

THE URBAN PETITIONING CAMPAIGNS
OF 1837-1838 AND EARLY 1841

by

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In accordance with article 21 of the Constitution adopted in 1831, Belgian citizens are granted the right of individual petition. That same article states : "The public authorities have the sole right to petition collectively" (1). In other words, institutions such as municipal councils have the constitutional right to present petitions *in corpore* to the king and to the parliament, due to their corporate nature. This right of the municipal authorities to submit petitions, and especially a certain aspect of it as practiced in the 19th century, will be the subject of this article.

Even though the municipal councils were permitted the right of petition, there were limits to their powers. Article 75 of the Municipal Corporations Act dated March 30th, 1836, states : "The council conducts all matters that are of municipal interest" (2). Any matter that was not strictly local was not within the province of the municipal council, and this restriction, of course, applies also to the right of petition.

On investigating some of the petitioning campaigns which were launched by municipal councils during the course of the 19th century, one finds that such a restriction was not taken into account and that most of the large-scale petitioning campaigns were of a purely nation-wide political nature. Nearly always towns behaved as institutions which were keen on intervening in the national power struggle. To express this somewhat differently by means of a modern analogy, the towns acted as genuine pressure groups which asserted their influence on the legislative and executive powers.

(1) *Pasinomie ou collection complète de Lois, Décrets, Arrêtés et Règlements généraux qui peuvent être invoqués en Belgique, 1830-1831*, Brussels 1832, p. 184.

(2) *Ibidem*, 1836, p. 54.

To analyze the political scene it would be necessary to examine the circumstances in which this political activity took place, that is to ask the questions when and why municipal authorities were forced into the political process. These questions can be answered only by an exhaustive study of the various urban petitioning campaigns. The purpose of this article, which deals with the urban petitioning campaigns which took place during the period 1837-1841, is to make a first contribution to the study of the problem.

It appears that the urban petitioning campaigns of 1837-1838 and early 1841 provide a basis supporting the proposition that a certain political establishment, which was able to develop into a formidable power in the urban area while remaining isolated from the control of the central state, tried to extend its powerful position in the towns as a means of obtaining influence at the national level; large-scale urban petitioning was one of the various means at their disposal. It is obvious that the political configuration of towns can differ radically from that of the country, since the interests of a town and of rural areas are quite different. Therefore it is possible that a political movement directed toward an urban electorate and therefore quite successful in a town, still is not able to assert itself on a national level; a national political configuration is indeed a composite of both town and countryside; if opposing views dominate the rural areas and if the rural voters control a majority of votes in the electoral college, the power of the urban political movement can be temporarily crippled. The result is that both areas exhibit opposing political tendencies.

During the period from 1837 to 1841, the Belgian political arena was characterized by such a conflict. Which political party was supported by the urban electorate and which controlled national politics? It is known that the "clericals", i.e. those who wanted to press the state into the service of the church, had been able to secure a powerful position, based on the revolutionary formula of 1830 and at the expense of both their liberally and democratically minded coalition partners as well as the counter-revolutionaries who wanted to keep an Orangeman on the throne. Hence, during the first ten years following the revolution, the political dominance of the catholics was substantial. In the Chamber of Deputies they commanded a comfortable majority; the Senate was a clerical stronghold, and from 1834 to 1840 the catholics under prime minister de Theux held the reins of government. In short, within the power structure of that period, the impotence of the anticlericals was

an acknowledged fact (3).

The electoral law of 1831 was a pillar supporting this catholic edifice; it provided the country voter with the power to oppress the urban electorate in the district electoral colleges. This was a law intended to preserve revolutionary interests - the counter-revolution was indeed mainly an urban phenomenon - but it was a law which safeguarded the interests of the clericals at the same time, as they drew their strength mainly from outside the towns. As the difference between the urban tribute money and that imposed on the rural areas was sufficient, the future of the catholics was secured : typically urban political movements were, for a considerable time, incapable of any influence on the state (4).

Consequently, opposition increased in the urban areas, where catholic counter-opposition was not so evident. Both the orangists and the pro-Belgian anticlericals developed into notorious powers during the 1830's. This development assumed even greater proportions after both movements, in approximately 1836, established coalitions with each other in several towns. After the municipal elections of June 1836 the political situation in the twenty leading towns was as follows (5). There were two towns controlled entirely by the orangists, Ghent, and Sint-Niklaas; in Antwerp, Brussels, Namur, and Verviers, the orangists did not have a vote in the chapter but the municipal councils were controlled by pro-Belgian anticlericals; a coalition between both of these parties permitted electoral victories in Liège, Leper, and Tournay; radical anticlerical nuclei consisting of revolutionaries and occasionally orangists, were to be found in Bruges, Louvain, and Mechelen; the number of towns not having such a nucleus, and therefore controlled predominantly by catholic adherents, accounted for only a minority and was restricted to towns of lesser importance, namely Ostend, Turnhout, Lokeren, Kortrijk, Aalst, Lier, and Ronse (6). The elections of October 1839 did little to change this situation : the anticlerical advances continued. Additionally, due to the fact that in most of the towns the coalition of orangists and pro-Belgian anticlericals had developed into a fusion, the anticlerical tendencies were reinforced. By the end of 1839 several councils had assumed a

(3) E. WITTE, *Politieke machtsstrijd in en om de voornaamste Belgische steden, 1830-1848*, doct. dissert., Fac. of Arts, State University of Ghent, 1970, stencil, vol. II, p. 6 ff. (in the press).

(4) *Ibidem*, vol. II, p. 50.

(5) This is only a sample. Only the twenty towns with the largest population were examined.

(6) E. WITTE, *Politieke machtsstrijd...*, vol. II, p. 126 ff.

more intensely liberal disposition, while a town like Ronse, from that time on, also contained a strongly anticlerical opposition block (7).

Keeping these two elements in mind, - first, the electoral law stifling the anticlerical rise to power on the national level, and second, the power of those same anticlericals on the urban level - it is not surprising that the anticlericals should want to bring this urban power into play in order to have the electoral law of 1831 revised. A reduction in the amount of tribute money coming from the towns was likely to bring about a fundamental change in existing ratios. In fact, it was this plank which was the subject of the urban petitioning campaign of 1837-1838.

