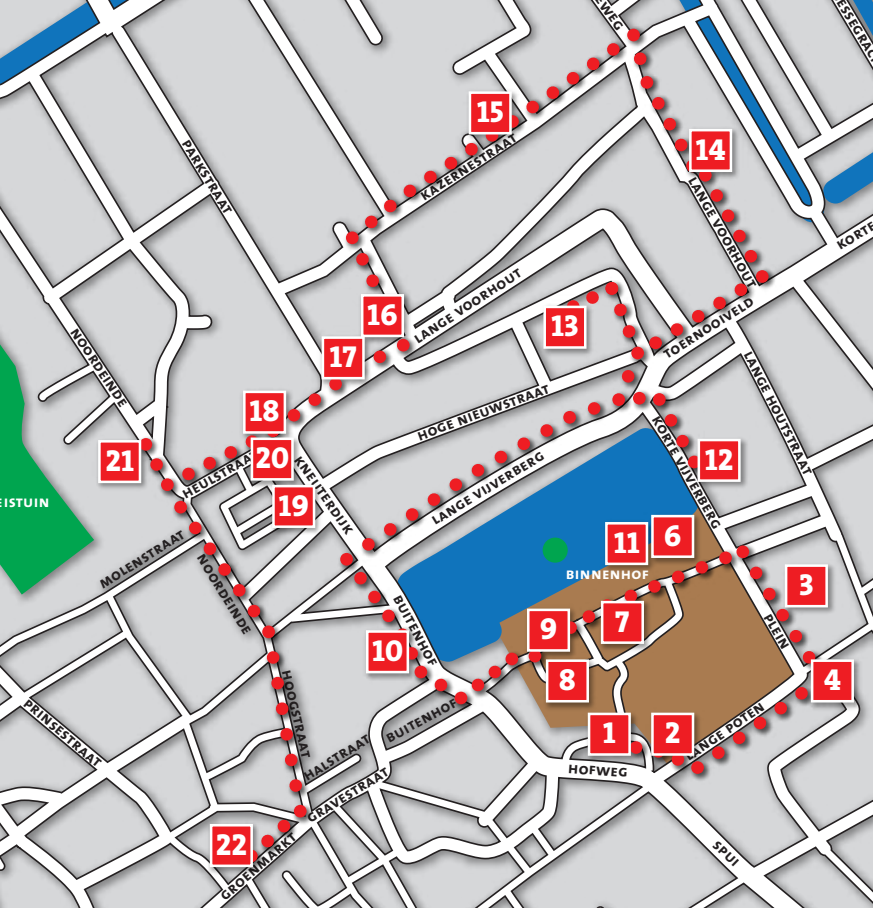




The Constitution Walk

Revisiting the history of the Dutch Constitution in the centre of The Hague





1. Hofplaats
2. Tweede Kamer (House of Representatives)
3. Plein
4. Ministry of Defence
5. Ministry of the Interior and Kingdom Relations
6. Torentje (The Little Tower)
7. Ridderzaal (Hall of Knights)
8. Memorial to the Fallen of ww II (Erelijst van Gevallenen)
9. Eerste Kamer (Senate)
10. Gevangenpoort (Prison Gate)
11. Trêveszaal (Trêves Room)
12. Kabinet der Koningin (The Queen's Office)
13. House of Van Limburg Stirum
14. Lange Voorhout Palace
15. Supreme Court of the Netherlands
16. Algemene Rekenkamer (Court of Audit)
17. Kloosterkerk (Cloister Church)
18. Kneuterdijk Palace/Council of State
19. Home of Van Hogendorp
20. Plaque in Heulstraat
21. Noordeinde Palace
22. Former City Hall

Hofplaats

The walk starts at Hofplaats, a small square on the outer perimeters of the 'Binnenhof' (Inner Court), between Lange Poten, Spui and Hofweg.

ARTICLE 1 OF THE CONSTITUTION

All persons in the Netherlands shall be treated equally in equal circumstances. Discrimination on the grounds of religion, belief, political opinion, race or sex or on any other grounds whatsoever shall not be permitted.



The Constitution bench is situated in the old part of the Binnenhof on Hofplaats. The wording of Article 1 of the Dutch Constitution is engraved into the smooth marble surface of this 45-metre long bench. Article 1 defines the principle of equal treatment and the ban on discrimination. It describes a standard that the government is required to uphold towards its citizens: equal treatment in equal circumstances.

