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Door gelijkheid gegrepen: democratie, burgerschap en staat in Nederland 1795-1801

Rutjes, M.

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Summary

Under the Spell of Equality. Democracy, Citizenship and State in The Netherlands 1795-1801

This thesis offers an analysis of the political debates during the Dutch Batavian Republic (1795-1806). Such an analysis is relevant since historiography lacks an encompassing study of revolutionary political thought. A curious deficiency, because during the period 1795-1801 a number of important political reforms were introduced in The Netherlands: the Dutch Republic became a centralized unitary state, democracy was established and the corporatism of the *ancien régime* was abolished in favour of a politics based on natural rights and equality before the law. Why did (at least a part of) the Dutch revolutionary movement deem these reforms necessary? And how do these debates fit into the modernization of Dutch politics?

The analysis of the Batavian political discourse shows that the political struggle of the years 1795-1801 was characterized by a dynamic affected by two intellectual influences. On the one hand by a specific type of republican political thought that had also been prominent during the Dutch Patriot Era (1780-1787), and on the other hand a radical discourse of equality that played a more important role during the Batavian years than it had done before. Dutch republican thought of the late eighteenth century was a mix of classical republicanism and the Dutch republican tradition. In this thesis elements such as active participation by independent citizens in politics, distrust of political power and civic virtue are emphasized, since they explain many elements of the Batavian political debates, such as the Batavian stress on political duties, rotation of public officials and the need to bring the Batavian youths up to virtuous republicans through political education.

It was, however, the pressure of egalitarian thought that made a number of conceptual and institutional breaks with the past possible. The notion of human equality, developed within the Enlightenment since the late seventeenth century, stood at the basis of a call for civil rights after the outbreak of the Batavian Revolution in 1795. Guilds were abolished, as were hereditary titles and privileges and the privileged status of the Reformed Church. But the opinions on the future structure of Dutch politics were also heavily influenced by the call for equality. It led to a

redefinition of the Republic: as a unitary state, as a representative democracy and as a state that could be viewed as a collective of citizens, and therefore (at least in part) responsible for a number of collective goods: health care, public education, poor relief, science and even the economy as a whole.

The discourse of equality was not completely incompatible with republican thought. After all, republicanism was based on the notion that the members of a commonwealth were not subjects, but free citizens who could make an equal claim to political power. In the discourse of protest against the Stadholder and the Regents, republican thought and the slogan of equality had been combined, but with the establishment of a new political structure after 1795 conceptual problems arose. Batavians inspired by republican thought were confronted with the problem that they had to establish a political order fit for a large and diverse society in which different interests existed. But republican thought had been aimed *against* particular interests and towards the common good. How could this be achieved, especially since the idea of equality prescribed that all inhabitants of Dutch society were part of the political community, aggravating the problem of diverging interests? The Batavians wanted to establish a political community that was both stable and powerful, but also one that incorporated and stimulated civic duty, popular participation and positive liberty. Confronted with this problem the Batavians started looking for solutions that would lead to a transformation of republican thought and would at the same time influence the notion of equality. This process is visible in all four debates that have been analyzed.

The first debate, on the question whether the Dutch Republic should remain a federation or become a unitary state, ended in a victory for the supporters of the latter proposition, the Unitarians. Their view was partly determined by the late eighteenth century notion that larger and centralized territories held the future, but equally important was the conception that the Dutch people were a unity, and that the Dutch nation and the Dutch state should fall together. Nationalism, in short. The notion of equality was important in this respect, since the Unitarians argued that a unitary state would make an end to the inequality of political power that existed between the different provinces. Unity, fed by nationalism and influenced by the idea of equality, became the norm in the political debates after 1795. The opponents of the unitary state, the Federalists, tried to explain and use the concept of unity to their own advantage, but these attempts turned out to be unsuccessful. This was not a logical or

necessary outcome, but the specific political circumstances and the successful campaign by the Unitarians to link the Federalist position with the despised political system of the old Dutch Republic in the end resulted in the defeat of the Federalists.

Equality was also an important factor in the Batavian discussions on the nature of representative democracy. Popular sovereignty had become a popular and influential idea since the 1780s, and was a fundamental concept for the Batavian revolutionaries. Popular sovereignty implied equality, since all individuals of the nation joined the social contract on the basis of equality. But although the Batavians agreed on the axiom that the people were sovereign, they did not agree on its implication and application. Virtually all agreed that direct democracy was not an option for the Dutch people, making political representation a necessity. The revolutionaries also agreed that a representative democracy should be based on regular elections and a constitutional democratic government, meaning that the Batavian Republic should have a written constitution.

But there all agreement ended. Because what was to be the nature and goal of political representation? To some, representation was a necessary evil, dictated by the large scale of the country. But the ideal of these radical democrats remained a community based on popular self-government, with complete and equal participation of all citizens in politics. These democrats tried to approximate direct democracy by striving for more legal and social-economic equality, and by proposing measures aimed at direct political influence. During the first years of the Batavian Republic different possibilities were put forward and discussed. Some were rejected (such as a permanent and advisory role for the electoral assemblies) and some were introduced (such as constitutional referenda). This made the Batavian Republic a laboratory for Dutch democratic experimentation.

