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Turpijn, J.

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Jouke Turpijn

*The continuous reinvention of parliaments.  
A case study on political transformation in the Dutch  
Second Chamber (1848-1888)*

This article argues that parliamentary history has much to gain, if the objects of study were studied as if they were no long time established institutions, but as political bodies which have to reinvent themselves continuously. The Dutch Tweede Kamer (Second Chamber; the Dutch House of Commons) in the second half of the nineteenth century will serve as a case study for this thesis. The MP's themselves are the main actors in this article and were studied in both personal documents and parliamentary proceedings. The article will focus on the origins of parliamentary customs. Classic parliamentary historiography has dealt primarily with the making of laws and has paid little attention to the origins of parliamentary customs, rules and rituals. Many political historians took the history of parliamentary traditions for granted and did not hold it up for discussion.<sup>1</sup>

Many MPs however, both in history and present time, take little for granted and bring parliamentary procedures and the meaning of political life as such up for discussion. Generally these heated discussions happen when the position of a political assembly in a nation or region is shifting. The Second Chamber for example has been struggling to deal with populist newcomers since the beginning of the 21<sup>st</sup> century. These populists explore the outer limits of parliamentary practices through anti-elitist rhetoric to find themselves a strong position and identity. The established political elite reacts to this tension through several ways, but – in this case most interestingly – studies itself in an official committee on 'parliamentary self-reflection' with thick reports, debates and expert meetings. The results are meagre, most importantly because 'shock'-MPs such as Geert Wilders simply refuse to participate in these procedures.<sup>2</sup>

The commission also has claimed that self-reflection is never finished and part of a long historical process.<sup>3</sup> This level of historicism makes it relevant to find out what newcomers and elites have done to deal with each other in parliament throughout history. Although the Netherlands will be the epicentre in this short study, the search for parliamentary forms should be a field of study in a transnational context, not in the last place because the tension of newcomers is felt throughout the whole of Europe, both in its nations and in its parliament of the Union.<sup>4</sup>

A history like this one on parliamentary origins is important because we seem to have forgotten these, even though parliaments are worldwide still the most important places for decision-making and discussion about who we are and what we consider to be important. All parliaments come from somewhere, and in order to understand current politics it is therefore advisable to study how parliaments gained their significance in the past.

This article attempts to find an answer to the question where the Dutch parliamentary customs and traditions come from and how they developed in the period between the constitutional reforms of 1848 and 1888, the period now considered to be the age of West-European constitutionalism.<sup>5</sup>

### 1. *1848, a new beginning?*

But where do origins begin? After the fear of revolution and the constitutional reforms of 1848, Dutch parliament was not an established political institution at all. Still, the Second Chamber had one of the longest histories of modern European parliaments. Although some historians and political scientists point at the earliest meetings of the Estates General, the rise of the modern nation state offers better grips for understanding the invention of parliaments.<sup>6</sup> After Stadtholder Willem V was expelled in 1795 the representatives formed a lively assembly, a constitutional text and a parliamentary context. This National Convention was directly elected and claimed to be omnipotent for the Batavian republic. The convention, despite a lack of recent historiography, was and is widely regarded as one of the most influential and democratic institutions of all time.<sup>7</sup>

But it would not last for long. After the French occupation parliament was virtually non-existent. And when William's son returned to become Willem I of the constitutional Kingdom of the Netherlands, an omnipotent parliament was the last thing the megalomaniac monarch wanted. Therefore MP's were known as 'jaknikkers' ('yesnoddors'), who would always say yes to anything the king would say. In the meantime however, liberal public life would start to flourish little by little after the Belgian war of independence. This liberal sentiment and the weak and feeble position of Willem II made the reforms of 1848 a relatively easy affair.<sup>8</sup>

Despite the relatively mild regime change in 1848, the MPs of 1848 experienced their recent past as polluted. Under Willem I parliament had no power and during the Batavian republic parliament had too much power which was seen to be leading to unwanted quarrels and disputes. The older Estates-General might refer to a glorious past, but proved quite useless as an example because they represented the diversity in regions way too much.<sup>9</sup>