I. The petitioning for the revision of the electoral law

In order to make this undertaking a success, it was obviously necessary to operate within the Parliament itself : a difficult task since the majority of the representatives there were catholics. Any direct action was hardly possible. Consequently, the liberals and the orangists wanted to try an indirect way, notably by exerting pressure from the towns. A large-scale petitioning campaign conducted by a large number of municipal councils would not only submit the problem to discussion in the Chambers, but it would also exercise an undeniable influence on, if not all Members of the Chambers, then certainly on those with urban constituencies. Moreover, such a petitioning campaign would prove to be tactically efficient as a prelude to the general election campaign of June 1837 (8). Indeed, if the results of the election demonstrated a shift toward the liberal camp, the chances for a successful revision of the electoral law were even more plausible. In short, the aim of the liberals was to win over as many towns as possible to participate in their petitioning campaign.

(7) *Ibidem*, p. 139 ff.

(8) "Le vent de la réforme souffle de tous les côtés et cependant l'on ne peut guère, espérer que la question soit agitée avant les élections de juin : la vice royauté de M. de Theux, qui résume et le ministère et les chambres, ne donnera jamais la main à une mesure qui serait funeste au parti politique catholique. Il faudra donc patienter jusqu'à l'époque du renouvellement des Chambres. Aux divers candidats désignés par l'opinion publique comme dignes de défendre les intérêts de toutes les classes à la représentation nationale, il suffira aux électeurs de leur demander, pour toute profession de foi : oui ou non, voterez-vous pour la réforme électorale ?". Quotation from the anticlerical *Courrier belge*, Feb. 22, 1837, p.2,c.3.

The conditions the liberals and orangists had to fulfill in order to persuade the councils were of two kinds. In the first place it was necessary that, among the magistrates of the town, there were a few active party members who were willing to bring the matter before the council, who were prepared to act as committed defenders of it, and who, at the same time, had the ability to influence their colleagues. If these militant anticlericals and orangists failed, the discussion about the petition would never start, and, in such a case, the liberal press had incited them in vain. In Aalst and Kortrijk, for example, the noted articles appeared without any result, that is with neither town appearing to give any degree of assent afterwards (9). The same was true in Ronse, Ostend, Turnhout, and Lokeren. But wherever such an active nucleus of dissenters was present, even if the majority power was in the hands of catholics, the problem was laid on the table. Early in 1837, the orangist leader of Ghent, Metdepenningen, gave the signal for the attack in the exclusively orangist municipal council (10), a call that was answered by his political partisans in Sint-Niklaas (11). In Verviers, council member Lejeune followed the example of the orangists in Ghent and presented such a motion as early as the beginning of February 1837 (12). Forgeur, an orangist from Liège, did not lag behind either (13). In Antwerp, the ten members of the liberal active group framed the motion (14), an effective means of attracting the attention of their colleagues. In Brussels, Barbanson, brother-in-law of the liberal leader Verhaegen, carried out the order (15), while the council of Tournay was plied by the anticlerical Savart (16). The liberals of Namur found their leader in the person of Braas (17).

(9) *Messageur de Gand*, May 7, 1837, p.1, c.3; *Courrier belge*, May 12, 1837, p.2, c.1.

(10) *Messageur de Gand*, Jan. 31, 1837, p.1, c.2&3.

(11) Record of the sessions of the municipal council of March 18, 1837 and April 21, 1837, Archives of the city of Sint-Niklaas, Résolutions du conseil communal, 1836-1841, no. 20, fo. 25, fo. 31.

(12) Record of the session of the council of Feb. 10, 1837, Arch. of the city of Verviers, Minutes des délibérations du conseil communal, 1837, no. 1904/2.

(13) Record of the session of March 3, 1837, speech by Forgeur in *Journal de Liège*, March 4 and 5, 1837, p.1, c.3.

(14) Record of the session of April 8, 1837, Arch. of the city of Antwerp, Délibérations du conseil communal, 1836-1838, no. 15bis/17, fo. 102.

(15) Record of the session of the council of March 22, 1837, in *L'Observateur* (March 23, 1837, p.2, c.3&4). Speech by Barbanson copied by *Le Messageur de Gand*, March 25, 1837, p.2, c.2.

(16) *L'Observateur*, April 13, 1837, p. 3-4.

(17) Record of the session of the council of April 3, 1837, Recueil des actes du conseil communal de Namur, Exercice 1837, p. 70.

Even in towns where clericals ruled, an active liberal minority was often able to focus attention on the problem. The council of Bruges deliberated at the initiative of the president of the liberally minded "Société Littéraire", Van de Walle, assisted in turn by the anticlerical Julien (18). A group of liberal voters in Mechelen first presented a request themselves (19), then council member Ketelaers pressed their demands during the election (20). In Louvain, A. Peemans, later the founder of the "Association Libérale", took on the task, together with two of his orangist coalition partners (21).

The second condition was the problem of political influence itself. The matter of most importance was to produce solid argumentation which would influence *all* members of the council, non-liberals and orangists alike, so that even catholic councils could be induced to accept the reforms. On the one hand, motivations stemming from pure partisan politics had to be put to one side; on the other hand, it was necessary to find a common cause. The tactics needed to attain this objective were employed by the anticlericals in exploiting the age-old controversy between town and countryside.

This antithesis was not connected directly to the struggle between clericals and anticlericals, so that this weapon could be used in a most drastic way. At first, the self-esteem of the townsman was increased, his intelligence and cultural level adulated, as opposed to which the rural voter was depicted as an inferior being: "The most incapable and least enlightened element" (22). This self-esteem only afterwards attacked the real injustice - the fact that the electoral law oppressed the urban electorate: "The enlightened part of the nation has to give way to ignorance and incapability" (23). Thus, a feeling of frustration was aroused, and it was assumed that the reaction of the townspeople would certainly not be long in coming. It was also possible to refer to the Constitution which guaranteed that all Belgians were equal under the law. Did the electoral law, which had in effect created two categories of citizens, not ignore this precept?

(18) Record of the session of the council of April 10, 1837, Arch. of the city of Bruges, P.v. du conseil, 1835-1837.

(19) *L'Eclaireur*, April 9, 1837, p.1, c.2.