It has to be stressed that for many, if not most revolutionaries, 'politics' meant more than just casting a vote or exercising a public office. The Batavian representative democracy offered possibilities for political deliberation, precisely because politics and its impact was defined in a much broader sense than before. The publicity and public nature of government was seen as a crucial element for a deliberative democracy, and therefore institutionalized after 1795.

However, various members of the Batavian camp held that although the people were sovereign, the execution of the sovereign will of the people was best left to a small group of people fit for this task. This representative solution was not only

practical, they claimed, but also preferable to a direct democracy. In their view direct democracy, echoing the millennia-old argument against democracy, would lead to mob rule or the tyranny of the people.

These two different views had their impact on the meaning of 'representation'. To those who saw direct democracy as the ideal, a representative was someone with a strict mandate, who simply carried out the wishes of the people rather than directing them. Another meaning of representation ran contrary to this: a representative enjoyed a large degree of independence, since the people trusted his judgment and ability to decide what was best for the common good. These two views on political representation were present in all young representative democracies, including the Dutch one.

To define a republic as a democracy was a very recent, and controversial, development in the late eighteenth century, a development that caused many conceptual problems. Popular sovereignty was not a concept that belonged to the republican vocabulary, so how could republicanism and democracy be conciliated? Part of the solution was sought in the introduction of representative democracy, combined with a constitution. The first Dutch constitution, the *Staatsregeling* of 1798, not only served as the birth certificate of the Dutch nation (which, the Batavians claimed, became an 'official' entity with the ratification of the constitution), but also as a contract in which the rights and duties of both citizens and political officials were laid down. However, this did not alter the fundamental debate on the nature of political representation.

The influence of the discourse of equality and the dynamics with republicanism were most strongly visible in the debates on citizenship. In the Batavian Republic the legal category of urban citizenship was abolished in favour of national citizenship. What this national citizenship entailed and who was entitled to this status was a matter of fierce debate. After the outbreak of the revolution the concepts 'citizen' and 'citizenship' were broadly and inclusively defined. This inclusive conception, and therefore the powerful influence of the notion of equality, was confirmed by granting civil rights to all inhabitants, regardless of religious beliefs (political and social rights were granted to Jews, Catholics and Dissenters) geography (the same rights for those living in the countryside and the cities) and income (there was no census suffrage in the Batavian Republic).

However, the fact that some political rights were not granted to women, children, people receiving poor relief and supporters of the Stadholder shows that civil equality had its boundaries, even though these were challenged and contested. The fact that suffrage and the right to hold office was not extended to these groups can partly be explained by the enduring influence of elements of the republican discourse, in which only legally and financially independent persons were considered 'full' citizens. But it was also connected to the ideologization of the concept of citizenship during the Batavian Era: those who did not agree with the new political order, like the supporters of the Stadholder, were excluded from direct political influence.

The shifting views on citizenship and politics were connected with the debate on the role and power of the state. Two discussions were particularly important in this respect: one on the separation of powers, and one on the tasks and responsibilities of the government. The political debates between 1795 and 1801 show that the Batavians strove for a functional separation of the different functions of government, thereby introducing the modern concept of the separation of powers to Dutch politics. Within the debates on the separation of powers two different views can be discerned. On the one hand there existed a more democratic or popular view in which the legislative power was the highest power in the state, based on the argument that the legislative expressed the will of the people. The other view was more technocratic, and felt that the different functions of government should be regulated in such a way that the reform of society could be executed most efficiently, thereby awarding a more independent role to the executive. The supporters of this latter view, who took control in 1801 after a *coup d'état*, did exactly this: democratic, deliberative politics was reduced and the power of the executive less checked upon.

Although the Batavians disagreed on the specific political cure, their diagnosis was the same: Dutch society had been in decay for a long time and this decay had to be stopped to make the Dutch people happy and prosperous again. To this end, many if not most Batavians agreed, a joint effort of the whole community was necessary. To this end the Batavians, more than any generation before them, turned their eyes to the state. Many revolutionary-minded Dutchmen saw the state not only as the sovereign power of a distinct territory, but compared the 'state' with society as a whole. By conceiving the state in this way, the Batavians could plea for a larger role for the state in organizing, or at least regulating, public services such as education and health care.

Not only because the state possessed the means to achieve this, but even more so because the state was conceived as the protector of the common good and the only entity in which all the interests of the citizens could converge: we are the state.

On the basis of the analysis of the Batavian political debate it seems useful to view the revolutionary period as part of the modernization process of Dutch politics. First, because Batavian political concepts, such as equality, democracy, representation, liberty and citizenship were subject to the process of conceptual modernization as put forward by Reinhardt Koselleck; the Batavian Republic was at the heart of the *Sattelzeit*. Second, because many of the elements of modern politics, such as representative democracy, the written constitution, national citizenship and the social state were introduced during this period. These developments went hand in hand with, and were in part solutions to the adaptation of older visions of politics to new ideas and circumstances. The republican discourse that the Batavians had used in their struggle against the *ancien régime* was partly retained, partly dismissed but mainly adapted and transformed. This was in part the result of the realization that many elements of this vision of politics was unsuited to late eighteenth century society, but especially because the powerful notion of equality forced the Batavians into new directions. The modernization of Dutch politics was to a large extent instigated by the dynamics between republican ideas and a radical conception of human equality.