

The exclusion of William III and the House of Orange from office in Holland, 1654

Introduction: After the failed attempt by Prince William II to take over the government of the Republic during the summer of 1650, and the unexpected death of the Prince in November 1650 from smallpox, the States of Holland took the initiative to exclude the infant Prince William III from the offices held by the late Prince. Despite that the Republican factions and the Regents were now clearly in control of Holland and the Republic, Cromwell in England continued to demand that the Republic take stronger measures against the English Royalists who had taken refuge in the United Provinces and their Orangist supporters. He even suggested a union of the two states, which would have made the Republic a Protectorate of the English Commonwealth. When these overtures were rejected by the Republic, Cromwell decided upon an economic assault through the Navigation Act of 1651, which amounted to a mercantilist set of English regulations of trade that would have greatly damaged the Republic's trade and fishing interests. This led to the first Anglo-Dutch naval war in 1652. The war was a disaster for the unprepared Dutch fleet. During the negotiations to end the war, Cromwell demanded that the States General ban the House of Orange service as the stadholder of Holland. Failing to win such an agreement, Cromwell accepted a secret Act of Seclusion from Holland on May 4, 1654 to end the war. The secret, however, soon became public, and a bitter dispute developed over the secret agreement's violation of the constitution of the Republic. The States of Holland instructed its secretary, the young Councilor Pensionary, Johan de Witt, to prepare a defense of Holland's right to adopt the Act of Seclusion. The *Demonstration* was adopted on June 25, 1654. It affirmed the provincial sovereignty of Holland and articulated a defense of the exclusion of the Prince of Orange. It became one of the central statements of Dutch Republicanism. The excerpts below were translated from the Dutch by Herbert Rowen and published in his *The Low Countries in Early Modern Times: A Documentary History* (New York, 1972, pp. 192-97).

The States of Holland and West Friesland have sorrowfully and not without considerable heartache observed and meditated upon the fact that Their Noble Great Mightinesses [the States of Holland], ever since Almighty God in his fathomless mercy was pleased to open the way to the first establishment of the free government of this country (whose foundations were laid down only by the aforesaid Province of Holland and West Friesland with the help of the province of Zeeland, besides the miraculous guidance and gracious direction of his Divine Majesty), have always demonstrated without trouble, their true-hearted and steadfast concern for the preservation of the state of these United Provinces and for the unblemished conservation of its dearly-bought liberty, with so many proofs above all the other allies [the other provinces] and especially during the recent difficulties caused by the bloody war with the Republic of England as well as during the subsequent negotiations for peace, together with the occurrences that took place in connection with it. But these States of Holland and West Friesland have experienced the

frequent and only too common misfortune to see their sincere intentions and most praiseworthy actions, even those without which the noble edifice of this free state in all human probability would have been long since overthrown, taken amiss and made the object of much misinterpretation, especially by some of their allies, and now again suffer the misfortune that some of these same allies are pleased to pass unfavorable judgment upon Their Noble Great Mightinesses because, at the behoof of the Lord Protector of the Republic of England, Scotland, and Ireland, they passed a certain obligatory law, declaring that Their Noble Great Mightinesses would never elect the Prince of Orange or anyone of his line as stadholder or admiral of this province, or allow, so far as its vote was concerned, that they would ever be elected to the captaincy-general over the army of the States General. Indeed, things went so far that this aforementioned unfavorable judgment of these allies was made public by the States General of these United Netherlands.

Therefore the abovementioned States of Holland and West Friesland, being unable to conceive that this unfavorable judgment of some of their allies can have any other cause than that they, or some of their members, are not fully informed of the true situation and grounds of the aforesaid affair and the events connected with it, and of its essential circumstances, and that everyone who reads a detailed and well-reasoned account of what happened will beyond doubt consider it to be one of the usual results of Their Noble Great Mightinesses' good measures of precaution on behalf of the welfare of the common state. . . .

[Statement of the objections to the Act of Seclusion.]

In order to present a solid refutation of arguments or alleged reasons, and to demonstrate first of all that their Noble Great Mightinesses had power and the right to resolve upon and adopt the aforesaid Act of Seclusion without anyone's permission, there must be taken into consideration above all that the firm foundation of the relations among all the provinces is beyond controversy the complete and absolute sovereignty of the respective provinces in their own business as well as the indisputable right and unlimited power to decide, dispose, and decree by themselves, or to do or have done whatever they consider necessary or otherwise of service to their province or its inhabitants, in all matters which are not deferred to the Generality by the aforesaid Union [of Utrecht] or the individual consent of the provinces, and that no other

province or anyone else in the world has any right to interfere, as this is claimed by the aforementioned writings of the above-mentioned three provinces, and especially if specific terms by the declaration presented on behalf of the States of Zeeland on July 30 last to the assembly of Their High Mightinesses [the States general].

From this flows the matter which is in debate, that each province individually possesses the absolute and sovereign disposition over the election of stadholders in its province, or, to express it better, over the granting and conferring of such power and authority as was granted heretofore to previous stadholders by the dukes, counts, or lords of these aforesaid provinces, or such greater or lesser authority as the States of that province may decide according to the situation; and more specially to grant or exclude from these offices such persons as the States consider desirable, without being required to hear anyone else's opinions or have prior communication about it with any other provinces, unless some individual agreement made with other provinces applies, of which we shall speak hereafter. This is all applicable to the election or exclusion of governors and captains-general in the individual provinces as well as of admirals for the provinces which they will serve, unless it has been decided to give the disposition of all or some of the said matters to the Generality either by the terms of the said Union or by the individual consent of the provinces.