The French occupation of the Netherlands came to an end in 1813. The provisional administrators declared the Netherlands a kingdom and appointed William I as the first king. A new Constitution was introduced a year later, and amended on a number of points in 1815 and again 1840. A major constitutional revision took place in 1848, when the ministerial responsibility was introduced and parliament was assigned far greater influence. From then on, the king was excluded from the political decision-making process and his influence continued to decline in the years that followed. The Constitution of 1848 was largely owed to the efforts of the liberal minister Johan Rudolf Thorbecke.

A complete revision of the Constitution did not take place until 1982, when new civil rights were added, including the principle of equal treatment and the ban on discrimination (Article 1), respect for privacy (Article 10), the right to inviolability of one's person (Article 11) and the government's obligation to promote issues such as employment and living environment (the basic social rights). From the Hofplaats, you can also see the rounded wall of the assembly room of the House of Representatives.

Assembly room of the House of Representatives.



Tweede Kamer (House of Representatives)

Now walk along Hofplaats and around the corner to Lange Poten 4. Here, along the entire left facade on Lange Poten, is the 'Tweede Kamer der Staten-Generaal' (House of Representatives of the States General).

ARTICLE 50 OF THE CONSTITUTION

The States General shall represent the entire people of the Netherlands.



Painting of the former assembly room of the House of Representatives.

Chapter 3 of the Constitution deals with the Senate and the House of Representatives. Together, they form the States General. The members of the House of Representatives are directly elected by the Dutch people, according to a system of proportional representation. The Netherlands has no separate electoral districts; in fact, the entire country constitutes one single electoral district. All votes are added up together. Parliamentary elections usually take place every four years and a total of 150 seats are allocated.

Laws can only be established with approval from the States General. Legislative bills that have been adopted by the House of Representatives are sent to the Senate, but the House of Representatives has far more rights in the legislative process than the Senate does. The House of Representatives furthermore monitors that the government has fulfilled its tasks properly. Lastly, the House of Representatives is the number one platform for social-political discussions.

The States General met for the first time in 1585, in The Hague. The meeting was attended by representatives from the seven independent provinces which together formed the Republic of the Seven United Netherlands. These representatives were sent by their respective provinces and, in the class-ridden society of the time, were all from the urban elite or from nobility. The composition of the States General has changed significantly over the centuries, but the name has always remained unchanged.

The current parliamentary assembly room dates from 1992. The entire complex includes several buildings (or parts thereof) that are linked together via the 'Statenpassage,' central inner hall.

Continue your walk towards Plein.

ARTICLE 9 OF THE CONSTITUTION

1. The right of assembly and demonstration shall be recognised, without prejudice to the responsibility of everyone under the law.
2. Rules to protect health, in the interest of traffic and to combat or prevent disorders may be laid down by Act of Parliament.

This is where three of the Constitution's Articles are put into daily practice, in the form of Articles 5, 7 and 9, which cover the right to submit petitions, the right to freedom of speech and right of demonstration. Parliament's main entrance is situated along Plein, which is why on most weekdays you will find this square bustling with demonstrators using playful—or more serious—means of getting their message across to the members of parliament.

Plein was constructed in the 17th century. Its design and decor were inspired by Place Royale in Paris. A statue of William of Orange stands in the centre of Plein. In his left hand, he holds a document listing the names of the cities that initiated the revolt against the Spaniards in the 16th century. To his right sits a dog, which had allegedly prevented one of the attacks on his master's life. The statue was unveiled in 1848.



On the corner of Lange Poten and Plein, at number 4, you can see the building that houses the Ministry of Defence.

ARTICLE 98 OF THE CONSTITUTION

1. The armed forces shall consist of volunteers and may also include conscripts.
2. Compulsory military service and the power to defer the call-up to active service shall be regulated by Act of Parliament.

Article 98 of the Constitution stipulates how the Dutch armed forces are compiled.

Compulsory military service was introduced in 1810 during the French occupation of the Netherlands. In the 19th century, lots were drawn to determine who should do military service, and personal conscription was introduced in 1898. Conscription was suspended in 1997 and the Dutch army is now an all-volunteer force made up exclusively of regular soldiers. The Constitution specifically allows for this, while still leaving room to reintroduce compulsory military service in the future if needed.

The building on Plein 4 is part of the Ministry of Defence, which consists of the Executive Staff (the ministry), the Royal Netherlands Navy, the Royal Netherlands Army, de Royal Netherlands Air Force, the Royal Marechaussee, Support Command (cdc) and the Defence Materiel Organisation (DMO). The Executive Staff is located on Plein 4. The Defence Ministry is headed by a minister and a State Secretary. Defence has about 68,000 staff in total, making it one of the Netherlands's major employers.



