the social order and language is the emblem of the struggle to gain symbolic power and as such, constitutes a confrontational element expressing power and all this may imply in terms of inequality, dominance, manipulation and force of persuasion⁴.

Many questions arise when – as in this article – one tries to analyse the basic concept of popular sovereignty during the Belgian political watershed moment of 1830-1831 – occurring in what was already a very particular context. The period is after all very much part of what Koselleck refers to as the *Sattelzeit* (1750-1850) in which the socio-political system undergoes profound changes with a direct and fundamental bearing on the practice of the (language) communities. Belgium experiences a revolution in 1830-31, as a result of which the distinctly autocratically oriented constitutional monarchy of the United Kingdom of the Netherlands (1815-1830) is replaced by a Constitution that relies more heavily on parliamentary sovereignty⁵. The latter process occurs in the midst of a change of regime and its associated tensions and conflicts, which also greatly influence the language and concept formation. Popular sovereignty is a central concept through which evolution and struggle can usefully be measured. Shifts and changes in meaning, different semantic interpretations, chang-

ing connotations, debates and polarisation around controversial semantic content and worsening conflicts: all of this occurs in 1830-31.

Because in this article we have focused on the Belgian republicans as ideology producers, a connection is also established between the concepts of republic and popular sovereignty, which renders the debates even more complicated but also more exciting. Even if the group of republicans who actually experienced the events of the pre-Napoleonic revolutionary period is very small, the period nevertheless remains alive in the collective memory and is continually referred to in the discourses, as are the accusations of the opposition that preceded the revolution of 1830. Without a good knowledge of the history of the two concepts in the period 1790-1830, it is difficult to follow the 1830-31 debate. We therefore begin this contribution with a short historical overview of the period that precedes the said debate.

We provide clarification on the subject of the republican ideology producers and participants in the debates (backgrounds, level of knowledge, social and political positions, networks etc.). Next, we analyse their ideas, which obviously centre round the two concepts. How the republicans try to force through their own interpretation is subsequently examined. Popular sovereignty and republic are two controversial concepts that clearly reinforce the polemical content of the speeches and debates. A struggle for dominance that should of course be considered in the light of the global socio-political relationships and conflicts of 1830-31. The reconstruction ends with an answer to the question concerning the extent to which the republicans eventually manage to impose

their interpretation. By way of conclusion, we also try to explain the contribution of this history of ideas to the socio-political evolution of post-revolutionary Belgium.

There is no lack of sources for these different reconstructions. True, we do not have the minutes of the committee meetings of the National Congress, but this unfortunate gap is largely compensated by the detailed minutes of the plenary meetings and parliamentary reports in the different newspapers⁶. The papers of the opposition opened their columns to the republicans, and republican papers⁷ (*L'Emancipation*, *Le Journal des Flandres*) carried extensive articles about the two concepts, about their own political statements on the subject, about related speeches in the revolutionary clubs, about the content of the petitions etc. — all of which provided welcome additional information to their own, sometimes detailed writings (books and leaflets).

2. Republic and popular sovereignty in the Sattelzeit

Let us then first of all rapidly consider the founding principles from the past that continue to influence the republicans of 1830 and give rise to tensions. Different phases can be distinguished. But to begin with, we should not forget to mention that in 1830 the actual concept of "republic" already has a long pre-history. For a long time it was mainly associated with not being dominated. Free and equal citizens can oppose being submitted to the will of others. The republic guarantees this freedom. It is also an ideal construction in which virtue and morality prevail and corruption is absent⁸. It is

mainly the philosophers of the Enlightenment that will provide new content for the concept. The role of Jean-Jacques Rousseau was crucially important in this respect, with works that were largely disseminated and were also known by the Belgian republicans⁹.

The concept of popular sovereignty was introduced by the philosophers of the Enlightenment as one of the basic principles of the new political order. General will comes first and private interests are subordinated to it. Citizens are impartially involved in furthering the common interest. All contribute towards creating popular sovereignty that cannot be challenged. The law stems from the will of the people and is not valid without their approval. The people and the will of the people constitute a whole. The people are the supreme sovereign and they intervene directly in public affairs¹⁰. Rousseau is not really in favour of transferrable sovereignty, but for practical reasons the idea that the people can decide to appoint representatives with a strictly defined mandate begins to take root. These representatives represent the nation as a whole and not only the people who elect them. Parliaments are therefore accepted as vehicles of popular sovereignty. Governments also recognise this principle and are accountable to the sovereign people¹¹. The republic is the preferred model in this new order — a preference also influenced by the struggle against aristocracy and the despotism of the monarchs. The Jacobins will consider republic and popular sovereignty as inseparable. Democracy is originally a little used word, but the emancipation of the people requires this system of government¹².

It may seem surprising that in the discourses of the Belgian republicans there are few or no references to the 1789-90 revolutions in Brabant and Liège, even though there were close connections with what was happening in France. Republic and popular sovereignty were also very much part of these revolutions. The revolution in Brabant assumes a republican form and the more radical revolutionaries want to put sovereignty in the hands of the people and introduce the principles of equality. In Liège, the Prince-Bishop is forced to flee and more people support the French principles of equality. But it is probably the failure of these two revolutions that explains why they fell into oblivion. In the Southern Netherlands, the radicals are too weak to successfully challenge the conservatives and also in Liège, they are fairly rapidly called to order¹³.

The situation is different when we consider the impact of the French constitution of 1791. Because then – mainly with the help of the abbé Sieyès – the representative principle is put into practice and gains the upper hand so that many liberals will later still look up to it. In 1791, the will of the people remains sovereign, but it can only be expressed by independent, elected citizens. This representative body also brings forth the unity and identity of the people. The nation is then the people who exercise their political rights. «La souveraineté appartient à la nation»: it is this article of the constitution that defines representative sovereignty. Popular sovereignty therefore becomes a limited, elected sovereignty¹⁴.