(20) Record of the session of the council of April 15, 1837, Arch. of the city of Mechelen, Régistre des P.v. du conseil communal, 1836-1837, no. 579, fo. 125.

(21) Record of the session of the council of April 19, 1837, Arch. of the city of Louvain, Conseil communal, Résolutions 1836-1837, fo. 121.

(22) *Journal d'Anvers*, May 2, 1837, p.3, c.1.

(23) Petition presented to the king by the municipal council of Ieper, March 25, 1837, in *Compte-rendu sommaire des délibérations et décisions du conseil communal de la ville d'Ypres du 7 jan. 1830 au 20 déc. 1839*, Ieper, s.d., p. 214-215.

The fact that "the constitutional equilibrium had been broken" was their thesis (24). This diversion could certainly not miss its targets all along the line. In addition, in the predominantly liberal councils, arguments born of party-politics could still be included, since the anticlerical townsfolk were being oppressed by the clerical rural voters (25). One by one, the militant liberal and orangist members of the councils could read these arguments in their press, as they were repeated indefatigably by papers such as *L'Observateur*, *Le Journal de Liège*, and *L'Eclaireur* (26). The liberal leaders did in fact not neglect using these articles convincingly in speeches to their colleagues.

Where they failed to do just this, their attempts were doomed to failure. This was proven in Namur, where Braas was the perpetrator of the action. As a politician, he was not only known for his violent anticlericalism but was likewise a rabid adherent to the republic, and he advocated social-democratic resolutions. At that time, the social-democrats saw the revision of the electoral law only as a preamble to the struggle for universal suffrage, that great terror to the ruling bourgeoisie. Braas' arguments followed that direction. His opponents were pleased to reply: "The advocate of reform of the municipal council of Namur has chosen the most unfortunate argument among those which the liberals have chosen to set against the preservation of our electoral system", while they seized the opportunity to stigmatize universal suffrage again as "the least realizable of all Utopian ideas still produced" (27). The result of this was that the petition presented to the council of Namur was seriously threatened (28).

Of course the question remains whether or not this strategy was able to withstand the reactions of the clerical opponents. What defences were at their disposal and to what extent could they exert a negative influence on the petitioning campaign?

In the matter of counter-propaganda, they exhibited a few

(24) *Ibidem*.

(25) In Liège, for example, Forgeur did not fail to emphasize this point.

(26) A few examples: *L'Observateur*, Feb. 22, 1837, p.2, c.3&4, p.3, c.1; March 10, 1837, p.2, c.3&4, p.3, c.1; March 23, 1837, p.2, c.3&4; March 25, 1837, p.2, c.4. *Courrier belge*, March 4, 1837, p.1, c.2; March 5, 1837, p.1, c.1&2; March 11, 1837, p.1, c.1; March 25, 1837, p.2, c.3; April 2, 1837, p.2, c.1&2. *Journal de Liège*, March 2, 1837, p.1, c.3; March 4 & 5, 1837, p.1, c.3; March 17, 1837, p.2, c.1&2; March 20, p.2, c.1. *L'Eclaireur*, March 29, 1837, p.1, c.1&2; April 14, 1837, p.1, c.1.

(27) *Courrier de la Meuse*, Feb. 20, 1838, p.2, c.3; p.3, c.1.

(28) Record of the session of the council of Feb. 12, 1838, R.A.N., Recueil des actes, conseil de Namur, 1838, p. 244.

fundamental deficiencies. *Le Messager de Gand* at one time wrote that the catholics were forced to call upon the most daring sophisms and the most absurd false reasoning in combatting the arguments of the anticlericals (29). Apparently that was the case. They were able to produce practically no sound counter-arguments; all their motivations remained indistinct. In regard to the demand for equality, for example, they tried to refute their opponents by arguing that there would always be categories of persons who would be excluded from suffrage, like children and convicts (30). In short, no alternative was left to the catholics but to lower the debate to the level of party-politics, to point out the liberal danger, and to paint again the gloomy picture of 1789. "A liberal minority would be prescribing a law to a catholic nation" (31). That was the thrust of the counter-campaign conducted by the catholic press and periodicals in 1837 (32).

If, however, clericals held the chairmanship of the council, as was the case in Namur, Antwerp, and Bruges where respectively Brabant, Legrelle and Coppieters 't Wallant were mayors, they could try to table the motion. Braas entered his motion in April 1837. The liberal party paper wrote: "We are afraid that there will be an indirect influence by some retaining force" (33). The prediction came true. The catholics managed to postpone the matter until early 1838 (34). The Antwerp petition experienced a similar fate, being

(29) *Messager de Gand*, March 21, 1837, p.1, c.1.

(30) *Courrier de la Meuse*, March 8, 1837, p.2, c.3, p.3, c.1.

(31) "Les villes ne sont entre les mains des réformateurs que des instruments (...) Ils n'ont qu'une chose en vue, c'est de s'élever, c'est de s'emparer du pouvoir, c'est de renvoyer les Chambres actuelles comme trop peu libérales, c'est d'imposer à un peuple catholique un pouvoir législatif conventionnel, c'est de nous ramener à 89!" (*Journal historique et littéraire*, vol. IV, May, 1837, p. 18-27).

(32) A few examples: *Courrier de la Meuse*, Feb. 18, 1837, p.3, c.1&2; March 8, 1837, p.2, c.3, p.3, c.1; March 10, 1837, p.2, c.1; March 11, 1837, p.2, c.3, p.3, c.1; March 14, 1837, p.2, c.2&3, p.3, c.1; March 18, p.2, c.1&2; April 20, 1837, p.2, c.3, p.3, c.1; April 25, p.3, c.1&2; May 3, 1837, p.2, c.2&3. *Journal des Flandres*, April 2 & 3, 1837, p.1, c.1,2&3; April 4, 1837, p.1, c.1,2&3. *L'Union*, April 14, 1837, p.1, c.2&3; June 5, 1837, p.1, c.3. *Le Conservateur belge*, Aug. 26, 1837, p.2, c.2&3; *Journal historique et littéraire*, vol. IV, 1837, pp. 18-27, 193-194. *Revue de Bruxelles*, Sept. 1837, pp. 2-24; Oct. 1837, pp. 56-81; March 1838, pp. 106-146.