Walk to the corner of Plein and Korte Vijverberg (near the Maurits-huis and the entrance to the Binnenhof). Above the buildings' facades on Plein you should be able to see the roofs of various ministries: Education, Culture and Science (narrow metallic building), Health, Welfare and Sport (green towers on red bricks), Housing, Spatial Planning and the Environment (glass building), Interior and Kingdom Relations, and Justice (high-rise complex on Scheldedoekshaven).

ARTICLE 3 OF THE CONSTITUTION

All Dutch nationals shall be equally eligible for appointment to public service.

The Minister of the Interior and Kingdom Relations is responsible for the smooth functioning of the body of civil servants. Article 3 concerns the equal eligibility for appointment to public service. This means that no distinction may be made in terms of sex, appearance, religion or skin colour etc. during the selection process for new civil servants. In the past, only Protestant Christians qualified for a position in Dutch civil service. This practice was phased out in the late 18th century. Article 109 of the Constitution lays the basis for the legal status of civil servants, as specifically regulated in the Central and Local Government Personnel Act.

The building that houses the Ministry of the Interior and Kingdom Relations dates back to 1979. The Ministries of Interior Affairs and Justice will eventually move into new premises on Wijnhaven, even closer to the Central Station.



Torentje (The Little Tower)

From the corner of Plein and Korte Vijverberg, walk onto the Binnenhof. Look for 'The Little Tower' to your right. This is the office of the Prime Minister.

ARTICLE 45 OF THE CONSTITUTION

1. The Ministers shall together constitute the Council of ministers.
2. The Prime Minister shall chair the Council of ministers
3. The Council of ministers shall consider and decide upon overall government policy and shall promote the coherence thereof.

The Prime Minister is both the Chairman of the Cabinet and the Minister of General Affairs. Article 45 of the Constitution states that all ministers together make up the cabinet and that this cabinet is chaired by the Prime Minister. The Cabinet is where government policy is discussed and decided. A cabinet meeting is held every Friday at the Ministry of General Affairs in the 'Trêveszaal' (Trêves Room).

Afterwards, the Prime Minister usually gives a press conference.

The Prime Minister's office is located in what is known as 'Het Torentje' (The Little Tower), which offers a view on a large fishpond called the Hofvijver. The title 'Prime Minister' was only introduced in the Netherlands in 1945. Although the Dutch Prime Minister's power has been expanded slightly in recent years, his position is not nearly as powerful as that of the Chancellor of Germany or the Prime Minister of Great Britain. The Dutch Prime Minister does not have the power to appoint or dismiss ministers as he sees fit.

The Little Tower dates back to the 14th century and originally served as summer house for the counts of Holland. It was later transformed into a fortification. The windows and spire were added in 1547.



You are now entering the centuries-old power hub of Dutch politics: the Binnenhof. The most prominent building on the Binnenhof is connected to a castle and is known as the 'Ridderzaal' (Hall of Knights). You can find this building on your left, recognisable by the bars on the first-floor windows.

ARTICLE 65 OF THE CONSTITUTION

A statement of the policy to be pursued by the Government shall be given by or on behalf of the King before a joint session of the two Houses of the States General that shall be held every year on the third Tuesday in September or on such earlier date as may be prescribed by Act of Parliament.

The 'Ridderzaal' (Hall of Knights) is mainly known for the role it plays on Budget Day. Article 65 of the Constitution describes 'Prinsjesdag' (Budget Day), which is held on the third Tuesday of September every year. On this day, the Queen or her representative reads the annual 'Speech from the Throne' (State of the Union) in front of a complete session of the Senate and the House of Representatives. This has taken place in the 'Ridderzaal' since 1904. The Dutch term 'Prinsjesdag' was already in use as early as the 17th and 18th century to celebrate the birthdays of the Princes of Orange.

This speech is written by the ministers and outlines the policy to be pursued in the coming parliamentary year. The speech is followed by the Finance Minister's presentation of the budget in parliament to propose the government's intended income and expenditure. Each ministry is required to submit its own budget Act. The national budget is accompanied by the 'Miljoenennota' (Budget Memorandum), which provides a general overview of government's economic and financial policy. During the two days following Budget Day, parliament and the full cabinet debate the Budget memorandum and the Speech from the Throne in what is known as the 'Algemene Beschouwingen' (Parliamentary Debate on the Speech from the Throne). Budget Day has many rituals. For example, the Finance Minister carries the budget in a special briefcase. This tradition, which was taken over from the British, was introduced in 1947. Another Budget Day tradition is that the Queen travels from Noordeinde Palace to the Hall of Knights in a golden coach. The carriage is not solid gold; its frame is made of wood from Java and covered in a thin layer of gold foil. Thousands of people come to wave at the Queen as she rides towards the Ridderzaal.