Needless to say that the radicals and in particular the Jacobins disagree with this construction, as much as they oppose the introduction of the constitutional monar-

chy instead of the republic. But this does not take away the fact that in 1830-31, the Belgian republicans can be rightly grateful to the left wing for exercising a great deal of pressure that will give the model a twist in their direction. In 1791 the King's powers are indeed restricted via popular sovereignty. Most of the people's representatives can identify themselves with the concept, with the law that expresses the general will of the people, and with an executive power that remains subservient to it. And at a later stage, they will value the fact that the Jacobins continue to give preference to the ideal of self-government and directly exercised people's sovereignty, and that they take up the fight against limited popular sovereignty¹⁵.

But the Belgian republicans look back with mixed feelings at the events of 1793-94. On the one hand, the French left-wing draws up a constitution in 1793 very much in line with Jacobine thinking. Popular sovereignty becomes a near-sacred principle that suffers almost no restrictions. There are proposals for direct popular elections with a general right to vote. The people also choose the executive body in local elections. Popular sovereignty is explicitly included in the Constitution. Even though this Constitution was never actually put into practice, the Belgian republicans will later refer back to it for its ambition to give the people «une justice complète»¹⁶. The Convention that is subsequently elected institutionalises the will of the people and accepts the Declaration of Human Rights. But there is also another side to the coin: the majority of the members of the Convention put Louis XVI on trial. As a result, they will henceforth be regarded by their many opponents as the abhorred king murderers¹⁷. We all know

what happened next: the dictatorship of the *Comité de Salut Public* takes over, followed by the *Terreur* and its great many executions. The Directoire manages to safeguard a number of principles; popular sovereignty is maintained, but ideas about representativeness develop further. With Napoleon, France gradually adopts a plebiscitary, authoritarian regime that turns its back on ideas about sovereignty¹⁸.

The Southern Netherlands was directly concerned by the events of this conflict-laden period. France invaded Belgium once in 1792 and took over the territory including Liège in 1794–95. It was the beginning of twenty years of common history with France. Belgium did not experience the *Terreur* – only its immediate aftermath. This then explains why The Convention and the Reign of Terror were so deep-rooted in the collective memory. Everything reminiscent of this period instilled fear and the republic was generally associated with atrocities. This was still the case in 1830. As we shall see later, the memory of these atrocities greatly soiled the political action of the republicans and permanently affected their credibility. It forced them to swim against the tide and continually defend themselves against severe attacks.

After the defeats of Napoleon (1814–1815), Europe had to deal with the legacy of the French revolution. Restoration regimes forced the republic into the background and re-established the old monarchies. This was the case in France and also in the United Kingdom of the Netherlands (*Verenigd Koninkrijk der Nederlanden* or VKN) born after the merging of Southern and Northern Netherlands. Founding fathers of this VKN also turned against the revolutionary regimes, against the principles of

the French revolution – even against some aspects of the constitution of 1791 – and associated their former Batavian republic with anarchy¹⁹. Between 1815 and 1830 the term republic was therefore no longer used except negatively. Republic, democracy and *Terreur* become closely associated terms. To say that the republican discourse was not welcome would be an understatement.

The same could be said about the concept of popular sovereignty, which had become a metaphor for anarchy and chaos. The revolutionary ghost of the people's sovereignty had been put to death and the whole idea had become a veritable taboo, as Niek van Sas quite rightly puts it. Everything directly related to the idea of popular sovereignty (ministerial accountability, the right to petition, political opinion as the expression of the popular will, etc.) was rejected out of hand²⁰. Royal sovereignty on the other hand was staging something of a comeback. Admittedly, in interaction with the Constitution, which must be accepted by the nation. But the king was clearly striving to gain real power and was relying on the right of veto and the principle of antecedence that puts the king first based on the fact that the king's sovereignty precedes that of the Constitution. In the eyes of fervent opponents, William I was therefore seen as an "absolute monarch"²¹.

So does this mean that the two closely related concepts of people and popular sovereignty had been completely hollowed out? Not really. The undivided nation lived on as a concept in the Constitution and the States General still represented the people as a whole. Equal citizenship also remained in place as did representative sovereignty. The States General had both the legislative and supervisory power and was therefore in

a position to temper the power of the king. But political citizenship was exclusively the affair of wealthy and higher-ranking individuals. Knighthoods, the Provincial States, top positions in the administration, diplomacy, in the army and at the court ensured that members of the aristocracy continued to play an important part as a mediating and stabilising body. Neither did a complicated voting system with intermediate stages offer much prospect in the way of broader political participation²².

It is against these restoration regimes that opposition takes root both in France and in the Southern Netherlands. The two active currents within the opposition movement are the "doctrinaire" and left-wing liberals. France supplies the philosophers of the two currents and both in France and in the Southern part of the VKN there are many followers among publicists and journalists. Each of the two currents of opinion has its own ideas concerning the meaning of representative sovereignty. The conservative liberals (e.g. Guizot, Royer-Colard) reject the idea of popular sovereignty, which they believe leads to usurpation of power, even absolutism. What they advocate is limited representative sovereignty coupled with reason. The reason must be sovereign. Elections constitute a method to discover "les idées justes" and "les volontés légitimes" in society. The power to govern must be entrusted to those who let themselves be guided by reason. The people who recognise the sovereignty of reason constitute the nation. In this way, the concept of national sovereignty emerges²³. This "doctrinaire" interpretation also has followers in Belgium. They will even occupy a dominant position in the liberal opposition and

in this way constitute a fairly strong group of fervent opponents of the republicans.