This lack of historical examples for good politics was actually a blessing in disguise. The typical 1848 MP was rich, male, in his early forties, had a law degree, a social standing in his district but preferred to talk on national affairs, and powerful friends through informal connections.<sup>10</sup> And on Tuesday the 13<sup>th</sup> of February 1849 he would enter the assembly hall for the first time in his life. These MP's hardly knew each other, let alone what a parliament was. During their long careers they would not only learn how to deal with politics, they would reshape it along the way as well. Parliament was the epicentre of their world, and they were looking for a way to order that world. It had to be invented by its members who wanted to establish and secure its authority through customs, rules and rituals.

Put into the context of 1848, the approach to look at MPs as creative actors instead of robotic lawmakers implies that Dutch parliamentary customs and culture were developed largely by groups of political friends. In 1848 these friends were all newcomers, who would try to mould the House to their interpretation of the spirit of the new constitution. The most important writer of the constitution, Johan Rudolf Thorbecke, enjoyed the greatest authority among them.<sup>11</sup> He and his friends are known today in the parliamentary history as doctrinal liberals or Thorbeckians. As a group, the Thorbeckians did not resemble a political party like we know them today. They were rather a club of like-minded individuals whose composition changed from moment to moment.

The men around Thorbecke in 1848 wanted to change the parliament because they had clear ideas about the future of the Netherlands. The country and its citizens could only develop further if its administrators erected fewer obstacles than had been the case under the rule of Willem I and II. To accomplish this, the Dutch would have to control their own administrators. As the House of Representatives controlled the most important administrators – the government – the centre of political power had to shift to the assembly hall in the Binnenhof.<sup>12</sup> The liberals' ideal House of Representatives was an assembly where the members could find 'the truth' through rational and civilised exchange of ideas without being encumbered by the obligation of constant consultation with the electors. This 'truth' would then result in the best laws for all of the Dutch. All members of parliament were to serve this general good.<sup>13</sup>

These ideals did not become reality in 1849. According to the liberals, the sitting ministers did not interpret the constitutional reform as a new begin, but as a continuation of the old order. The old House had had little say in government matters, but the new representatives would be able to change that by translating the new constitu-

tion's articles on ministerial responsibility, direct election for the House of Representatives and parliamentary authority into parliamentary custom.

This translation of ideals into practice was a mysterious process that does not occur on its own. In order to realise their ideals, the liberals attempted to gather and exercise power. The most authoritative interpretation of the rules determined who got their way in parliament, what was to be done and eventually how the customs and rules were to change. The mysterious aspect of this interpretation was how it could change from momentum to momentum. The members of parliament between 1848 and 1888 used a wide variety of argumentation, rhetoric and tactics to bring about change. This would often result in political behaviour which in hindsight seems pragmatic at best and madness at worst when compared to political ideals and philosophy. What is the relation between political ideals and pragmatic actions in parliament?<sup>14</sup>

Interpretation, re-interpretation and debates on re-interpretations were both fuel and goals as such in the development of parliamentary life. It would cover all forms of political content, ranging from tiny procedural debates on the official rules, to the interpretation of political responsibility for ministers and kings. These debates could be official, but would also have a place in daily parliamentary life and rituals. One striking example concerns the 1849 newcomer Daniël van Eck. His career as a liberal attorney from Zeeland seems to indicate nothing spectacular. But his appearance proves the opposite. Van Eck had grown a long beard. Beards were considered to be revolutionary symbols in The Netherlands, which were associated with international rioters such as Garibaldi, Marx and Bakunin. Van Eck, however, would use his beard as a political statement. As long as there was no liberal constitution he would grow his facial hair. In 1848 this constitution became reality. Still the stubborn Zeelander would continue to grow his beard, claiming that he would only shave himself if the constitution was be interpreted in the right liberal context. Following his line of rhetoric, the poor liberal would never live to see that day, since he would die with beard after a long (but in terms of lawmaking quite useless) life in parliament in 1895.<sup>15</sup>