Continue to Binnenhof 1A where you will reach the entrance of the former Chamber of the House of Representatives. The entrance hall contains the 'Erelijst van Gevallenen' (Memorial to the Fallen of the Second World War).

The Roll of Honour 1940–1945 is a book with a list of names of those who died for the Netherlands in World War II. The honour roll stands on top of a memorial table and contains the names of about 18,000 military personnel, crew members of the Royal navy and merchant ships, the Royal Dutch East Indies Army and members of the East Indies uprising. Every day, a page of the honour roll is turned.

During the Second World War, the Constitution was suspended and the Queen and government sought exile in London. The Senate and the House of Representatives no longer met; laws now consisted of decrees and by-laws of the Reich Commissioner appointed by the Germans, Arthur Seyss-Inquart. These regulations were furthermore implemented alongside Dutch law (when not conflicting) by the Dutch administrators (Board of Secretaries-General).



Eerste Kamer (Senate)

Across from Binnenhof 1A, look for number 22. This is the entrance to the Senate.

ARTICLE 55 OF THE CONSTITUTION

The members of the Upper House shall be chosen by the members of the provincial councils. The election shall take place not more than three months after the election of the members of the provincial councils except in the event of the dissolution of the House.



Chapter 3 of the Constitution focuses on the Senate (Upper House) and the House of Representatives (Lower House). Together they form the States General, or Dutch parliament. The Senate consists of 75 members who usually meet every Tuesday for their plenary meeting. For the rest of the week, most members of the Senate focus on their principal occupation elsewhere in society. They are elected not by the people directly, but instead by the members of the Provincial Executive, in other words the people's representatives from the 12 provinces. In the case of the Senate, this means the elections are tiered. This has been the case since 1848.

The main task of the Senate is to pass judgement on legislative bills, such as they have been adopted by the House of Representatives. To this end, the Senate focuses in particular on the quality, feasibility and enforcement potential of the bills. The Senate can reject a bill, but may not amend it. The Senate often exercises great influence on the structure and implementation of new legislation through vocal and written communication with the government, the submission of parliamentary motions and the encouragement of commitment. Policy debates are held several times a year on the issue of the government's long-term policy.

The Senate buildings date from the mid-15th century. In 1651, part of the complex was demolished and replaced with the meeting room of the former States of Holland and West Friesland. The Senate has been gathering in the large room of this chamber since 1849.

If you exit the Binnenhof through the gate and turn right towards the Hofvijver (the rectangular pond), you will see 'Gevangenpoort' (Prison Gate) on the opposite side of the street on Buitenhof 33.

ARTICLE 11 OF THE CONSTITUTION

Everyone shall have the right to inviolability of his person, without prejudice to restrictions laid down by or pursuant to Act of Parliament.



'Gevangenpoort' (Prison Gate) was constructed as one of three entrances to the Binnenhof complex, the former residence of the counts of Holland. From around 1420, Prison Gate was also used as a prison. This is where suspects were tortured into confession, after which it was decided which penalty to impose: branding, flogging or the scaffold, for example.

The notion of inalienable human rights that apply to everyone is the result of movements during this period collectively known as the enlightenment. The right to personal freedom, physical integrity, private ownership and the pursuit of happiness were no longer seen as the exclusive entitlement of the nobility. During this revolutionary period, the French philosopher Charles de Montesquieu introduced the tripartite system, consisting of three powers: executive, a legislature, and a judiciary power. The idea is that each of these three powers keeps the other two in check to avoid any one power from dominating. The separation of powers aims to guarantee citizens' freedom and equality. This is also the basic principle of our current justice system. Chapter 6 of the Constitution sets forth the dispensation of justice. Civil rights such as right to physical integrity are covered in Chapter 1 of the Constitution.

Prison Gate is currently a museum, exhibiting a collection of punishment and torturing tools that were in common use in the time of corporal punishment.

Trêveszaal (Trêves Room)

Next, continue to the corner of the Hofvijver (the rectangular pond) and turn right. While crossing Lange Vijverberg, take a look at the exterior of the Binnenhof from across the water. About midway you will be able to see a prominent window of the 'Trêveszaal' (Trêves Room).