More progressive liberals also oppose "the sovereign people" and opt for a limited form of the concept, but they are more concerned with subordinating executive power to representative sovereignty. It is especially the power of the king they wish to subordinate to parliament. Ministerial accountability is the way to achieve this aim. The concept enables the parliamentary majority to assert its rights and call ministers to account for their actions. To give concrete form to the system the concept of the countersignature needs to be introduced: the laws must be signed by the ministers and the head of state. Ministerial accountability is a concept that had already been firmly rejected in 1815 by William I and the makers of the constitution, and one that is again turned down after a great deal of quarrelling in 1829. In the wake of Benjamin Constant, the subject receives a great deal of attention in the South and even becomes the cornerstone of the programme of the liberal opposition²⁴. We shall see that representative sovereignty will play an important part in the debates with the democratic republicans and will be used as a modern alternative.

3. *The Belgian republicans in 1830-31: profile, ideas and political positions*

As in France, the group of Belgian republicans only emerges through the events and the cult of the Revolution of 1830. Two years later they estimate the number of their supporters at about 1000, which in a political system with barely 40,000 voters cannot

easily be discounted. In the meantime, roughly seventy among their supporters have positioned themselves as leading figures and activists²⁵. But may we really refer to them as a group or should we not be talking about small groups and individuals who are looking for one another? The networks to which they belong in 1830 certainly point in that direction.

It has already been said that few republicans have actually had active experience of the republican 1790s and that those who have joined the movement for personal reasons connected to past history are not very numerous. Some of them however are colourful characters (such as Pierre Seron) who once held important positions and who, now that they are getting older, are seeking to begin a new political career in the National Assembly. And their republican power of persuasion has remained intact.

Some members of the younger generation – in their twenties and thirties – are influenced by the French Convention members. In 1814-15 the French regime had expelled the “king murderers” among them. They too had found refuge in the VKN and several prominent figures were living in Southern cities and mainly in the Brussels area. The most famous among them is Buonarroti, the man of the Carbonari movement, who brings to public attention the heritage of Babeuf, who had been put on trial by the Directoire. Babeuf’s views on equality are seen as a logical sequel to Jacobinism. Buonarroti rehabilitates figures such as Robespierre and Juste and presents them as martyrs. In 1828, his book, *Conspiration des Égaux*, appears in Brussels and generates a great deal of interest among young people. At school and university they had heard little about the subject and

so, they find the idea of being able to talk to members of the Convention very attractive. Félix Delhasse, but also Louis De Potter are influenced by them. Besides “guru” Buonarroti, other Frenchmen also spread democratic republic ideas. This is even the case with the more moderate mediator figure Lucien Jottrand²⁶.

As we know, the liberal opposition groups appear mainly on the eve of 1830: young graduates, most of them lawyers, who end up as journalists and develop their contacts with elected members of the opposition, set up petition networks and via local papers, feed the opposition. There are also close links with lawyers who pop up as liberal politicians, while in Brussels-Louvain their mentor is Pierre Van Meenen, an older intellectual with Jacobin roots. Benjamin Constant influences most of them, but others have more radical ideas and the republic is their ideal. They are victimised by the repressive press policy of the government, are jailed or banished and, like De Potter, are conferred martyr status. They will become the hub of the revolution and a number of them will sit in the National Congress²⁷.

Much attention has been devoted in Belgian historiography to unionism. We know that as from 1827 the catholic opposition concluded a strategic alliance with the liberals and that this was possible only because church interests would be defended by the liberals on the basis of the principle of freedom. A lesser known fact is that the catholic opposition circles also included strong supporters of the republic among their members – especially among the elected priests in the constituent assembly. Here, Babeuf and the Jacobines played no part however. On the contrary, for a leading figure like Désiré Dehaerne,

Robespierre is a "monster, a tyrant who outlawed the Catholics and turned them into easy prey for the guillotine". Neither do the brothers Adolphe and Victor Deschamps believe that popular sovereignty is the only redeeming principle²⁸. The republicanism of these Catholics is mainly based on the idea of freedom. The freedom of the people and their faith prevail. The centre of power must remain at the basis, which is best guaranteed by the democratic republic and not by a sovereign like William I, who continues to trample the interests of the catholic people and doesn't hesitate to jail or banish them. One of these exiles, Adolphe Bartels, disseminates this catholic republicanism through the press²⁹.

Besides the staunch opponents of an independent Belgium, there are many orangists during the revolution who are intent on keeping the dynasty of Orange on the throne. There are also reunionists, who see 1830 as an opportunity for the Southern Netherlands to be joined up again with France. They can be found mainly in the area of Liège and Verviers and in towns in Hainaut where there is a certain economic justification for reunionism. The majority believes that to elect the son of the French king will provide the solution, but there are also republicans among them³⁰. Some regard the republic as a transitional regime to be followed sooner or later by complete assimilation into France, but others like the Verviers congressman François Lardinois wants «to march on to the free republic» together with France³¹. Since the very beginning, Alexandre Gendebien is at the head of a small group that strives for ever closer ties with France and is prepared to offer the presidency of the Belgian republic to general Lafayette. The reunionism of Gendebien

initially takes precedence over the system of government even though for many years he will remain one of the leaders of the radical-republican movement³².

Something still needs to be said about the revolutionary clubs. These are umbrella organisations of which revolutionaries of different backgrounds are members, but in which the most radical and republican-minded figures lead the way and drive and push forward the revolution. The Brussels Réunion Centrale is the largest and most influential of these clubs, but others are also active in Ghent and Liège, as also in smaller towns like Louvain, Namur and Tournai. Their activities are generally covered by their own papers. Activists from the different networks play a major part in the clubs, and the clubs make sure that a number of them are elected to Congress. By incorporating volunteer corps to take up the struggle against the army of William I, contacts are established with republican-minded activists from Belgian rebellious circles as well as with French violence-prone republicans. We are thinking here of Schavijs, Ernest Grégoire or general Mellinet³³.

In short, the republican movement forms a pretty heterogeneous group, consisting of individuals from the most diverse horizons: highly-educated people with a professorial profile, authors of authoritative books and articles, journalists who regularly air their political views, critical commentators who fuel the opposition, political activists who give strength to the change of regime, members of Congress who make positive contributions to the political debate, men of action intent on toppling the regime and who are prepared to use violence – all of these can be encountered in the republican movement.