(33) *Journal de Verviers*, May 10, 1837, p.2, c.2.

(34) "Plusieurs membres étaient parvenus à retarder toute discussion sur la proposition de M. le conseiller Braas", *Le Belge* wrote (Jan. 24, 1838, p.2, c.2).

brought up again only in April 1838 (35). M. Julien, member of the council of Bruges, urged to press the matter, also in April (36); it would not be settled until October (37). Yet such tactics were not able to thwart the petitioning campaign completely. To continue to postpone the matter also proved to be impossible in these towns.

A good deal more efficient was the third means used by the clericals : the matter of jurisdiction was produced. The municipal law prescribed that the municipal councils could draft only local resolutions and that discussions about national political problems were not within their province. This principle could indeed be applied to the petitioning campaign attempting to revise the electoral law. It was a move which was excellently contrived. The basic problem could be avoided, and the catholic adherents in the councils could take refuge behind this objection without revealing their partisan motivations. Moreover, this was an argument which appealed to all legalists, even those holding moderately liberal views.

The negative impact of the tactics used by the pro-clericals found clear expression in all of their speeches. However, wherever a catholic oppositional nucleus was non-existent and where the liberals from their side conducted an excellent campaign, the petition was adopted without difficulty regardless of whether the council had a predominantly liberal or clerical caste. In Liège, Verviers, Leper, Ghent, and Sint-Niklaas, the petition was accepted without delay (38). Also in Bruges, Van de Walle and Julien met no serious opposition. The motion had been tabled, but a large majority had voted in favor of the petition (39).

(35) "Ces retards seraient le résultat d'intrigues tramées par les hommes du rebroussement (...) Ils ont travaillé à gagner du temps" (*Le Belge*, Feb. 19, 1838, p.2, c.1).

(36) Record of the session of the council on April 10, 1837, Arch. of the city of Bruges, P.v. du conseil 1835-1837.

(37) Record of the session of the council on Oct. 14, 1837, Arch. of the city of Bruges, P.v. du conseil 1835-1837.

(38) Record of the session of the council on March 16, 1837, Arch. of the city of Liège, P.v. des séances du conseil communal, 1837-1838, fo. 7-11; Record of the session of the council on Feb. 17, 1837, Arch. of the city of Verviers, Minutes des délibérations du conseil communal, 1837, no. 1904/2; Record of the session of the council on March 25, 1837, *Compte-rendu des (...) de la ville d'Ypres*, pp. 214-216; Requête adressée à la Chambre des Représentans par le conseil communal de Gand au sujet de la réforme électorale, in *Messager de Gand*, Jan 31, 1837, p.1, c.2&3; Record of the session of the council of May 9, 1837, Arch. of the city of Sint-Niklaas, Résolutions du conseil communal, 1836-1841, no. 20, fo. 31-32.

(39) Record of the session of the council on Oct. 14, 1837, Arch. of the city of Bruges, P.v. du conseil 1835-1837.

It was considerably more difficult for the liberals in those towns where the clericals asserted their opposition by applying the principles of jurisdiction, even when the council was predominantly liberal. In Antwerp, this argument was handled convincingly by Belpaire (40), while in Brussels even a few liberally minded legalists needed further persuasion (41). In Tournay, E. du Bus received detailed instructions from his brother, the catholic representative. He executed the orders so carefully that Savart was forced to launch a second liberal offensive (42). In Mechelen and Louvain, the problem of jurisdiction delayed the petition's progress (43). Yet, in none of these towns did the catholics succeed in having the petition ultimately rejected. In every instance the liberals had to contend with an important group of dissidents, but even so Brussels, Antwerp, Louvain, Mechelen, and Tournay sent petitions to the Chamber of Representatives.

In only one case did the catholic opposition succeed. In Namur, Braas presented a weak case for the liberal cause, with the result that the attempt was defeated by the catholics who attacked successfully the authority of the council to present the petition (44). In 1837-1838, liberal Namur did not attack the electoral law.

Taking all of these petitioning councils into account, one finds that in 1837-1838 altogether fourteen of the twenty towns considered here petitioned the Members of Parliament in order to have the electoral law revised. There can be no doubt that the anticlerical strategy was a success.

The effect engendered by these petitions was therefore not at all slight. The clericals, the government of de Theux included, were in a quandry. They decided to launch a large-scale united counter-

(40) Record of the session of the council of March 10 and 12, 1838, Arch. of the city of Antwerp, *Délibérations du conseil communal, 1836-1838*, no. 15bis/17, fo. 279-282.

(41) *Messageur de Gand*, March 25, 1837, p.2, c.2&3; *L'Observateur*, March 23, 1837, p.2, c.3&4.

(42) F. du Bus to E. du Bus, March 2, 1837; E. to F. du Bus, March 7, 1837, March 9, 1837, Private Archives du Bus de Warnaffe, *Correspondance de famille*, vol. X; Report of the session of the council of March 17, 1837, in *Courrier belge*, March 21, 1837, p.1, c.3, p.2, c.1&2.

(43) Record of the session of the council of April 1837, Arch. of the city of Louvain, *Conseil communal, Resolutions, 1836-1837*, fo. 123-124; Record of the session of the council of April 15 and 21, 1837, Arch. of the city of Mechelen, *Régistre des P.v. du conseil communal, 1836-1837*, no. 579, fo. 125, 127.

(44) Account of the session of the council of Feb. 12, 1838, in *L'Observateur*, Feb. 15, 1838, p.2, c.2&3.

offensive with the help of their devoted villages. Thanks to the active support of the clergy, an anti-petitioning campaign took shape (45). In the second place, the anti-petition group concentrated their energies on parliamentary action, since in this field they were assured of success. The first action taken was to assure that hardly any reformists were appointed to the committee holding the responsibility to examine the petitions (46). Verhaegen's protest in the Chamber against this maneuver was to no avail. The catholic politician Dechamps was charged with the responsibility of decrying the petitions, a task for which he was well suited as he had done it before in the *Revue de Bruxelles* (47). Instead of an objective committee report, in which the various arguments of the municipal councils were analyzed, the Chamber was given a biased report (48). The liberals complained: "It is a charge against reform, a plea in favor of the electoral law" (49). The report deserved these charges, and it is no wonder that both the committee and the Chamber turned against the petitioning towns. Again in 1838 the electoral law was not revised.