ARTICLE 45 OF THE CONSTITUTION

1. The Ministers shall together constitute the Council of ministers.
2. The Prime Minister shall chair the Council of ministers.
3. The Council of ministers shall consider and decide upon overall government policy and shall promote the coherence thereof.

Article 45 of the Constitution states that all ministers together make up the cabinet. The cabinet is where government policy is discussed and laid down. A cabinet meeting is held in the Trêves Room on Fridays. The meeting is chaired by the Prime Minister. Each minister has their fixed place at the long table. The Prime Minister is seated in the centre, with the Vice Prime Minister to his right and the Secretary and Vice Secretary taking minutes to his left. The Minister of Finance is seated opposite the Prime Minister. The Director-General of the Government Information Service (or his deputy), who is responsible for providing the public with feedback on the issues discussed in the meetings, has his own desk in a corner of the room.

The word *trêve* is French and means 'truce'. This is where, during the Eighty Years' War (1568–1648), negotiations were held between the Netherlands and Spain; talks that eventually led to the Twelve Years' Truce in 1609. From the 18th century, the States General of the 'Republiek der Zeven Verenigde Nederlanden' (Republic of the Seven United Netherlands) held their meetings in this room and cabinet meetings have been held here since 1977. The Trêves Room and the adjacent 'Statenzaal' (State Room) are also used for official state receptions.



*Tweede Kamer
(House of Representatives)*

*Ridderzaal
(Hall of Knights)*

*Trêveszaal
(Trêves Room)*

*Torentje
(The Little Tower)*



*Eerste Kamer
(Senate)*

*'Gevangenpoort'
(Prison Gate)*



If you now turn right and walk across Korte Vijverberg, you will find yourself at the 'Kabinet der Koningin' (The Queen's Office) on Korte Vijverberg 3.

ARTICLE 47 OF THE CONSTITUTION

All Acts of Parliament and Royal Decrees shall be signed by the King and by one or more Ministers or State Secretaries.

The 'Kabinet der Koningin' (The Queen's Office) provides the Queen with official support in the performance of her constitutional duties and serves as a link between the Queen and her ministers. The duties of the Office are set forth in the Royal Decree of 18 December 2003 (a Royal Decree is a decision that can only be taken by the government and therefore without the participation of the States General).

One of the tasks of the Queen's Office is to present the Queen with government documents, such as legislation, Royal Decrees and treaties to be signed. The Queen's Office informs the Queen of these documents' contents. Such documents cannot be signed on behalf of the Queen, because there is no deputy for the Queen under the Dutch form of government. The Prime Minister is ultimately responsible for the Queen's Office. The Office is situated on Korte Vijverberg 3 in the former residence of Guillaume Groen van Prinsterer. This historian is seen as the founder of the Anti-Revolutionary Party (ARP), established in 1879 as the Netherlands' first ever political party. In 1914, the Queen's Office moved into these new premises from its previous location on Binnenhof.



House of Van Limburg Stirum

The walk now takes you to the spot where the Kingdom of the Netherlands was 'born'. Walk back to where the short and long sides of the Hofvijver meet, then cross Toernooiveld and keep left along Lange Voorhout. After the bend, look for house number 19, the former home of governor Leopold van Limburg Stirum.

ARTICLE 24 OF THE CONSTITUTION

The title to the Throne shall be hereditary and shall vest in the legitimate descendants of King William I, Prince of Orange-Nassau.

The French occupation of the Netherlands came to an end in 1813. On 20 November of that year, three statesmen—Gijsbert Karel van Hogendorp, Frans Adam van der Duyn van Maasdam and Leopold van Limburg Stirum—took the provisional governing of the country upon themselves. Van Limburg Stirum used to be governor of The Hague towards the end of the French rule. At the time, his home served as a government centre of sorts. At the three men's request, Prince William Frederick of Orange-Nassau, who had spent the past 18 years in England, returned to the Netherlands. He set foot on Dutch soil again on 30 November 1813 and stood on the balcony of this house as he was welcomed back by the Dutch people. On 30 March 1814, William I was inaugurated as sovereign prince in the 'Nieuwe Kerk' (New Church) in Amsterdam. He proclaimed himself king on 16 March 1815 after Napoleon's final defeat. And so William I became the first King of the Netherlands from the House of Orange.