Gustaf Wappers, "Episode of the September Days 1830 on the Place de l'Hôtel de Ville in Brussels", painting, 1835

The way in which they interpret the meaning of the two concepts republic and popular sovereignty is not so clear. For the vast majority the republic is the superior, ideal regime based on a just government resting on the will of the people. It is the perfect regime because it dovetails with continuously emancipating society and the strength of the people. It coincides with popular sovereignty because it allows the people to give concrete form to their will and make it all happen. It is synonymous with democracy with which it brings the people into closer and faster contact³⁴. It is obvious that in the republican discourses there is clearly a will to promote the Jacobin model. Neither is freedom forgotten. Independence can only be guaranteed by the

republic. "Liberté en tout et pour tous" is the motto. The republic is also a beacon of freedom and a safe haven for the republican Catholics. They can only enjoy this freedom however if it is based on religion³⁵.

But the term republic with its older semantic content is also regularly found in the discourses. The republic is still the regime that can generate the most virtues in practice. Only a virtuous society is worthy of such a regime. A number of republicans think the Belgians possess this quality and therefore deserve to live in a republic. Others believe that the people can be educated and become qualified to live in a republic³⁶. Nevertheless, it remains an ideal system of government that can only be referred to in lofty terms. For some, this ideal is still hard

to achieve, maybe even overambitious³⁷. Although it is not always easy to make out whether these statements are made for tactical reasons, not to have to vote for the republic, some of them clearly take this argument seriously.

There is less ambivalence when the republic is seen as the best way to put an end to the monarchy. In the background there is always the fierce battle the republicans are fighting against the authoritarianism and opaque financial policy of William I. Not all of them use the same harsh language, but all share the same aversion for the monarchy and none of them mince their words. As long as there are kings, the people must pursue the struggle, possibly with bloodbaths, if freedoms are being taken away from them, if there are still slaves and corrupt courtiers. The hands of kings are unclean. Kings encourage passion and vice and they are forever conspiring. Seron is most vigorous in his condemnation: «les rois sont très expéditifs quand il s'agit de nous dépouiller, de nous écorcher et de nous faire pendre». So long live the elected head of state who is close to the people, and long live the republic, which is the cheapest and most democratic of regimes³⁸.

A smaller group of republicans focuses on the federative republic: the provinces conclude a mutual contract with one another. Each province receives its own constitution and the idea of a collective body is also discussed. A federal structure with limited power in the hands of the federal authority makes it easier to put popular sovereignty into practice. The idea is easier to implement on a small scale than in a larger, central state. Furthermore, the argument ties in with the French debates in the 1780s and 90s. This federative republic is also consid-

ered more attuned to Belgian customs and practices – a reference to the historic importance of the Provincial States. De Potter launches these ideas as soon as he joins the revolutionary ranks at the beginning of September 1830. They are picked up by his political friends (Jean-François Tielemans, Adolphe Levae), appear in his paper *L'Union* and next in *L'Emancipation*, while catholic democrats like Bartels, Dehaerne and the group around the *Journal des Flandres* also begin to support these ideas³⁹. They are obviously blinded by their distrust of the unitary state and a freedom that is easier to defend in the absence of a centralised form of state power. But a federative republic runs counter to the principles of popular sovereignty and unity which, as far as the unitarian republicans are concerned, are intimately connected. Supporters however can admiringly point to the American example, which most republicans see as the near-ideal model: at the time it is generally considered as the most perfect and best-working republic. Supporters of the federative republic take strength from the fact that the American model shows that a federal structure is clearly an asset⁴⁰.

Progressive liberals introduce a whole new concept: the republican monarchy. They do not try to hide that they have been won over by the republic, that they are republicans at heart or supporters of the republic in theory (Antoine Barthélémy, Van Meenen, Sylvain Van de Weyer), but they have finally decided to support constitutional monarchy, because it is this construction that is in effect "the most beautiful republic". If the king is deprived of every possible means of committing abuses of power, if his authority is drastically reduced, if parliament has the power to dis-

miss ministers, if popular sovereignty is the basis of the system and the people have the last word, then what one has is a republic⁴¹. As is usually the case, the inspiration comes from France and in particular from Lafayette. In 1830, the old general is hesitating between his memories of republican glory and the trust he has put in King Louis Philippe. He opts for the latter and calls the constitutional monarchy «la monarchie entourée d'institutions républicaines», and even «la meilleure des républiques»⁴². The concept of "monarchie républicaine" is born, and it begins to be more widely used also in Belgium. Progressive liberals, faltering republicans and a number of catholic democrats use the phrase systematically in the constitutional debates and in their newspapers. «Une sorte de république avec un chef héréditaire» is what *La Politique* calls this system of government and when they have to vote it is this content they explicitly give to the concept⁴³.

But is there not a strategy behind the concept? Is not the real purpose to make monarchy more acceptable and offer a middle-road to the republicans – a compromise solution that will placate them? In any case, when one listens to the arguments, it is difficult to dismiss these questions out of hand. The liberals, who are careful not to offend their republican colleagues too much, talk about the lack of stability of a republic and the fear of other revolutions breaking out. Others bluntly warn against the danger of anarchy, despotism and Terror that brought the republic into disrepute, "terrible memories we never wish to recall"⁴⁴. The fear that Europe will not accept a Belgian republic arouses fewer emotions, but also leaves a deep impression. It is the European powers that decide over the

fate of Belgium, and a republic would immediately be invalidated. To refuse a king is a signal of war. If we wish to maintain good relations with our neighbours – so goes their message – then limited monarchy can be used as a shining example⁴⁵.

