

CHAPTER I

THE BURGUNDIAN NETHERLANDS

THE last duke of the ancient Capetian house of Burgundy dying in 1361 without heirs male, the duchy fell into the possession of the French crown, and was by King John II bestowed upon his youngest son, Philip the Hardy, Duke of Touraine, as a reward, it is said, for the valour he displayed in the battle of Poitiers. The county of Burgundy, generally known as Franche-Comté, was not included in this donation, for it was an imperial fief; and it fell by inheritance in the female line to Margaret, dowager Countess of Flanders, widow of Count Louis II, who was killed at Crécy. The duchy and the county were soon, however, to be re-united, for Philip married Margaret, daughter and heiress of Louis de Male, Count of Flanders, and granddaughter of the above-named Margaret. In right of his wife he became, on the death of Louis de Male in 1384, the ruler of Flanders, Mechlin, Artois, Nevers and Franche-Comté. Thus the foundation was laid of a great territorial domain between France and Germany, and Philip the Hardy seems from the first to have been possessed by the ambitious design of working for the restoration of a powerful middle kingdom, which should embrace the territories assigned to Lothaire in the tripartite division of the Carolingian empire by the treaty of Verdun (843). For this he worked ceaselessly during his long reign of forty years, and with singular ability and courage. Before his death he had by the splendour of his court, his wealth and his successes in arms and diplomacy, come to be recognised as a sovereign of great weight and influence, in all but name a king. The Burgundian policy and tradition, which he established, found in his successors John the Fearless (murdered in 1419) and John's son, Philip the Good, men of like character and filled with the same ambitions as himself. The double marriage of John with Margaret, the sister of William VI of Holland, and of William VI with Margaret of Burgundy, largely helped forward their projects of aggrandisement. Philip the Good was, however, a much abler ruler than his father, a far-seeing

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statesman, who pursued his plans with a patient and unscrupulous pertinacity, of which a conspicuous example is to be found in his long protracted struggle with his cousin Jacoba, the only child and heiress of William of Holland, whose misfortunes and courage have made her one of the most romantic figures of history. By a mixture of force and intrigue Philip, in 1433, at last compelled Jacoba to abdicate, and he became Count of Holland, Zeeland and Hainault. Nor was this by any means the end of his acquisitions. Joanna, Duchess of Brabant (1355–1404) in her own right, was aunt on the mother's side to Margaret of Flanders, wife of Philip the Hardy. Dying without heirs, she bequeathed Brabant, Limburg and Antwerp to her great-nephew, Anthony of Burgundy, younger brother of John the Fearless. Anthony was killed at Agincourt and was succeeded first by his son John IV, the husband of Jacoba of Holland, and on his death without an heir in 1427, by his second son, Philip of St Pol, who also died childless in 1430. From him his cousin Philip the Good inherited the duchies of Brabant and Limburg and the marquisate of Antwerp. Already he had purchased in 1421 the territory of Namur from the last Count John III, who had fallen into heavy debt; and in 1443 he likewise purchased the duchy of Luxemburg from the Duchess Elizabeth of Görlitz, who had married in second wedlock Anthony, Duke of Brabant, and afterwards John of Bavaria, but who had no children by either of her marriages. Thus in 1443 Philip had become by one means or another sovereign under various titles of the largest and most important part of the Netherlands, and he increased his influence by securing in 1456 the election of his illegitimate son David, as Bishop of Utrecht. Thus a great step forward had been taken for the restoration of the middle kingdom, which had been the dream of Philip the Hardy, and which now seemed to be well-nigh on the point of accomplishment.