## 2. *The coming of age, 1848-1888.*

The growth in development of both parliamentary practice and beard is a chronological process which would take lots of time. From their debut in 1848 onwards to 1853 the new liberals worked enthusiastically to create their new parliamentary world, introducing many now long-established rules for adopting amendments, interpellations and motions. They did so primarily to drive out the sitting ministers,

and when they achieved that goal in 1849, the liberals introduced other interpretations of these rules to secure their authority.

Unfortunately, changing parliament was more difficult than they had expected due to the fact that the liberal interpretations had no effect on influential individuals. The Thorbeckians lost their dominant position in 1853. King Willem III openly declared his support to the popular protestant protest on the reinstallation of the Catholic bishops.<sup>16</sup> Since Thorbecke could not defend this act he stepped down. He and his friend however gained something new in return. During the serious conflicts of the 1850s, the liberals invented organised forms of parliamentary opposition, which included tactics on obstruction and damaging individual politicians. Until 1862 opposition was not a foregone conclusion which would result in reinterpretations of the rules about the dignity of parliamentary debate, inquiries and private member's bills.

In the 1860s, the future of the Netherlands looked bright. The economy flourished and the liberals called the shots again. They tried again to realise their ideal parliament with an unprecedented self-confidence and conceit. This conceit in the open debates actually stood in the way of achieving their ideal House of Representatives. The liberals claimed the monopoly on interpretation of the constitution and bullied their opponents out of the House. Their plan to build a monumental parliamentary palace in 1863 symbolizes the liberals' hubris. The liberals, inspired by other European parliaments, wanted to create a monument for good politics and enlightened rationalism in a palace which would stand the test of times.<sup>17</sup> However the whole plan collapsed in an obscure fiasco full of personal intrigue that is difficult to reconcile with enlightened ideals.

During these years, the 1848-generation also had to deal with a different sort of newcomers to the parliament. A new generation of liberals was taking over the dominant position. These trained debaters and self-made men also worked to change parliamentary politics. They saw parliament as an arena of opinions, which could be about anything, but which would be at his best with discussions on abstract subjects, while in the backrooms traders and politicians would deal with making money for the nation. The older generation however was heavily traumatized by backroom deals. The following generation conflict sounded the death knell for liberal dominance. Strangely enough, both generations wanted to achieve more or less the same goals, the creation of an enlightened nation through parliamentary means, but they came into conflict over the forms how to reach their goals. Furthermore these conflicts prove that personal matters always dominate politics, both in content and in general on obtaining and losing power. Thorbecke for example could never deal with the

talented *nouveaux riche* Isaäc Fransen van der Putte.<sup>18</sup> Although they would never argue in the open, two liberal camps formed up behind closed doors which would sabotage each other's plans.

Not surprisingly, more conservative politicians would profit from the liberal division. They tried to keep political power to themselves and the king in an interesting period; Bismarck was in the middle of creating a great empire and fears rose that The Netherlands would be part of it. This power hunger resulted in two dissolvments of parliament. The historiography often describes this period as a 'crisis' that ends in a crucial victory for parliament and liberalism.<sup>19</sup> This approach needs revision. These conflicts were not more serious than those in the 1850s, and were actually more extensions of older parliamentary debates and controversies. Above all, all parties experienced this period not as a victory, but as a loss due to the damage caused to the parliament's reputation.