Liberal members of Congress who are pragmatic enough to want to reach a compromise press forward with the "monarchie républicaine". They also receive support from conservative liberals (Jean-Baptiste Nothomb) and a catholic liberal like Charles Vilain XIII; and Joseph Lebeau calls it «une construction savante». Consequently, they portray themselves as the wisest of members for putting mind and reason first, above political passions⁴⁶. Unadulterated republicans are of course critical of the concept. To assimilate two forms of government that cannot be assimilated, that contradict each other can only lead to lack of clarity and confusion. In short, a bastard concept has been created⁴⁷. The history of republican ideas is under pressure but, as we shall see later, this half-hearted notion causes dissention especially among the republicans and weakens their position.

Let us take another look at their political situation. The lead the republicans consistently take in the revolutionary change of authority provides them with a considerable number of leadership positions. They are however far less successful in the elected bodies where their popular following plays a much smaller part given that the cense remains as high as under William I, so that the republicans need to pursue the struggle against candidates representing big landowners and aristocrats, the high bourgeoisie and prominent citizens. In the National Congress they form a minority of no more than ten per cent and are up

against conservative Catholics, doctrinaire liberals and orangists⁴⁸. And so, they can only be disappointed: as far as they are concerned, Congress is holding back progress and is completely cut off from the people. What is being proposed, so they say, is merely a change of tyrants. They carry very little weight in the constituent commission – Tielemans has a seat on the commission but can hardly make his voice heard – and in the various Congress commissions in which the republicans are no match for the conservative and moderate monarchists and which furthermore convene secretly. Compared with the liberal and catholic press, they have only a few newspapers with far smaller circulation figures⁴⁹. We have already mentioned the frontal attacks they have to endure from their opponents. The republicans respond blow for blow: the French drama of 1793 had nothing to do with the republic: it was a civil war for which royal despotism, insatiable aristocracy and foreign opposition should be held to account. But do these arguments make any impression? Their positively intended remark that the Convention has taken on board the Declaration of Human Rights actually gives rise to conflict. And whether they can appease their opponents, who fear that the republic will generate social unrest and agitation and put their properties at risk, remains to be seen⁵⁰.

We should be careful not to generalise: there are members of Congress among the republicans who expound their views and use their practised rhetoric with long digressions and stylistic devices to persuade and convince⁵¹, and there are certainly a few good orators among them. Although most of them are (far too) convinced of being in the right to actually reach compromises, a

few left-wing liberals try to talk them over to their side and sometimes even succeed in doing so. All the same, the prominent figures we encounter in their ranks are among the most pugnacious and aggressive – those who speak the harshest and most brutal language, who try to monopolise and manipulate the debates; who frequently interrupt, who take daring initiatives and deliver impassioned, aggressive, offending or mocking speeches that give rise to disputes and often turbulent meetings. Only a limited number of members of Congress take an active part in the debates, which of course reinforces the role of the more pugnacious participants. Furthermore, the latter are also well aware of the influence that can be exerted by an active minority group⁵².

Naturally, their attitude does not endear them to their (more) conservative colleagues. They cause a great deal of impatience and much indignation. The fact that they bring into play their popular following is not in the least appreciated. Preparatory meetings held in the clubs and direct pressure exerted by these same clubs, crowds mobilised outside the parliament building or that make themselves heard from the public gallery (even bayonets are used as a means of calming them), and threats addressed by republican members of Congress to their political opponents – all of this contributes to creating a sentiment of revulsion. The defenders of the republic and democracy therefore have to contend with cries of outrage; there is no lack of personal attacks; their speeches are dismissed as *«le langage des passions»*; they are listened to with a great deal of unwillingness; and there is even a tendency to impose silence on them⁵³. Alexandre de Robaulx was more often than not the cause of such dis-

turbance, like when he called the republicans who had voted for the "monarchie républicaine" cowards who would one day feel ashamed of their behaviour⁵⁴. Republicans are also branded as outsiders, elected members who do not belong with the others, so that they sometimes feel excluded. Demagogues, agitators, anarchists, tribunes of the plebs are all terms used to refer to the "race jacobine"⁵⁵. These attacks sometimes lead to more unity within the republican group, but group coherence is by and large a problem. There are personal rivalries and arguments break out quite frequently. The quarrels between Louis De Potter, accused of dictatorial presidential ambitions, and the pro-French Alexandre Gendebien have become legendary and paralyse the (already weak) position of the republicans in the Provisional Government⁵⁶. As their struggle for the republic and popular sovereignty in 1830-1831 will show, there is sometimes a great distance between the most stubborn, hard-line, unsure, and the somewhat more moderate republicans, who are prepared to listen to the counter-arguments.

4. The lost struggle for the republic and popular sovereignty

The republicans systematically resort to the instruments of power just listed in their passionate attempts to exclude once and for all the House of Orange-Nassau and the Prince of Orange from the Belgian throne. There is a lot at stake for the republicans, because the Prince is the favoured candidate of London and contacts have even been established with the Provisional Government. A number of republican clubs in-

struct their candidates to vote against him in Congress; their anti-campaigns are generally quite fierce; the pressure on the Provisional Government is increased; in Congress they immediately take an initiative against the House of Orange and, with the backing of angry supporters (armed with black flags), threats are uttered both inside and outside the building, while attempts are made to impose silence on opponents. Republicans are also part of a strong anti-Nassau bloc of Belgian and French activists⁵⁷. And all the stops are pulled out also during the debates. Their discourses may be fairly repetitive with respect to content, but they do strike quite a few sensitive chords. Not only was removing the Orange Nassaus from the throne the aim of the revolution – so there is genuine fear of popular fury – but the Oranges have in the meantime become our executioners. We are now separated from them by a long trail of blood. No need for a Marat or a Robespierre to supply the corpses, when William I, Prince Frederik, and their partner in crime, the Prince of Orange, are there to do the job. We are on the brink of a precipice because with an Orange on the throne there can nothing but revenge and retaliation. Conciliation can be ruled out. The private life of the Prince is also put through the wringer in an attempt to turn him – also because of his personal shortcomings – into an impossible future head of state⁵⁸.