The year 1433, the date of the incorporation of Holland and Zeeland in the Burgundian dominion, is therefore a convenient starting-point for a consideration of the character of the Burgundian rule in the Netherlands, and of the changes which the concentration of sovereign power in the hands of a single ruler brought into the relations of the various provinces with one another and into their internal administration. The Netherlands become now for the first time something more than a geographical expression for a

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number of petty feudal states, practically independent and almost always at strife. Henceforward there was peace; and throughout the whole of this northern part of his domains it was the constant policy of Philip gradually to abolish provincialism and to establish a centralised government. He was far too wise a statesman to attempt to abolish suddenly or arbitrarily the various rights and privileges, which the Flemings, Brabanters and Hollanders had wrung from their sovereigns, and to which they were deeply attached; but, while respecting these, he endeavoured to restrict them as far as possible to local usage, and to centralise the general administration of the whole of the "pays de par deçà" (as the Burgundian dukes were accustomed to name their Netherland dominions) by the summoning of representatives of the Provincial States to an assembly styled the States-General, and by the creation of a common Court of Appeal.

The first time the States-General were called together by Philip was in 1465 for the purpose of obtaining a loan for the war with France and the recognition of his son Charles as his successor; and from this time forward at irregular intervals, but with increasing frequency, the practice of summoning this body went on. The States-General (in a sense) represented the Netherlands as a whole; and it was a matter of great convenience for the sovereign, especially when large levies of money had to be raised, to be enabled thus to bring his proposals before a single assembly, instead of before a number of separate and independent provincial states. Nevertheless, it must be borne in mind that the States-General had, as such, no authority to act on behalf of these several provincial states. Each of these sent their deputies to the General Assembly, but these deputies had to refer all matters to their principals before they could give their assent, and each body of deputies gave this assent separately, and without regard to the others. It was thus but a first provisional step towards unity of administration, but it did tend to promote a feeling of community of interests between the provinces and to lead to the deputies having intercourse with one another and interchanging their views upon the various important subjects that were brought before their consideration. The period of disturbance and the weakening of the authority of the sovereign, which followed the death of Charles the Bold, led to the States-General obtaining a position of increased importance; and they

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may from that time be regarded as forming a regular and necessary part of the machinery of government in the Burgundian Netherlands. The States-General however, like the Provincial States, could only meet when summoned by the sovereign or his stadholder; and the causes for which they were summoned were such special occasions as the accession of a new sovereign or the appointment of a new stadholder, or more usually for sanctioning the requests for levies of money, which were required for the maintenance of splendid courts and the cost of frequent wars. For not only the Burgundian princes properly so-called, but even Charles V, had mainly to depend upon the wealth of the Netherlands for their financial needs. And here a distinction must be drawn. For solemn occasions, such as the accession of a new sovereign, or the acceptance of a newly appointed governor, representatives of all the provinces (eventually seventeen) were summoned, but for ordinary meetings for the purpose of money levies only those of the so-called patrimonial or old Burgundian provinces came together. The demands for tribute on the provinces acquired later, such as Gelderland, Groningen, Friesland and Overijssel, were made to each of these provinces separately, and they jealously claimed their right to be thus separately dealt with. In the case of the other provinces the States-General, as has been already stated, could only grant the money after obtaining from each province represented, severally, its assent; and this was often not gained until after considerable delay and much bargaining. Once granted, however, the assessment regulating the quota, which the different provinces had to contribute, was determined on the basis of the so-called *quotisatie* or *settinge* drawn up in 1462 on the occasion of a tribute for 10 years, which Charles the Bold, as his father's stadholder in the "pays de par deçà," then demanded. The relative wealth of the provinces may be judged from the fact that at this date Flanders and Brabant each paid a quarter of the whole levy, Holland one sixth, Zeeland one quarter of Holland's share.

As regards the provincial government the Burgundian princes left undisturbed the local and historical customs and usages, and each province had its individual characteristics. At the head of each provincial government (with the exception of Brabant, at whose capital, Brussels, the sovereign himself or his regent resided) was placed a governor, with the title of Stadholder, who was the

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representative of the sovereign and had large patronage. It was his duty to enforce edicts, preserve order, and keep a watchful eye over the administration of justice. He nominated to many municipal offices, but had little or no control over finance. The raising of troops and their command in the field was entrusted to a captain-general, who might not be the same person as the stadholder, though the offices were sometimes united. In the northern Netherlands there was but one stadholder for the three provinces of Holland, Zeeland and Utrecht, and one (at a somewhat later date) for Friesland, Groningen, Drente and Overijssel.