The exercise in power by the anticlericals ended in disaster. Their objective was not attained. Still, the campaign had a very important side-effect. The liberals had given their opponents an impressive show of force. They had demonstrated that they were serious in their intention to pursue this one point of their program: the use of municipal councils as levers to obtain power on a national scale.

II. Petitions in favor of the government of Lebeau and against the bill of du Bus-Brabant

The campaign petitioning for the revision of the electoral law was still not fully illustrative of the liberal program. It is true that the

(45) F. du Bus to E. du Bus, April 16, 1837, in C. DU BUS DE WARNAFFE, *Au temps de l'Unionisme*, Tournay, 1944, pp. 223-225; Neven, vicar-general of Van Bommel to Sterckx, April 17, 1837; Van Bommel to Sterckx, April 19, 1837, Sterckx to Van Bommel, April 21, 1837, April 27, 1837, Archiepiscopal Archives, Mechelen, Fonds Sterckx, III₁.

(46) *L'Eclaireur*, Nov. 7, 1837, p.2, c.1.

(47) A. DECHAMPS, "De la Reforme électorale", in *Revue de Bruxelles*, Sept. 1837, pp. 2-24; Oct. 1837, pp. 58-81; March 1838, pp. 106-146.

(48) Report presented to the Chamber of Representatives by M. Deschamps, session of Feb. 16, 1838, in *L'Indépendant*, Feb. 23, 1838, p.3, c.1,2&3, p.4, c.1,2&3.

(49) *L'Observateur*, Feb. 26, 1838, p.2, c.2,3&4, p.3, c.1; March 2, 1838, p.2, c.2,3&4; March 3, 1838, p.2, c.2,3&4, p.3, c.1.

petitions were, in some ways, concerned with national politics, yet they still exhibited urban interests. The liberal program went far beyond that, however, as typified by the fact that one of their press organs had frankly expressed the view that the municipal councils were obliged to check the policy of the central government and, if necessary, to protest against it (50). The petitioning campaign of March 1841 addressed itself fully to this plank of their platform.

The purely political character of those two matters which at that time evoked a simultaneous campaign cannot be questioned. A first wave of petitions protested against a bill introduced by the catholics du Bus and Brabant in February 1841. By order of the church hierarchy and with the approval of Leopold I, the purpose of the bill was to grant the Catholic University of Louvain financial stability by means of incorporation (51). The liberals, afraid of the severe competitions which would threaten the State Universities and the University of Brussels if Louvain were given such an advantage, fought the bill intensely (52). The liberal members of the councils were instructed to mold this displeasure into concrete form.

In the same period, the towns were charged with a similar task on account of a cabinet crisis in the central government. In April 1840, a liberal government lead by Lebeau and Rogier had been given a chance when the cabinet of de Theux was dismissed because of its foreign policy among other reasons (53). From the beginning, however, the chances of survival of this liberal cabinet were limited. At that time, the monarch retained substantial influence over the formation of his governmental departments (54). Rogier and Lebeau were thus subject to a strategic play of Leopold I. The King, convinced that the liberal government would soon be defeated on account of the catholic majority in the parliament, wanted to teach the public a lesson by forcing it to realize that only a right-wing

(50) "Les conseils communaux doivent se prononcer sur la marche du gouvernement central. Ils doivent protester contre des mesures d'intérêt général contre des mauvaises lois" (*Journal de Verviers*, Sept. 6, 1839, p.2, c.1).

(51) A. SIMON, *Le cardinal Sterckx et son temps*, 1792-1867, Wetteren, 1950, vol. II, pp. 335-339.

(52) *Ibidem*, p. 341.

(53) C. LEBAS, *L'Union des catholiques et des libéraux de 1839 à 1847*, Centre Interuniversitaire d'histoire contemporaine, Mémoires III, Louvain-Paris, 1960, pp. 54-59; M. BOEYNAEMS, *Benoeming en ontslag van de ministers in België, 1831-1884*, inedited doct. diss., State University of Ghent, 1963, p. 264 ff.

(54) M. BOEYNAEMS, "Cabinet-Formation", in *Res Publica*, 1967, 3, pp. 472-473; J. GOL, "Naissance et mort des gouvernements belges au XIXe siècle", in *Annales de la Faculté de droit de Liège*, XI, 1966, p. 490.

unionist administration - a formula which gave him the most possible leverage (55) - was politically opportune (56). The sooner the cabinet fell, the sooner he would be able to form "his" government. It is obvious that the clericals willingly helped to implement his plan. Early in 1841 a plot was already formulated (57), since the liberal cabinet had to retire before the general elections to be held in June. If not, the clericals ran the risk of being deprived of the support of the electoral government agents (58). The catholic agitators, however, did not succeed in bringing the majority of the Chamber to their side and they did not persuade them to adopt extreme party measures, that is, voting down the budget (59). The problem was then the province of the Senate. Early in March, it sent a memorial to Leopold I asking for changes in the cabinet (60). The liberals deemed it "the first act of a revolutionary phase" (61). And indeed, in the eyes of contemporaries, there was an unconstitutional tinge to this action of the Senate. The interference of the Parliament in the appointment of ministers was at that time still considered a violation of royal prerogatives (62). In order to save what power they still had, the liberal ministers asked that the Chamber be dissolved and that new general elections be called (63). In this way they would at least have the government machinery at their disposal during the campaign (64). It would be the responsibility of the towns to reinforce this liberal demand by means of petitioning.

The fact that this governmental crisis coincided with the introduction of a bill authored by du Bus and Brabant had a confusing effect on both urban petitioning campaigns. In spite of the catholic opposition, the crisis came rather unexpectedly and then lasted only a few weeks (65). It was possible that the liberal agitators, because they were involved in a campaign against the

(55) M. BOEYNAEMS, "Cabinet-Formation...", p. 474.

(56) C. LEBAS, *L'Union des catholiques...*, p. 63; M. BOEYNAEMS, *Benoeming en ontslag...*, p. 280.

(57) C. LEBAS, *L'Union des catholiques...*, p. 72.