But can this hard, uncompromising attitude bear fruit? Not initially. In a first round of voting, the republicans are a long way from achieving a majority. But the outcome is completely different in a second round, a few days later. There are many different reasons for this. There is still the outrage caused by the bloody September

street-fighting and the bombardment of the Antwerp arsenal – this was how general Chassé chose to punish the revolutionaries for not honouring their commitments. The ranks of dedicated Orangists have thinned out as a result of violence, purges, division over the rivalry between the king and the prince, while English and French diplomats receive instructions from London that they are to warn the Belgians that exclusion of the House of Orange would put peace at risk. It is especially this renewed attempt by foreign powers to increase the pressure that can be used by the republicans and by extension the anti-Nassaus to turn up the heat and swing the vote in their favour⁵⁹. Not only does this seal the fate of the House of Orange in the National Congress and signify a (temporary) stop to restoration plans; it also leaves open the option of achieving their final aim, which is to promote the democratic republic.

Not for long though. Republicans put the system of government on the agenda, which leads to heated debates. They are once more particularly active, but cannot prevent the monarchists from gaining the upper hand. We know the arguments that are used by the latter. They are repeated in many long speeches. It is especially fear of the republic that is put forward. Monarchy fits in with the way of thinking of many aristocratic or conservative members of Congress and this is made over-abundantly clear in the debates⁶⁰. The republicans now defend the republic and reject monarchy with the same passion as they had attacked the Prince of Orange. They refuse to leave the rostrum, and fuel heated debates. We have already mentioned that de Roubaulx often caused tumult but, according to the minutes, Seron's interventions are also fol-

lowed by «une longue agitation». François Pirson is indignant because of the attacks the republicans have to endure, and Alexandre Rodenbach appeals to his colleagues to allow republican members to speak⁶¹. All these incidents indicate how violent the exchanges must have been.

The republicans however cannot hope to win the struggle against the "monarchie républicaine". The lawyers and highly educated liberals take the floor and defend the model using the art of rhetoric to convince their audience. Its advantages are skilfully examined and with great powers of persuasion. Those in favour include most of the later *founding fathers* of Belgium, but also a number of liberals who are prepared to defend the model for tactical reasons, and republicans who allow themselves to be convinced by the pragmatic arguments or are unwilling to be forced into a small minority⁶². Monarchy wins. De Robaulx makes a final attempt to submit the decision to the people, but hardly anyone is prepared to follow him. The curtain falls on the republic and the mere thirteen votes in favour out of two hundred⁶³.

Republican opposition is not without consequence however. The resulting pressure puts progressive liberals in a position to take matters further than the conservatives may have wanted and open wide the doors for the "institutions républicaines" of the constitutional monarchy. That there should be a king without real power, who does not misuse the Constitution as William I used to do, is a crucial demand. The king may only exercise the competences that are conceded to him by Congress. Neither can he govern without ministers or parliament. A number of members of Congress focus on ministerial accountability,

which had been a central issue for the opposition. True, the principle is not explicitly referred to in the Constitution, no more than the role of parliament is mentioned in forming the government, but in actual fact, the parliamentary system is introduced via the counter-signature. Parliament also receives more prerogatives than before 1830 in matters of budget control, and there will be more transparency in the meetings. Sessions behind closed doors will only take place at the request of more members than before. The republicans fail to defeat the right of initiative of the government. Neither do they succeed in obtaining the right to sanction illegal actions by the government. But parliament will be able to set up inquiry commissions⁶⁴. The same scenario seem to prevail over the emergence of several of these constitutional provisions: the republicans formulate fairly extreme proposals, left-wing liberals respond by suggesting a weaker version that can be seen as a compromise solution and is then usually adopted. The republicans therefore contribute to parliamentarism – albeit indirectly. Partly thanks to them, a reinforced representative sovereignty emerges from the debate.

What can we say about the extent of representative sovereignty? On the basis of articles in *L'Emancipation* and speeches delivered in the National Congress, we understand that the republicans still wish to adhere to the Jacobin principles. As a result of the revolution, the people once again occupy central stage. The desires of the people should therefore be given priority. The principle of equality that is incorporated in the Constitution (as a matter of fact, in line with the Constitution of 1815) must also be implemented in terms of political partici-

pation. Popular sovereignty has again become a central issue. It is described as the major conquest of the modern age⁶⁵. Neither is the middle class forgotten. Members of the middle-class fought the revolution side by side with the people and gave their blood for the same cause. They have strong ties with the people⁶⁶. The republicans take popular sovereignty very seriously, but they are divided over the introduction of universal suffrage. Apparently, they realise it would be difficult to implement it. There is a group in the Réunion Centrale that is in favour of the principle, but someone like Seron wants people to be able to read and write so they can be made aware of their rights, whereas de Robaulx, even though he wants as many voters as possible, is nevertheless in favour of a limited form of censitary suffrage. De Potter is theoretically in favour of universal suffrage but, upon reflection, decides to support Seron's proposal⁶⁷. In other words, Buonarotti's ideas about equality – at least in their undiluted form – are not found even in republican circles, and progressive liberal support for a weaker version of popular sovereignty has apparently played a part.

In the National Congress the republican supporters of the abolition of the high cense can hardly make themselves heard. They rant and rave in vain against the conservative electoral system of the constitutional commission. Universal suffrage is a recipe for anarchy, retaliates the liberal Paul Devaux. The concentration of power in the hands of the people is too much of a threat to individual freedom⁶⁸. Proposals to grant the right to vote to citizens who pay only 30 or even 20 florins tax are also rejected. The cense remains practically as high as it was under the VKN. A differentiated cense –

lower in the country and higher in the cities – is introduced to appease the Catholics. When all is said, the republicans are unable to change the end result: only the wealthy have the right to vote because, according to the liberal way of thinking, they are best able to understand the general interest⁶⁹. Progressive liberals succeed in abolishing the tiered electoral system. The latter existed even during the period of French hegemony, so that direct suffrage in 1830 really is an innovation and one that certainly brings the electorate closer to elected representation⁷⁰. The disappointment that prevails in republican circles over the electoral system for the wealthy cannot however be dissipated.