The succession of the king is laid down in the Constitution. Male and female heirs hold equal entitlement to the throne and the king or queen's firstborn usually becomes the next ruler.



Return to the bend and cross Lange Voorhout to number 74. Here you can see the former Lange Voorhout Palace, where the Escher Museum has been housed since 2002.

ARTICLE 37 OF THE CONSTITUTION

1. The royal prerogative shall be exercised by a Regent:
 - a. until the King has attained the age of eighteen;
 - b. if the title to the Throne may vest in an unborn child;
 - c. if it has been resolved that the King is unable to exercise the royal prerogative;
 - d. if the King has temporarily relinquished the exercise of the royal prerogative;
 - e. in the absence of a successor following the death or abdication of the King.

For some time, Lange Voorhout Palace used to serve as the winter residence of Queen Regent Emma, the wife and later widow of King William III. A regent is someone who performs the royal duties on behalf of a minor monarch or if the king has been declared unfit for ruling. Article 37 of the Constitution stipulates that the regent is appointed by Act of Parliament. This is done by means of a joint session of the States General to consider the issue and come to a decision. In the presence of the States General, the regent swears and promises allegiance to the Constitution. If no regent has been appointed, then the Council of State acts as regent (Article 38). The descendants of the King are always his legal successors. This also applies if the King relinquishes his power temporarily or if he is found unfit to exercise this power.

King William III died on 23 November 1890 and his wife Emma was inaugurated as queen regent on 8 December 1890. Their daughter Wilhelmina was only 10 years old at the time. Emma ruled on behalf of her daughter, the legal successor to William III, until 1898. When Wilhelmina turned 18, she was inaugurated queen. She was the Netherlands' first female head of state since the establishment of the kingdom. Emma's appointment as queen regent was also the first time that Article 37 of the Constitution was implemented. Princess Juliana acted as regent as well (on two occasions: from October to December 1947 and from May to August 1948), when her mother Wilhelmina suffered from poor health.

If you now walk along Hotel des Indes and turn left into Kazernestraat, you will be able to see a white covering across the road. Here, on the right-hand side, is where the Supreme Court is based (number 34).

ARTICLE 118 OF THE CONSTITUTION

2. In the cases and within the limits laid down by Act of Parliament, the Supreme Court shall be responsible for annulling court judgments which infringe the law (cassation).



Chapter 6 of the Constitution deals with the dispensation of justice in the Netherlands. According to Article 116, the courts that form part of the judiciary are determined by Act of Parliament. The structure and duties of the Supreme Court of the Netherlands are based on Article 118 of the Constitution and are regulated by separate Act of Parliament. The Supreme Court is the highest court within the regular judicial power in the Netherlands. Its main task concerns cassation (the annulment of previous rulings made by lower courts) in the fields of civil, criminal and taxation law.

Cassation differs greatly from appeals. In an appeal, a case is reassessed in its entirety and may therefore include new investigations into the facts. Cassation on the other hand can only deal with questions of law. This means that the Supreme Court does not investigate whether the facts determined by the lower court were accurate, but only assesses whether the law, as well as the rules of procedure, have been applied correctly.

World War II and the Cold War have, from 1945, resulted in a sense of urgency to establish a safe and peaceful Europe. Efforts to this end included the establishment of the European Court of Human Rights, the European Court of Justice and the Benelux Court of Justice. These judicial bodies are cross-border institutions, which means that their decisions on specific legal questions ensuing from treaties are binding for the national courts. Today, the Supreme Court is not only the highest court within the Dutch rule of law, but also fulfils a role within the international legal system.

Now continue along Kazerne-straat, then turn left into Kleine Kazernestraat to return to Lange Voorhout. To your right, at number 6–8, are the offices of the Netherlands Court of Audit.

ARTICLE 76 OF THE CONSTITUTION

The 'Algemene Rekenkamer' (Court of Audit) shall be responsible for examining the State's revenues and expenditures.

Articles 76 to 78 of the Constitution explain the structure and working procedure of the Court of Audit. Article 76 lists the tasks with which the Court of Audit is charged. Article 77 stipulates who the members are and the procedures for their appointment and resignation. Article 78 states that the organisation, composition and powers of the Court of Audit are to be regulated by Act of Parliament, which will also determine when other duties may be assigned to the Court of Audit.