(58) Dietrichstein to Metternich, Jan 19, 1841, Arch. Ministry of Foreign Affairs, Arch. d'Etat Vienne, 1841-1842, 3A.

(59) C. LEBAS, *L'Union des catholiques...*, p. 76.

(60) *Ibidem*, p. 78.

(61) *L'Observateur*, April 12, 1841, p.2, c.2.

(62) M. BOEYNAEMS, "Cabinet-Formation...", p. 473.

(63) J. VELU, *La dissolution du parlement. Etudes sur les conditions de légalité constitutionnelle que doit remplir l'acte de dissolution*, Centre interuniversitaire de droit public, 1, Brussels, 1966, p. 85.

(64) C. LEBAS, *L'Union des catholiques...*, p. 80.

(65) M. BOEYNAEMS, *Benoeming en ontslag...*, p. 296 ff.

incorporation of Louvain, could not easily present a second petition in time. The militants of Verviers, for example, solved the problem cleverly by attaching a much wider significance to the petition opposed to the du Bus-Brabant bill : "The motion can only be a declaration of attachment (...) to the present government, the only possible government at a time when Belgium falls, so to speak, between two stools" (66). In other towns where du Bus and Brabant had not yet provoked any reactions in the councils, the liberal agitators thought it much more important to concentrate all their efforts on the saving of the liberal government, with the result that only one petition was sent. In only three towns, Liège, Tournay, and Ieper, were both petitioning campaigns carried to a successful conclusion.

In the investigation of the campaign conducted by the municipal councils in 1837-1838 supporting a revision of the electoral law, there were two conditions which allowed the liberals a certain degree of success in prompting the towns to petition : an agitating liberal nucleus and an organized propaganda campaign. If these conditions were valid, the logical consequence would be that in March 1841 the anticlerical party would have encountered greater difficulties in attaining its goal, because they lacked the ardent propaganda which had characterized their previous campaign and which could convince those individuals who stood in opposition to their program. During this campaign they could use only partisan political arguments.

The liberal campaign against the du Bus-Brabant bill did produce many emotional reactions; the horror of "the dead hand" and of the "Ancien Régime" was raked up again, a feeling undoubtedly still alive in the minds of many anticlericals. Thus Hauzeur proclaimed ardently in the council of Verviers : "The Belgians stooping to the mitre would be thrown back to the times of the Inquisition" (68), while the inhabitants of Ieper depicted in their petition the "craving for power" of the four hundred Belgian monasteries which, in their opinion, were impatient to be incorporated again (69). These came to be tactics of extraordinary psychological and political effectiveness. Even de Ram, Rector of the University of Louvain, had

(66) Record of the session of the council of March 12, 1841, Arch. of the city of Verviers, *Minutes des délibérations du conseil communal*, 1841, 1901/2.

(67) *L'Observateur*, Feb. 25, 1841, p.2, c.2,3&4, p.3, c.1.

(68) Record of the session of the council of March 5, 1841, Arch. of the city of Verviers, *Minutes des délibérations du conseil communal*, 1841, 1901/2.

(69) Account of the session of the council of March 25, 1841, in *L'Observateur*, March 28, 1841, p.2, c.3&4.

to admit to archbishop Sterckx that the tactics were successful (70). It goes without saying, however, that among ardent catholics in the councils, there was little fertile ground.

The same was true for those liberal arguments in favor of the petition for Lebeau and Rogier, with the exception of one issue : there was another effort to give the propaganda an urban tinge (71). The agitators in Tournay, Antwerp, and Mons tried to trade on the industrial and commercial interests (72), which had to be watched over by the towns. They were endangered by the political crisis, and therefore their petition was justified. In addition, the anticlerics tried to explain away their interference in national politics by referring to the precedent of 1839, when a few councils had encouraged the cabinet of de Theux by supporting the Treaty of the XXIV Articles. De Theux, of course, was very pleased with that support (73). The so-called "unconstitutional" memorial of the Senate was also used as an excuse by the liberal adherents (74). Taken together, these were good arguments to convince liberals, but ineffective for convincing catholics. This was all the more true because the catholics, with a lot more success than in 1837, could denounce the illegal character of the petitions. This time, indeed, the councils had exceeded their powers strikingly. In the first place, the Municipal Corporations Act did not authorize them to adjudicate political matters of general importance (75), this restriction being applicable to both petitions. In the second place, constitutionally speaking, they had even less

(70) De Ram to Sterckx, June 19, 1841, in A. SIMON, *Réunions des Evêques de Belgique, 1830-1867, Procès-Verbaux*, Centre Interuniversitaire d'Histoire Contemporaine, Cahiers 10, Louvain-Paris, 1960, p. 62.

(71) One example : "Dans un sentiment de haute sollicitude pour les intérêts du pays dans lesquels aujourd'hui se confondent ceux de la commune, ils (les conseils communaux) se sont respectueusement adressés au roi pour l'éclairer sur les périls de la situation et les vœux de leurs mandataires que mieux que tous autres ils apprécient" (*Le Journal des Flandres*, April 12 and 13, 1841, p.1, c.2).

(72) Address of the municipal council of Tournay to the king, March 27, 1841, in *L'Observateur*, April 4, 1841, p.2, c.3; Speech of Doutremer in the municipal council of Mons, Record of the session of the council of March 30, 1841, Arch. of the city of Mons, *Régistre des Résolutions du conseil communal, 1840-1841*, 15, fo. 136; Record of the session of the council of March 27, 1841, Arch. of the city of Antwerp, *Délibérations du conseil communal, 1838-1842*, 15bis 18, fo. 341-342; detailed account of this session in *L'Observateur*, March 31, 1841, p.2, c.4, p.3, c.1,2&3.

(73) *L'Observateur*, March 31, 1841, p.2, c.3; April 12, 1841, p.2,c.1&2; April 30, 1841, p.3, c.1; Account of the session of the council of Brussels of April 10, 1841, in *L'Observateur*, April 11, 1841, p.3, c.2,3&4.

(74) *L'Observateur*, April 12, 1841, p.2, c.1&2.