The republicans are more successful in reducing the political privileges of the mainly aristocratic landowners. The constitutional commission had agreed with the conservative proposal to set up a Senate in which the hereditary aristocracy would play the main part, with senators appointed by the king. The Senate was to hold the balance of power with the elected Chamber of representatives⁷¹. So the protection William I had offered the aristocracy was to be maintained. The republicans were dumbfounded. Surely, the struggle against aristocratic privilege was over and done with. A separate representation for the aristocracy was therefore completely out of date. The republicans were not alone in their protest. The abolition of feudal rights had in the meantime been assimilated – also by the liberals. There were now only citizens in society and national interests. Aristocracy and landed property were no exception⁷². So, in the National Congress there was opposition from the republicans, the democrats and the liberals.

Again, the republicans cause animated debates and agitation. «Chaude et confuse» is how the catholic member of Congress François du Bus describes the atmosphere of the many sessions, lengthy discussions and fifty-three speeches that go on – sometimes into the small hours of the night. There are three times more people in the gallery than on the floor, says du Bus – possibly not without some exaggerating. Listening to the republicans causes a fair amount of irritation among the parliamentarians and incidents are commonplace⁷³. The republicans often take the floor and address the audience with sharp words in a true indictment of the aristocracy. Camille De Smet warns that the Belgians are once more in danger of becoming slaves and Gendebien is convinced that what is being set up is the institution that actually led to the revolution. Popular sovereignty brooks no privileges for the aristocracy and is defended tooth and nail. All people are equal by nature. An aristocratic hereditary Senate runs counter to ideas about equality and sounds the death knell for popular sovereignty. The aristocracy constitutes a danger for freedom⁷⁴. Unity in society also requires unity in representation is what is heard in liberal circles⁷⁵. In short, these debates clearly show that the fight for equality still centres round the aristocracy. The fight also runs parallel with the struggle against the landed elite. Not that all the republicans are against property rights as a matter of principle. Someone like Tielemans, for example, will later defend those rights as governor of Liège⁷⁶. But large properties stand in the way of equality and freedom and more particularly, the people's freedoms. A Senate consisting of mainly aristocratic landowners constitutes a threat to democracy⁷⁷.

Even though opponents are not in the majority and cannot prevent the forming of a Senate, republicans, catholic democrats and progressive liberals acting together are able to bring about fairly fundamental changes that operate in the general direction of more democracy. The supporters of a single Chamber fail to win the day. The majority opts for a moderating Senate thereby following in the footsteps of Montesquieu and Constant. The fear for democracy continues to influence the course of events. Doctrinaire liberals also feel that landed property and aristocracy should be sufficiently represented. Social differences must be reflected in the institutions, is the position defended by Nothomb, and Lebeau is not prepared to run the risk of aristocracy turning against Belgium. The number of orangists among them is indeed considerable⁷⁸. The Senate will not however be elected by the king. On this front at least, the opponents are victorious and a compromise agreement is reached. The Senate will also be an elected body. Eligibility based on a high cense will ensure that aristocracy and landed property dominate the Senate. The proposal to set the eligibility taxes at 1000 florins is amended. The progressive liberal Charles De Brouckère together with A. Rodenbach tries to halve the figure, but the proposal is defeated by two votes. The liberal catholic Charles Vilain XIII is more successful when his proposal to include the patent in fixing the cense is adopted. Wealthy traders and industrialists will now be eligible⁷⁹. As for the way in which senators will be elected, a compromise solution is put forward by the progressive liberal Charles Blagnies and the radical Jottrand. The former opts for a tiered system via the Provincial Councils – no longer as under

William I the anteroom to parliament, say the critics, but mere administrative bodies. Jottrand's amendment is more successful. He feels that the electoral body of the Chamber should also elect the Senate. Jottrand had voted for the Senate and his credibility in Congress is apparently sufficient for his amendment to be adopted⁸⁰.

The decision can hardly be seen as a victory for democracy – the aristocracy will continue to dominate the Senate for a long time to come – but what we have here is a weakening of the position of power of the aristocracy, which has come about as a result of the public debates and especially, of a degree of cooperation between republicans, catholic democrats and progressive liberals. The fact that the republicans were prepared to support the compromise proposals of their progressive colleagues without however relinquishing their basic attitude of opposition was crucially important.

The many debates also show that the idea of popular sovereignty remains an essential concept for the republicans. It is a controversial concept because it fuels the fear of democracy of the conservatives, which puts the latter on the defensive. The conservative catholics pull no punches in their harsh attacks on popular sovereignty. The *Courrier de la Meuse* finds the concept extremely dangerous and associates it with tyrannical tribunes of the people: this monster-like popular sovereignty, this brute force is blind, deaf, cruel and ruthless. For Congressman Vanderlinden only god is sovereign and not the people. De Gerlache spits out the word⁸¹. But doctrinaire liberals are also prompt to react against the concept following the example of their French colleagues. They shake off a concept that will lead to absolutism. It is a concept that

does not fit into a system based on reason. Progressive liberals associate it in abstract terms with the will of the people and with limited representativeness, both of which belong to their idea of "monarchie républicaine"⁸².