In the 1870s, yet another group of newcomers entered parliament. They derived their identity primarily from groups outside of parliament, and are considered the precursors to the political parties. The first modern political party (Abraham Kuypers ARP) was formed in 1879 and would soon be followed by social democrat, catholic and protestant minority parties. Much has been written about them, since parties would dominate the 20<sup>th</sup> century and many elements of older parties are still recognizable in modern politics.<sup>20</sup> But the reaction by the sitting liberals is a less-documented story. The men of 1848 grew into men with authority who were best able to explain and enforce parliamentary procedure. The liberals, and especially W.H. Dullert, for twelve years in a row the Chairman of the House, brought up the newcomers as good members of parliament. This meant that the opponents of the liberal ideals of parliamentary practice, mostly ultramontanic catholics, had little opportunity to openly express their opinions. In the name of efficiency a lot was done and discussion was limited. Catholics complained that the only weapon they had was discussion, since liberals continuously outnumbered them. Their point is fair, but politics and especially chairman politics, is not. Still the chairman would acquire a stunning level of authority, which was expressed in re-election voted of several tens of votes against one or two.

By the end of the 1870s, the men of authority had grown old and begun to idealise their own past. They presented the constitution and the House of Representatives as their place in history, while contrasting themselves to foreign parliaments. Other countries' parliaments had always since 1848 been sources of inspiration for the Dutch. But in the 1870s the liberals claimed that they had built the best parliament in the world. On one hand, this pride and rejection of

former sources of inspiration indicate that Dutch parliamentary culture had become rigid and unworkable, but on the other hand the liberals wanted to protect their culture against foreign influences and against confessional and socialist newcomers. The liberals succeeded in their goals and turned parliament into a national and mainly liberal heritage and point of reference. In its slipstream these liberals turned 1848 into a benchmark which has been known ever since. Actually, classic Dutch parliamentary historiography is a direct result of parliaments' self reflected glorification of the past. Liberals not only seem to have invented the tradition, but also traditionalized the invention of parliament.

As a result of their glorification of the past, the education of newcomers and their rejection of foreign influences, the House of Representatives matured into a national political institution that was able to withstand the arrival of political parties. One could even argue that modern political parties hardly changed parliamentary culture. It would be an interesting thesis to see if and how political parties changed political life between the constitutional reforms of 1888 and the introduction of universal suffrage in 1917.<sup>21</sup> This would take too far here. But a famous group picture, taken in 1914 by the liberal minister C. Lely, can be seen as an indicator that most politicians were still elder men who rather worked with than against each other.



Cornelis Lely, 1914, Group portrait of the Second Chamber.



### 3. *Conclusion*

If parliamentary practice and culture is studied from the perspective of politicians as creative actors, three conclusions can be made. First, it seems that the parliamentary practice did not develop with rapid fits and starts, but slowly and gradually. Events such as the constitutional reform of 1848 and the conflicts of 1866-68 are often portrayed in the traditional parliamentary history as moments when everything changed. The people at the time, however, did not experience the events that way, and their Second Chamber has never been, nor seen a scene of revolutions. It would be interesting to find out if and how other parliaments throughout the world change and deal with change in periods of several decades. The international focus has been too much on quick regime changes, while change can be more lasting, deeper and interesting to study in longer periods of less heated politics.<sup>22</sup>

Secondly, the famous concept of 'the invention of tradition' is a fruitful tool to study rituals in parliaments, but it never covers the whole history.<sup>23</sup> Parliamentary traditions were to gain the status of tradition only through constant practice. The rose-coloured and glorious remembrance of 1848 was an invented tradition, because the real event was very different: the Thorbeckians wrestled for decades to bring their ideas into practice. These kind of memories, however, are vitally important for parliaments. The traditions invented in the late 1870s formed a confirmation of liberal practice on the one hand, and on the other hand they were a reaction to the rapidly changing world around them. Parliaments cherish their memories and need to invent traditions in order to invent itself in their continuous search to exert influence. It is in elder elites best interests to traditionalize their own history and practice, and it works exactly the other way around for newcomers. Not only would it be interesting to study how other parliaments have invented themselves and their traditions, it would also help to analyze the relative freedom and new tensions many newcomers encounter and create nowadays in parliaments throughout Europe.