[Detailed argument in support of right of the province of Holland to negotiate separately with Cromwell and to adopt the Act of Seclusion under the provisions of the Union of Utrecht.]

These two points having been absolutely established as they are understood by Their Noble Great Mightinesses, we may now pass on to the alleged reasons presented by the aforementioned provinces why, even if it had been in the power of the province of Holland to proceed in the matter of the aforementioned exclusion in the way that it did, Their Noble Great Mightinesses nevertheless ought not to have done so.

And first, as concerns the allegation that the passage of this Act is contrary to and a violation of our dearly-bought freedom, Their Noble Great Mightinesses wish to declare first of all that they are as sensitive in this matter as any of the protesting provinces, and that they are intent and determined to protect this freedom both for the state in general and for their province in particular, as the apple of their eyes; and that they were the first and foremost in procuring

freedom for themselves and their allies, and will never tolerate .that it could be truthfully said that anyone else excels or surpasses them in zeal for its preservation.

It is true and Their Noble Great Mightinesses readily concede that by passing the said Act they have given up the faculty or the freedom (as it can be called) to promote the present Prince of Orange or his descendants, or to give their vote toward his promotion, to the high offices named above; but on the other hand, these provinces must also concede the truth that every war is a limitation upon the exercise of freedom, and that the war just waged against the Republic of England not only took from the government of a single province the faculty and the power to dispose of certain matters according to its own desires and opinions, but also deprived the whole state, each province, and the inhabitants of the country in general and in particular of the faculty and freedom to decide a great many matters of considerable importance, especially concerning shipping and trade which are the soul and die inward subsistence of the state.

If anyone, in order to restore a great number of freedoms, including those concerning his subsistence and the preservation of his own soul, gives up other and lesser freedoms, it cannot be said that he has abandoned his freedom but rather that he has preserved and restored it. Therefore it cannot be said without great error that Their Noble Great Mightiness did anything in this affair which violated our dearly-born freedom.

Indeed, if this argument were to be accepted, then all kinds of promises, obligations, contracts, treaties, and especially all confederations or alliances would have to be disapproved to the highest extent and never entered into; for it is common knowledge that none of these can be made without the reduction and loss of some freedom.

But to reveal more clearly the secret meanings and true aims of these so-called zealots of freedom, and in order to test their ideas on the touchstone of true and unfalsified freedom, Their Noble Great Mightinesses cannot let this occasion pass without a frank declaration that they have indeed taken note that these complaints and the expostulations of some provinces against them are not made in order to preserve the Union and protect freedom, as is falsely given out, but that the whole affair is aimed to putting the Prince of Orange in the high offices which his forefathers held in this country. This has been admitted by one of them in the express statement that the Prince had been deprived by the Act "of the prerogatives to which, as it were, he was born,"

without any merits of his own, and another province openly declared in his declaration "that the captaincy and admiralty-general should properly be given and granted to the Prince of Orange de facto." Their Noble Great Mightinesses cannot understand how these can be the signs of true lovers and zealots of freedom, or how it can be called freedom that anyone is born to the highest offices in a republic. Indeed, would it be a proof of free election to confer the highest offices upon children?

On the contrary, everyone should realize, according to the judgment of all political writers of sound mind, that such charges can not be given in a republic to those whose ancestors held these posts without considerable peril to freedom.

[Historical examples of the loss of power in republics to those who held command of their armies for life or even for an extended period of time.]

Therefore these self-proclaimed but confused zealots of freedom should, be able to see upon the basis of and in the light of these examples and reasons, and they must admit, that by their arguments they not only contradict all the wise men in the world but also reject the examples of Holy Scripture, and that they should therefore at once abandon this false maxim that in a free republic children can be born to the offices of their fathers in any way.

Coming now to the aforementioned alleged reasons concerning the person of the Prince of Orange and his House, and first to the allegation that the Prince is deprived by this exclusion without regard for his merits from prerogatives to which he is in a sense born, their Noble Great Mightinesses call upon and beseech the aforementioned provinces to take into consideration the principal results and foremost fruits of a true freedom and undefiled liberty, which consists, according to the judgment of their Noble Great Mightinesses confirmed by the unanimous opinion of all political writers, that the highest offices should stand open to virtue, and that more regard should always be taken for piety and the merits of the person himself than for the wealth, family, ranks, or ancestors or other accidents of fortune.

Therefore all healthy republics, at least so long as they somehow maintain a government without corruption, and therefore in particular their Noble Great Mightiness, have always taken into consideration the nobility of houses and illustrious families, but have never given it as much weight as the nobility of the persons themselves who are to be called to the leadership of the

Republic. . .

We come now to the painful reproach that we are ungrateful toward the House of Orange which is made against their Noble Great Mightinesses by these writings. They can assert with a good conscience that they have so shunned the fault of ingratitude on all occasions that they can maintain in equity and truth that in the display of gratitude they have not only always kept step with the other provinces but can say without boasting that often went far beyond the other provinces.