The republicans make considerable use of the concept and whenever possible endorse the Jacobin model. They associate it with a number of other concepts: with the republic – whether or not federal – with the fight against the king and aristocratic privileges, with the revolution, with a controlling parliament, with modern times, with the middle-class, with ideas about equality, and with democracy. One cannot help noticing however that there is no attempt to go beyond connotations and associations. Never do they delve deeper into the semantic content of the phrase popular sovereignty, and neither is the scope of the concept ever discussed. There is no demand in their speeches to explicitly include the phrase in the texts. The fact that contradictions may appear between, for example, the federal model and the unity of the people is apparently no real cause for concern. Neither is there any discussion when a different meaning is given to the concept than the classic Jacobin interpretation. This is at any rate the case for the interpretations of the catholic republicans for whom the freedom of the people and their faith are of prime importance. We have already seen that for the *Journal des Flandres* and for Dehaerne the concept is above all a weapon against religious oppression. Neither is there any open resistance against a limited form of popular sovereignty and the representation which the progressive liberals continue to support. Furthermore, the republicans appear not be completely

hostile towards the restrictive censitary and qualifications-based electoral system.

Article 25 of the Belgian Constitution states: "Tous les pouvoirs émanent de la nation". This means it was the liberal interpretation of popular sovereignty that gained the upper hand in 1831. The nation consists of the people who recognise the sovereignty of reason. The nation represents society as a whole. The democratic content of the concept is to a large extent filtered by the nation. This creates a divide with the principle of popular sovereignty and direct intervention by the people⁸³. Unfortunately, the sources do not tell us whether there was ever a debate round this issue in the commissions. There is silence over the matter in the plenary sessions at any rate. But a lead article in *L'Emancipation* suggests that the republicans could see through the manoeuvre⁸⁴. The reaction is rather vehement. The construction we now have is clear to everyone: it dates back to the Constitution of 1815 and even Metternich would agree with it, says the paper. Do they really think we are simpletons who believe people and nation to be synonyms? There is no inclination to use the concept because it runs counter to conservative ideas, both in Belgium and in other European countries. The republicans for their part want the people to be declared sovereign in line with Rousseau's social contract. In other words, the liberals and the republicans are opposed on this issue, because national sovereignty with a liberal tilt has pushed democratic popular sovereignty to one side. But why then is the concept of people used in the Dutch version of the Constitution? Could this be the work of the republican Joseph Toussaint and his friends? It was he who in the administration of the Provisional Gov-

ernment was in charge of the *Bulletin Officiel* as well as the translation of official texts⁸⁵. The Dutch version however does not have force of law and few members of Congress are able to read in that language. This probably explains why little or no attention is devoted to the difference in use of the term in the two versions. At any rate, as far as official Belgium is concerned, popular sovereignty, as defined by the republicans, is not a basic concept of the new political order that comes into being in 1831.

5. *A few final considerations*

This period in the Belgian history of the closely intertwined pair of concepts republic-popular sovereignty clearly illustrates how fascinating it is to research the interaction between the political language, the producers of that language and the socio-political developments. The great dynamic force of this interaction appears in many different areas. What occurred in the past seems to be very important when concepts are passed down from generation to generation, especially in this *Sattelzeit*. There are permanent references to the past. Not only to the historical background of the concept of republic, but also to the influence exerted by the philosophers of the Age of Enlightenment, the French Revolution, the Constitutions of 1791 and 1793 and especially, the Convention. This is furthermore the period during which the association between republic and popular sovereignty begins to take shape. But strong opposition to these concepts also begins to appear, more especially as a result of the widespread aversion and anxiety caused by

the *Terreur*. Fear for democracy grows considerably. These feelings of dread take root so deeply that forty years later they continue to discredit the republic and its popular sovereignty, and the ruthlessness of the Restoration regimes as well liberal opposition contribute in no small measure to watering down the concepts. The United States of America also provide a model for the republicans, though the influence exerted by French ideologues on republican but also on liberal ideas is quite remarkable.

The meaning of the concepts is however subject to the limitations of left-wing thinking in the period under scrutiny. In 1830-31, the republicans are indeed alone in talking about the people, defending their rights and raising the subject of their participation in the revolution, but in the debates they mainly emphasise the political, participatory element, and to a far lesser degree the social aspects. They seldom talk about the labourers – only about the much more abstract concept of people. Not before the mid-1830s will the republicans show any real interest for the labour problem and follow a by then emerging trend in Europe. Neither do their ideas about equality concern women. Rousseau and the French revolutionaries had largely excluded women from public life. Nicolas de Condorcet had stood up for women's political rights, but with little effect on the Belgian republicans. As far as the latter are concerned, women can lay no claim to the right to vote⁸⁶. The issue will only be addressed in the 1830s by a number of French ideologues.

That the importance of the watershed period 1830-31 should not be underestimated is one of the lessons that can be drawn from this contribution. The revolution made it possible for older activists to

emerge, for members of the Convention to influence young intellectuals and for revolutionaries from the middle-class to enter the picture, reconnect with earlier ideas and passionately defend the republic and its sovereignty of the people. The support of the people and part of the lower middle-class played a role in this context. What followed was a merciless struggle for power between republicans and monarchists with nothing less at stake than political dominance and the introduction of the two concepts in political practice. More than once did we express surprise at the harsh polemics, the tactics used to weaken the other side, the brutal use of words, the hostile public performance, the pressure brought to bear on the opponent, and the threats. But new concepts also had a part to play in the struggle. Sovereign reason, ministerial accountability, and national sovereignty were brandished by liberal opponents, but it was mainly the "monarchie républicaine" that sparked off the counter-action resulting in the rejection of the republic as a system of government and of popular sovereignty.

The political suppression of the two concepts however does not imply that the republicans did not play an important role in the birth of the country. Every time they supported the progressive liberals, they could help water down very conservative proposals, limit the power of the aristocracy, strengthen representative sovereignty and lend more power to parliament. Neither did they give up the fight after they had been defeated. The younger generation of republicans and democrats pursued the struggle unabated, much to the irritation of the Belgian establishment and displeasure of King Léopold I. Not until the revolutionary wave of 1848/49 did they put an end to their fight.

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- ¹² Feher, *The frozen Revolution* cit., pp. 59-61; Rutje, *Door gelijkheid gegrepen*, cit., pp. 75, 97.
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