The desire of the Burgundian princes to consolidate their dominions into a unified sovereignty found itself thwarted by many obstacles and especially by the lack of any supreme tribunal of appeal. It was galling to them that the *Parlement* of Paris should still exercise appellate jurisdiction in Crown-Flanders and Artois, and the Imperial Diet in some of the other provinces. Already in 1428 Philip had erected the Court of Holland at the Hague to exercise large powers of jurisdiction and financial control in the provinces of Holland and Zeeland; and in 1473 Charles the Bold set up at Mechlin the body known as the Great Council, to act as a court of appeal from the provincial courts. It was to be, in the Netherlands, what the *Parlement* of Paris was in France. The Great Council, which had grown out of the Privy Council attached to the person of the prince, and which under the direction of the Chancellor of Burgundy administered the affairs of the government, more particularly justice and finance, was in 1473, as stated above, re-constituted as a Court of Appeal in legal matters, a new Chamber of Accounts being at the same time created to deal with finance. These efforts at centralisation of authority were undoubtedly for the good of the country as a whole, but such was the intensity of provincial jealousy and particularism that they were bitterly resented and opposed.

In order to strengthen the sovereign's influence in the towns, and to lessen the power of the Gilds, Philip established in Holland, and so far as he could elsewhere, what were called "vaste Colleges" or fixed committees of notables, to which were entrusted the election of the town officials and the municipal administration. These bodies were composed of a number of the richest and most influential burghers, who were styled the Twenty-four, the Forty,

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the Sixty or the Eighty, according to the number fixed for any particular town. These men were appointed for life and their successors were chosen by co-option, so that the town corporations gradually became closed hereditary aristocracies, and the mass of the citizens were deprived of all voice in their own affairs. The *Schout* or chief judge was chosen directly by the sovereign or his stadholder, who also nominated the *Schepens* or sheriffs from a list containing a double number, which was submitted to him.

The reign of Philip the Good was marked by a great advance in the material prosperity of the land. Bruges, Ghent, Ypres and Antwerp were among the most flourishing commercial and industrial cities in the world, and when, through the silting up of the waterway, Bruges ceased to be a seaport, Antwerp rapidly rose to pre-eminence in her place, so that a few decades later her wharves were crowded with shipping, and her warehouses with goods from every part of Europe. In fact during the whole of the Burgundian period the southern Netherlands were the richest domain in Christendom, and continued to be so until the disastrous times of Philip II of Spain. Meanwhile Holland and Zeeland, though unable to compete with Brabant and Flanders in the populousness of their towns and the extent of their trade, were provinces of growing importance. Their strength lay in their sturdy and enterprising sea-faring population. The Hollanders had for many years been the rivals of the Hanse Towns for the Baltic trade. War broke out in 1438 and hostilities continued for three years with the result that the Hanse League was beaten, and henceforth the Hollanders were able without further let or hindrance more and more to become the chief carriers of the "Eastland" traffic. Amsterdam was already a flourishing port, though as yet it could make no pretension of competing with Antwerp. The herring fisheries were, however, the staple industry of Holland and Zeeland. The discovery of the art of curing herrings by William Beukelsz of Biervliet (died 1447) had converted a perishable article of food into a marketable commodity; and not only did the fisheries give lucrative employment to many thousands of the inhabitants of these maritime provinces, but they also became the foundation on which was to be built their future commercial supremacy.

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The Burgundian dukes were among the most powerful rulers of their time—the equals of kings in all but name—and they far surpassed all contemporary sovereigns in their lavish display and the splendour of their court. The festival at Bruges in 1430 in celebration of the marriage of Philip the Good and Isabel of Portugal, at which the Order of the Golden Fleece was instituted, excited universal wonder; while his successor, Charles the Bold, contrived to surpass even his father in the splendour of his espousals with Margaret of York in 1468, and at his conference with the Emperor Frederick III at Trier in 1473. On this last occasion he wore a mantle encrusted all over with diamonds.