The Court of Audit is a High Council of State with an independent position towards the government. The Court of Audit's Board has three members and their task is to monitor the state income and expenditure and to ensure that the government implements the policies correctly. This means that the Court of Audit provides an opinion on the policies established by government; it does not make any political statements. The Court of Audit will never say that a certain Act is 'unacceptable', but it can conclude that an Act is not working the way the law intended it to. Political comments on such issues are reserved for the government and/or House of Representatives. Interestingly, a detailed description of Court of Audit's exact function was only added to the Constitution in 1983.



Kloosterkerk (Cloister Church)

Look for the 'Kloosterkerk' (Cloister Church) on Lange Voorhout number 4. This church used to play a prominent role in the struggle for religious freedom in the Netherlands.

ARTICLE 6 OF THE CONSTITUTION

1. Everyone shall have the right to profess freely his religion or belief, either individually or in community with others, without prejudice to his responsibility under the law.
2. Rules concerning the exercise of this right other than in buildings and enclosed places may be laid down by Act of Parliament for the protection of health, in the interest of traffic and to combat or prevent disorders.

Article 6 of the Constitution states that everyone has the right to profess their religion or belief without restraint, but that rules on exercising this right may be dictated by Act of Parliament. (This only happens in highly exceptional cases). Article 6 ties in with the principle of equal treatment described in Article 1, which prohibits discrimination on the grounds of religion. Both Articles aim to ensure that the government takes an entirely neutral stance with regard to the religious practice of its citizens.

The Cloister Church was the scene of serious religious conflict in the 17th century. The 'Republiek der Zeven Verenigde Nederlanden' (Republic of the Seven United Netherlands) was declared in 1588 during the Dutch revolt against Spain (Eighty Years' War, 1568–1648). Under the military leadership of Prince Maurits and the political leadership of Grand Pensionary Johan van Oldenbarnevelt, the Republic prospered in terms of international politics and the economy. But conflict arose between the two men, initially because of a failed military attempt to liberate the merchant fleet from pirate invasions at the Battle of Nieuwpoort. They became further estranged during the Twelve-year Truce (1609–1621) with Spain, which Van Oldenbarnevelt supported but Prince Maurits did not. A difference of opinion on the religious term 'preordination' led to the final break between the two. Maurits chose to side with those who held services in the Cloister Church. What was initially a theological difference of opinion soon escalated into a political conflict. Maurits ordered the arrest of Van Oldenbarnevelt who was subsequently sentenced to death and beheaded on the Binnenhof in 1619.

The walk now continues towards Kneuterdijk. You can reach Kneuterdijk by crossing Parkstraat at the Cloister Church. Here you can see the former Kneuterdijk Palace, also called 'Het Witte Paleisje' (The Little White Palace). The building currently houses part of the Council of State.

ARTICLE 73 OF THE CONSTITUTION

1. The Council of State or a division of the Council shall be consulted on Bills and draft orders in council as well as proposals for the approval of treaties by the States General. Such consultation may be dispensed with in cases to be laid down by Act of Parliament.
2. The Council or a division of the Council shall be responsible for investigating administrative disputes where the decision has to be given by Royal Decree, and for advising on the ruling to be given in the said dispute.

Articles 73–75 of the Constitution relate to the Council of State, a High Council of State with two functions: an advisory one and a judicial one. Dutch law and the Constitution require the Council of State to take an independent position. The Council of State is the most important advisory body to the government, the Senate and the House of Representatives. When dealing with legislative bills, the government must request the opinion of the Council of State, although it may choose to ignore the advice. Citizens may also approach the Administrative Jurisdiction Division to seek justice in conflicts with an administrative body.

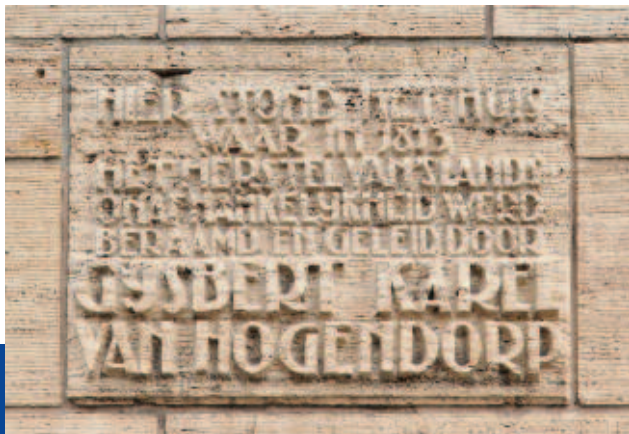
The former city palace was built in 1716 and purchased in 1816 by King William I as a wedding gift for Crown Prince William II and his bride Anna Paulowna. Members of the Royal family lived here until 1884, after which the building was home to many organisations. From 1945 to 1949, for example, the Special Criminal Court for The Hague district was based in the palace's ballroom. This special criminal court was established to try serious crimes committed during the German occupation of the Netherlands. After extensive renovation work, the building was allocated to the Council of State in 1983.