Finally, the mystery of the liberal ideal and the translation of that ideal into practice should be unravelled. As the ideal differed significantly from their practice, the Dutch politicians could be considered as opportunists. When the situation required it, the liberals accorded different emphasis to important concepts such as 'parliamentary', 'liberal', 'conservative', 'party', 'principle', 'constitutional' and 'trust'. Opportunists have a bad name in politics: a politician should be above all reliable. Still, it is not a good idea to reject opportunism too quickly. In parliaments, idealism and opportunism go hand-in-hand. In order to realise an ideal, members of parliament utilise all possible argu-

ments and tactics. Opportunism creates new politics; in interpreting affairs in different ways, the parliament creates space for innovation. Opportunism also deals with the division of powers. A group of members with more authority uses ever-changing arguments and tactics to force parliamentary newcomers and minorities to play by their rules and to determine who can have a say in affairs. Opportunism in parliaments is neither a bad thing, nor a necessary evil. It is rather a necessary thing.

Thorbecke, the most important Dutch liberal politician of all time, was the greatest opportunist. He interpreted the rules as necessary to take over the position as minister (1840-1844 and 1848-1849), to defend it (1849-1853, 1862-1866, 1871-1872), or to re-conquer it (1853-1862, 1866-1868). Thorbecke acted as if he knew exactly how everything should be done in the parliament. For instance, he taught his fellow members that parliamentary politics should never be taken personally. But that was partially only rhetoric to make members of the opposition seem more amateuristic. Thorbecke could be downright snappy if his own authority was questioned. His emotions and those of his friends and opponents show that parliamentary politics was always personal, even in a time and place where reason was valued above emotion.

## Note

<sup>1</sup> With classic parliamentary history in this context works of historians like L.B. Namier, *1848: The Revolution of the Intellectuals* (London, 1944), G. Elton, *Political History: Principles and Practice* (London, 1970) are meant. In The Netherlands this tradition has been followed by researchers like J.C. Boogman, *Rondom 1848. De politieke ontwikkeling van Nederland 1840-1858* (Bussum, 1978).

<sup>2</sup> *Vertrouwen en zelfvertrouwen. Analyse en aanbevelingen* [Trust and selfreliance. Analysis and suggestions], chamber text 31 845, nr. 3 (The Hague, 2009).

<sup>3</sup> *Vertrouwen en zelfvertrouwen*, 77-79.

<sup>4</sup> J. De Beus, J. Mak, *De kwestie Europa. Hoe de EU tot de Nederlandse politiek doordringt* (Amsterdam, 2009) pp. 164-166. H. te Velde, 'Political Transfer, an introduction', *European Review of History* 12, (2005) pp. 205-221.

<sup>5</sup> J. Turpijn, *Mannen van gezag. De uitvinding van de Tweede Kamer 1848-1888* (Amsterdam, 2008) pp. 7-21. For an English general introduction on politics in 19th century Netherlands E.H. Kossmann, *The Low Countries. History of the Southern and Northern Netherlands* (Rekkem, 1987) is still unmatched.

<sup>6</sup> W. van Vree, *Nederland als vergaderland. Opkomst en verbreiding van een vergaderregime* (Groningen, 1994), pp. 187-204.

<sup>7</sup> W. Velema, *Republicans. Essays on eighteenth-century Dutch political thought* (Leiden, 2007), pp.179-200. J. van Zanten, *Schielijk, Winzucht, Zwaarhoofd en Bedaard. Politieke discussie en oppositievorming 1813-1840* (Amsterdam, 2004), pp. 12-16.

<sup>8</sup> R. Aerts, *Het aanzien van de politiek. Geschiedenis van een functionele fictie* (Amsterdam, 2009), pp. 19-26, 56-61.

<sup>9</sup> J. Kloek en W. Mijnhardt, *1800. Blauwdrukken voor een samenleving* (Den Haag, 2001), p. 219.