The foundation of the Order of the Golden Fleece in 1430 was an event of great importance, as marking a step forward on the part of Philip in its assumption of quasi-regal attributes. The title was very appropriate, for it pointed to the wool and cloth trade as being the source of the wealth of Flanders. The Order comprised thirty-one knights, chosen from the flower of the Burgundian nobles and the chief councillors of the sovereign. The statutes of the Order set forth in detail the privileges of the members, and their duties and obligations to their prince. They had a prescriptive claim to be consulted on all matters of importance, to be selected for the chief government posts, and to serve on military councils. The knights were exempt from the jurisdiction of all courts, save that of their own chapter.

Philip died in 1467 and was succeeded by his son, Charles, who had already exercised for some years authority in the Netherlands as his father's deputy. Charles, as his surname *le Téméraire* witnesses, was a man of impulsive and autocratic temperament, but at the same time a hard worker, a great organiser, and a brilliant soldier. Consumed with ambition to realise that restoration of a great middle Lotharingian kingdom stretching from the North Sea to the Mediterranean, for which his father had been working during his long and successful reign, he threw himself with almost passionate energy into the accomplishment of his task. With this object he was the first sovereign to depart from feudal usages and to maintain a standing army. He appeared at one time to be on the point of accomplishing his aim. Lorraine, which divided his southern from his northern possessions, was for a short time in his possession. Intervening in Gelderland between the Duke Arnold of Egmont

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and his son Adolf, he took the latter prisoner and obtained the duchy in pledge from the former. Uprisings in the Flemish towns against heavy taxation and arbitrary rule were put down with a strong hand. In September, 1474, the duke, accompanied by a splendid suite, met the emperor Frederick III at Trier to receive the coveted crown from the imperial hands. It was arranged that Charles' only daughter and heiress should be betrothed to Maximilian of Austria, the emperor's eldest son, and the very day and hour for the coronation were fixed. But the Burgundian had an enemy in Louis XI of France, who was as prudent and far-seeing as his rival was rash and impetuous, and who was far more than his match in political craft and cunning. French secret agents stirred up Frederick's suspicions against Charles' designs, and the emperor suddenly left Trier, where he had felt humiliated by the splendour of his powerful vassal.

The duke was furious at his disappointment, but was only the more obstinately bent on carrying out his plans. But Louis had been meanwhile forming a strong league (League of Constance, March 1474) of various states threatened by Charles' ambitious projects. Duke Sigismund of Austria, Baden, Basel, Elsass, and the Swiss Cantons united under the leadership of France to resist them. Charles led an army of 60,000 men to aid the Archbishop of Cologne against his subjects, but spent eleven months in a fruitless attempt to take a small fortified town, Neuss, in which a considerable portion of his army perished. He was compelled to raise large sums of money from his unwilling subjects in the Netherlands to repair his losses, and in 1475 he attacked Duke René of Lorraine, captured Nancy and conquered the duchy, which had hitherto separated his Netherland from his French possessions. It was the first step in the accomplishment of his scheme for the restoration of the Lotharingian kingdom. In Elsass, however, the populace had risen in insurrection against the tyranny of the Burgundian governor, Peter van Hagenbach, and had tried and executed him. Finding that the Swiss had aided the rebels, Charles now, without waiting to consolidate his conquest of Lorraine, determined to lead his army into Switzerland. At the head of a splendidly equipped force he encountered the Confederates near Granson (March 2, 1476) and was utterly routed, his own seal and order of the Golden Fleece, with vast booty, falling into the

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hands of the victors. A few months later, having recruited and reorganised his beaten army, he again led them against the Swiss. The encounter took place (June 21, 1476) at Morat and once more the chivalry of Burgundy suffered complete defeat. Charles fled from the field, half insane with rage and disappointment, when the news that Duke René had reconquered Lorraine roused him from his torpor. He hastily gathered together a fresh army and laid siege to Nancy. But in siege operations he had no skill, and in the depth of winter (January 5, 1477) he was attacked by the Swiss and Lorrainers outside the walls of the town. A panic seized the Burgundians; Charles in person in vain strove to stem their flight, and he perished by an unknown hand. His body was found later, stripped naked, lying frozen in a pool.