(75) *Journal d'Anvers*, quoted by *Courrier belge*, March 26, 1841, p.1, c.2.

right to influence the formation of the government, since in this matter the King was sovereign, a provision which was by no means dead letter at that time (76). It need be no surprise that these arguments, being legally sound, were popular with catholics and monarchists, confirming their negative attitudes toward both petitions.

By reason of the presently available evidence, the petitioning campaign of 1841 should have only been successful in those councils which, in the first place, were incited by a few militants, and secondly, had a liberal majority. This fits the facts. The councils with an anticlerical minority did not step in. Bruges and Louvain were silent, while the efforts of a few agitators in Ronse and Mechelen to keep Lebeau in power were quickly averted (77).

The militant nuclei, however, did reach their goal in the predominantly liberal councils. Their opening attacks were universally similar : they discouraged the spreading of dissident views among the members of the councils in advance by pleading urgency.

In presenting both petitions Liège led the attack, the initiative coming from the liberal leader Frère. In mid-February he felt that a petition opposing the du Bus-Brabant bill had some chance of success, and submitted his proposal (78). An inciting speech took care of the rest. Liège was the first town to petition (79). For the second petition a difficulty arose : time was short and an extra meeting had to be called. The liberal faction complied willingly with this request and the petition was approved by the members of the council of Liège (80). Their action was an incentive for their political associates in Verviers. The liberals Lejeune and Laoureux pressed the

(76) J. GOL, "Naissance et mort des gouvernements belges au XIXe siècle", in *Annales de la Faculté de droit de Liège*, XI, 1966, p. 490.

(77) Record of the session of the council of March 29, 1841, Arch. of the city of Ronse, Modern municipal arch., Régistre des P.V. du conseil communal., 1836-1842, no. 855, fo. 150; *L'Organe des Flandres*, April 5 and 6, 1841, p.1,c.2; April 9, 1841, p.1, c.2; *Journal des Flandres*, April 9, 1841, p.1, c.2; Record of the session of the council of April 10, 1841, Arch. of the city of Mechelen, Régistre des P.V. du conseil communal, 1841, no. 581, fo. 90-92; Account of this same meeting in *Journal de Bruxelles*, April 12 and 13, 1841, p.2, c.1.

(78) Frère to Delfosse, Feb. 28, 1841, Arch. générales du Royaume, Fonds Frère-Orban, no. 1063.

(79) Record of the session of the council of Feb. 27, 1841, Arch. of the city of Liège, P.v. des séances du conseil communal, 1840-1842, fo. 49-51; *Journal de Liège*, Feb. 28, 1841, p.1, c.2.

(80) Record of the session of the council of March 22, 1841, Arch. of the city of Liège, P.v. des séances du conseil communal, 1840-1842, fo. 57-58; *Journal de Liège*, March 23, 1841, p.2, c.1&2.

case with such force that a delaying action from the catholic side was to no avail. Verviers also protested against the catholic bill (81). In leper, Verhaegen's co-workers followed. This council was one of the first to present both petitions, in very heated wordings (82). The anticlericals of Tournay also fought for both issues simultaneously. Ninety liberal members presented the request (83), after which Savart defended the motion before his fellow councilmembers (84). Edmond du Bus tried to change his mind with an articulate speech, but all was in vain. "It has not been of much use to me (...). Everyone had chosen sides in advance", he had to report disheartedly to his brother (85). In Antwerp the liberal action group again joined forces. Werbrouck, Jacobs, and Van Pelt subsequently pleaded the liberal cause convincingly and successfully. The result was that the Antwerp council also submitted a petition to the government (86).

The campaign also found support in two towns where until then the antithesis between clericals and anticlericals had been overshadowed by other controversies, in Mons (87) and in Ghent. In the former, the conflict between the two opposing groups was more or less restrained, so that the anticlericals could more easily command attention. Their leader, Doutremer, assisted by three of his colleagues, lobbied for the retention of Lebeau and Rogier. He took advantage of the absence of the catholic mayor Siraut, presented his

(81) Record of the session of the council of March 5, 12 and 15, 1841, Arch. of the city of Verviers, Minutes des délibérations du conseil communal, 1841, 1901/2.

(82) Petition presented to the Chamber of Representatives on March 25, 1841, in *L'Observateur*, March 28, 1841, p.2, c.3&4; Address to the king, March 24, 1841, in *L'Observateur*, March 27, 1841, p.3, c.2.

(83) Edmond to François du Bus, March 28, 1841, Arch. du Bus de Warnaffe, Correspondance de famille, XII.

(84) *L'Observateur*, April 3, 1841, p.2, c.3; *Courrier de l'Escaut*, quoted by *L'Observateur*, April 3, 1841, p.3, c.2; *L'Echo Tournaisien*, quoted by *L'Observateur*, April 6, 1841, p.2, c.3&4.

(85) Edmond to François du Bus, April 30, 1841, Arch. du Bus de Warnaffe, Correspondance de famille, XII.

(86) Record of the session of the council of March 27, 1841, Arch. of the city of Antwerp, Délibérations du conseil communal, 1838-1842, 15bis 18, fo. 341-342; Account of that same session in *L'Observateur*, March 31, 1841, p.2, c.4, p.3, c.1,2&3; *Journal de Bruxelles*, March 31, 1841, p.1, c.3.

(87) In the first half of the 19th century, the political scene in Mons was dominated by the conflict of interests between two groups, the main issue of this struggle being the industrial exploitation of the coal-basin of the Borinage. On the one hand, there was the group of the canal-exploiter Honorez, and on the other hand there was the group dominated by the shareholders of the Société Générale. (cfr. E. WITTE, *Politieke machtsstrijd...*, vol. I, p. 87, vol. II, p. 12).

opponents with a time limit, and by eleven votes against three, the council of Mons demonstrated its predominantly liberal character (88). The significance of the petition of Ghent was even greater (89). It clearly showed the predominance of the fusion-minded orangists in the council. Lebeau and Rogier, in 1834 accused of having allowed the anti-orangists to loot (90), were now supported by those same orangists. Not only *L'Observateur* (91), *Le Journal des Flandres* (92), but even the British Envoy (93) concluded that by March 1841 this absorptive process had become as good as fact. Even the paper of Metdepenningen had to admit this reluctantly: "The orangists supply their proportion of activity to the liberal movement in the country against the reactionary block". (94).