<sup>10</sup> J.Th.J. van den Berg, *De Toegang tot het Binnenhof. De maatschappelijke herkomst van de Tweede Kamerleden tussen 1849 en 1970* (Meppel, 1983), passim.

<sup>11</sup> Strangely enough there are no recent biographies on Thorbecke. The most recent monography, J. Drentje, *Thorbecke, een filosoof in de politiek* (Amsterdam, 2003) is mainly focused on his work as political philosopher.

<sup>12</sup> I. de Haan, *Het beginsel van leven en wasdom. De constitutie van de Nederlandse politiek in de negentiende eeuw* (Amsterdam, 2003), passim.

<sup>13</sup> I. de Haan en H. te Velde, 'Vormen van politiek. Veranderingen van de openbaarheid in Nederland 1848-1900', *BMGN*, 111-2 (1996), pp. 167-200, especially pp.167-170 and pp. 183-185. R. Aerts, 'Emotie in de politiek. Over politieke stijlen in Nederland sinds 1848', in *Jaarboek parlementaire geschiedenis* (2003), pp. 12-15.

<sup>14</sup> On a political-philosophical level F.R. Ankersmit, *Macht door representatie. Exploraties III: politieke filosofie* (Kampen, 1997), pp. 117-168 has explored the relation between interpretations, representation and political rules. Ankersmit's work has been translated into English.

<sup>15</sup> D. van Eck [C. Tamse ed.], *De memoires van een enfant terrible. Politieke herinneringen van de Zeeuwse liberale afgevaardigde Mr. Daniel van Eck aan vijfendertig jaar Kamerlidmaatschap 1849-1884* (Middelburg, 1975).

<sup>16</sup> R. Van Raak, *In naam van het volmaakte, Conservatisme in Nederland* (Amsterdam, 2001), pp. 77-83. A. Houkes, 'Het succes van 1848. Politiek in de Aprilbeweging', in J. Vis en W. Janse (ed.) *Staf en Storm* (Hilversum, 2002), pp. 87-104. De Haan, *Het Beginsel van leven en wasdom*, pp. 62-70.

<sup>17</sup> Until this day the origins of the plan to build 'a Dutch Westminster' are unknown. Some historians, like P. Geyl, '1813 herdacht in 1863', in P. Geyl (ed.), *Pennestrijd over staat en historie* (Groningen, 1979), p. 275, claim that Willem III, and not parliament, asked for this parliament. Since the royal archives are closed for almost all researchers, the truth is not yet known.

<sup>18</sup> Frans van der Putte was a typical colonial MP who like so many made his money in the Dutch Indies. C.A. Tamse, H. Boels en J. de Jong, 'inleiding', in C.A.Tamse e.a. (ed.) *J. Loudon, Eer en fortuin – leven in Nederland en Indië 1824-1900* (Amsterdam, 2003), pp. 53-60.

<sup>19</sup> For example in R. de Jong *Van standspolitiek naar partijloyaliteit. Verkiezingen voor de Tweede Kamer 1848-1887* (Hilversum, 2001), pp. 60-65, 128-130.

<sup>20</sup> H. te Velde, *Stijlen van leiderschap. Persoon en politiek van Thorbecke tot Den Uyl* (Amsterdam, 2002). R. Koole, *Politieke partijen in Nederland. Ontstaan en ontwikkelingen van partijen en partijstelsel* (Utrecht, 1995).

<sup>21</sup> Hopefully this question will be answered in forthcoming: E. Tanja, *Goede politiek. De parlementaire cultuur van de Tweede Kamer 1866-1940* (Amsterdam, 2010).

<sup>22</sup> I. de Haan, *Politieke reconstructie. Een nieuw begin in de politieke geschiedenis* (Utrecht, 2004), pp. 22-23.

<sup>23</sup> E. Hobsbawm, 'Introduction: Inventing Traditions' in E. Hobsbawm en T. Ranger (ed.), *The Invention of Tradition* (3<sup>rd</sup> edition, Cambridge, 1987), pp. 1-15.