Charles left an only child, Mary, not yet twenty years of age. Mary found herself in a most difficult and trying situation. Louis XI, the hereditary enemy of her house, at once took possession of the duchy of Burgundy, which by failure of heirs-male had reverted to its liege-lord. The sovereignty of the county of Burgundy (Franche-Comté), being an imperial fief descending in the female line, she retained; but, before her authority had been established, Louis had succeeded in persuading the states of the county to place themselves under a French protectorate. French armies overran Artois, Hainault and Picardy, and were threatening Flanders, where there was in every city a party of French sympathisers. Gelderland welcomed the exiled duke, Adolf, as their sovereign. Everywhere throughout the provinces the despotic rule of Duke Charles and his heavy exactions had aroused seething discontent. Mary was virtually a prisoner in the hands of her Flemish subjects; and, before they consented to support her cause, there was a universal demand for a redress of grievances. But Mary showed herself possessed of courage and statesmanship beyond her years, and she had at this critical moment in her step-mother, Margaret of York, an experienced and capable adviser at her side. A meeting of the States-General was at once summoned to Ghent. It met on February 3, 1477, Mary's 20th birthday. Representatives came from Flanders, Brabant, Artois and Namur, in the southern, and from Holland and Zeeland in the northern Netherlands. Mary saw there was no course open to her but to accede to their demands. Only eight days after the Assembly met, the charter of Netherland

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liberties, called The Great Privilege, was agreed to and signed. By this Act all previous ordinances conflicting with ancient privileges were abolished. The newly-established Court of Appeal at Mechlin was replaced by a Great Council of twenty-four members chosen by the sovereign from the various states, which should advise and assist in the administration of government. Mary undertook not to marry or to declare war without the assent of the States-General. The States-General and the Provincial States were to meet as often as they wished, without the summons of the sovereign. All officials were to be native-born; no Netherlander was to be tried by foreign judges; there were to be no forced loans, no alterations in the coinage. All edicts or ordinances infringing provincial rights were to be *ipso facto* null and void. By placing her seal to this document Mary virtually abdicated the absolute sovereign power which had been exercised by her predecessors, and undid at a stroke the results of their really statesmanlike efforts to create out of a number of semi-autonomous provinces a unified State. Many of their acts and methods had been harsh and autocratic, especially those of Charles the Bold, but who can doubt that on the whole their policy was wise and salutary? In Holland and Zeeland a Council was erected consisting of a Stadholder and eight councillors (six Hollanders and two Zeelanders) of whom two were to be nobles, the others jurists. Wolferd van Borselen, lord of Veere, was appointed Stadholder.

The Great Privilege granted, the States willingly raised a force of 34,000 men to resist the French invasion, and adequate means for carrying on the war. But the troubles of the youthful Mary were not yet over. The hand of the heiress of so many rich domains was eagerly sought for (1) by Louis of France for the dauphin, a youth of 17 years; (2) by Maximilian of Austria to whom she had been promised in marriage; (3) by Adolf, Duke of Gelderland, who was favoured by the States-General. Adolf, however, was killed in battle. In Flanders there was a party who favoured the French and actually engaged in intrigues with Louis, but the mass of the people were intensely averse to French domination. To such an extent was this the case that two influential officials, the lords Hugonet and Humbercourt, on whom suspicion fell of treacherous correspondence with the French king, were seized, tried by a special tribunal, and, despite the tears and entreaties of the duchess,