The most puzzling ~~feature~~ of this campaign was that Brussels, the nurse of liberalism, Verhaegen's field of activity, abstained in March 1841 from any expression of sympathy for the first homogeneous liberal ministry. Was this due to any lack of active militants? By no means. On the contrary, immediately after the action of the Senate, the liberals Orts, De Doncker, and Defacqz were ready with their petition, but they were opposed by the systematic resistance of two fierce opponents, curiously, two important liberal personalities, mayor Van Volxem and the Grandmaster of the Belgian Freemasonry, councilman de Stassart. The fact is that they were instrumental in forming the new unionistic cabinet of Leopold I. Van Volxem could expect to be appointed minister, while de Stassart unofficially acted as liaison to the king (95).

It was obvious that both would do their utmost to frustrate the Brussels petition. They would be helped by the time factor. The mayor, Van Volxem, simply postponed the sessions of the council,

(88) Record of the sessions of the council of March 30 and April 3, 1841, Arch. of the city of Mons, *Régistre des résolutions du conseil communal, 1840-1841*, no. 15, fo. 136-137; *Modérateur*, March 23, 1841, p.1, c.3, April 2, 1841, p.1, c.3, p.2, c.1.

(89) Account of the session of the council of April 2, 1841, in *Les Messager de Gand*, April 4, 1841, p.1, c.3; *Journal des Flandres*, April 4, 1841, p.1, c.1,2&3.

(90) E. WITTE, *Politieke machtsstrijd...*, vol. I, p. 128.

(91) *L'Observateur*, April 2, 1841, p.3, c.1.

(92) *Journal des Flandres*, April 4, 1841, p.1, c.1,2&3.

(93) Lord Seymour to Lord Palmerstone, April 2, 1841, Public Record Office, London, Foreign Office 10, 86, Despatch 52.

(94) *Messenger de Gand*, April 10, 1841, p.1, c.1.

(95) J. BARTIER, "Théodore Verhaegen, la franc-maçonnerie et les sociétés politiques", in *Revue de l'Université de Bruxelles*, Oct. 1963-May 1964, p. 87; M. BOEYNAEMS, *Benoeming en ontslag...*, p. 337.

taking no notice of the vehement protests rising from the columns of the anticlerical *L'Observateur* (96). Only on April 10th, after a delay of five weeks, did he yield, but by that time the danger was long past, since only three days later the cabinet of Nothomb would be formed (97). It is no surprise that the majority of the council of Brussels saw no usefulness in the petition any longer. Van Volxem and de Stassart could successfully stress the impotence of the council, and as a result the petition failed (98). In Namur the catholics used the same tactic by postponing action until it was rendered useless by events (99).

In conclusion, it is useful to consider the influence of this double petitioning campaign. As in the former case, immediate results are absent. It was logical that Leopold I gratefully accepted the opportunity offered him to oust the liberal "transitional cabinet", and it was equally obvious that the petitions of the liberal municipal councils could not cause him to feel insecure. He even ignored the request of this ministers to dissolve the Chamber (100). It was of course logical that he should ignore the petition of the towns, organs which legally had no jurisdiction to present petitions at all.

A different attitude could hardly be expected from a monarch who had not been reduced yet to a functionary ornament but who was, on the contrary able to exert power. The petitions in favor of the Lebeau government had no influence whatsoever on the development of the governmental crisis of March-April 1841.

A somewhat different effect can be found in the case of the petitions against the incorporation of the University of Louvain. It is clear that the intensive campaign of the liberals against this bill eventually helped to bring about the withdrawal of the du Bus-Brabant bill (101). The petitioning campaign was a part of this undertaking as well, so that, in a way, it had still contributed to the liberal cause.

In spite of this one facet, however, the influence of the liberal

(96) *L'Observateur*, April 9, 1841, p.2, c.2; April 11, 1841, p.1, c.4.

(97) M. BOEYNAEMS, *Benoeming en ontslag...*, p. 296 ff.

(98) Account of the session of the council of April 10, 1841, in *L'Observateur*, April 11, 1841, p.3, c.2,3&4.

(99) Record of the session of the council of April 1, 1841, April 26, 1841, May 3, 1841, May 10, 1841, Arch. of the city of Namur, *Recueil des actes du conseil communal de Namur*, 1841, pp. 67, 70, 90-91; *L'Observateur*, March 27, 1841, p.3, c.1.

(100) J. VELU, *La dissolution du parlement...*, p. 86.

(101) A. SIMON, *Le cardinal Sterckx et son temps...*, vol. I, p. 342.

campaigns of 1837-1838 and 1841 was indirect in the sense that in 1847 liberal electoral progress on the national level was possible. The action of the municipal councils acting as pressure groups against the catholic Parliament inspired a series of repressive counter measures, which were given concrete form in the so-called reactionary Municipal Act of 1842. As a retort to this new catholic attack, there were liberal victories in municipal elections which, during the general elections of 1847, proved sufficiently strong to thwart the ambitions of the catholic electorate. The objective was then attained : in the middle of 1847 a stable government composed of Rogier and Frère-Orban came to power.

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The hypothesis postulated in the beginning of this article appears to be affirmed, namely that a political party, which had a majority in the urban areas but which was isolated from the power of the state, ventured to seize that power by means of petitioning campaigns. Does this hypothesis also have any general validity ? Did the same phenomenon occur in similar circumstances in other places ? Have other parties, while in a similar situation, taken up this weapon also ?

This is a question which deserves attention, all the more so as the problem certainly will not be settled by an adequate answer to this question only. Is it not true that the organizational structure of the party in question plays a decisive part in the process ? It must be noted that the urban petitioning investigated here occurred at a time when the liberal party was only beginning to organize. Was this the main reason why already existing organisms, in particular the municipal councils, were employed ? When the political movement has matured and is able to rely upon a well functioning and disciplined party mechanism, will those already existing organisms be ignored ? In other words, is this phenomenon not typical only for a party in the making ? Perhaps it may be necessary to modify the hypothesis presented here to accommodate these questions. It is certainly sure that, on the basis of the material from the period 1837-1841, it is proven that the phenomenon of the municipal councils acting as pressure groups on existing legislative and executive powers, provides enough interesting material for a thorough analysis.