On Kneuterdijk now walk to number 8 to the inscription indicating the former home of Van Hogendorp.

In December 1813, Sovereign Prince William I appointed Gijsbert Karel van Hogendorp to a committee charged with the design of a Constitution based on the 'Schets eener Constitutie' (Sketch of a Constitution) drafted by Van Hogendorp after 1809. The Constitution, which prescribed issues such as the hereditary succession for the House of Orange, came into effect on 29 March 1814. In 1815, Van Hogendorp was appointed chairman of the committee tasked with the revision of the Constitution following the unification of the Northern and Southern Lowlands (the future Belgium). The bicameral or two-chamber parliamentary system (Senate and House of Representatives) was introduced in this new Constitution.

Van Hogendorp, born in Rotterdam in 1762, formed a so-called triumvirate – together with Van der Duyn van Maasdam and Van Limburg Stirum – which would form a temporary government in 1813 after the French withdrew from the Netherlands. The triumvirate took the initiative to persuade William Frederick of Orange-Nassau to return from England to become the 'sovereign prince' of the Netherlands. Van Hogendorp became the first Minister of Foreign Affairs of the new 'Soevereine Vorstendom der Verenigde Nederlanden' (Sovereign Principality of the United Netherlands). After that, he also served on the Council of State and the House of Representatives. Van Hogendorp died in The Hague in 1834.



Now walk back in the direction of Kneuterdijk Palace/Council of State and on the corner of the first street to the left (Heulstraat) you'll see the plaque commemorating the constitutional revision of 1848 on the palace wall.

ARTICLE 42 OF THE CONSTITUTION

1. The Government shall comprise the King and the Ministers.
2. The Ministers, and not the King, shall be responsible for acts of government.



Portrait of Johan Rudolf Thorbecke.

This commemorative plaque serves as a reminder of the revision of the Constitution in 1848, when the power of the King was reduced in favour of the States General. Article 42 outlines the King's immunity and the ultimate responsibility of the ministers. The principle of 'ministerial responsibility' is based on this section, which also stipulates that the King cannot be forced to abdicate as the result of a political action, whereas a minister can. The King's immunity is also confirmed in the so-called countersignature, which requires every Act that is approved by parliament to be signed by the King as well as a minister. In this way, the King lends his authority to the Act, while the minister exercises his ministerial responsibility. Article 42 also defines who make up the government: the King and the ministers. The King may not take any decisions independently but should always consult with the ministers.

The name of Johan Rudolf Thorbecke is inextricably linked to the Constitution of 1848 in general and to Article 42 in particular. He is seen as the inventor of the principle of ministerial responsibility. The commemorative plaque was unveiled on 3 November 1948—a historic day, as this was exactly 100 years after the new Constitution had been proclaimed in Kneuterdijk Palace.



You can now walk into Heulstraat and at the end go right. Continue to building number 66. Next to it lies Noordeinde Palace, the working palace of Queen Beatrix.

ARTICLE 32 OF THE CONSTITUTION

Upon assuming the royal prerogative the King shall be sworn in and inaugurated as soon as possible in the capital city, Amsterdam, at a public and joint session of the two Houses of the States General. The King shall swear or promise allegiance to the Constitution and that he will faithfully discharge his duties. Specific rules shall be laid down by Act of Parliament.

Chapter 2 of the Constitution lays down who the government is and what it does. The Netherlands is a monarchy. This means that the King or Queen is head of state. This chapter consists of two sections. The first section describes who is entitled to become King and how this is done in keeping with the rules on hereditary succession. The second section, Articles 42 to 49, explains what the government does and how its members are appointed. Article 32 states that a new King must be sworn in and inaugurated as soon as possible at a public and joint session of the two Houses of the States General in Amsterdam. During this session, the King must swear or promise allegiance to the Constitution and promise to carry out his duties faithfully. Noordeinde Palace was purchased by the States of Holland in 1591 for Louise de Coligny, the widow of William of Orange and mother of Frederick Hendrick. Since then it has had many residents. From 1813, the building served as the winter palace of King William I, and Queen Wilhelmina was born here in 1880. After the death of her father, she continued to live in the palace with her mother, Queen Regent Emma. She later also lived here with her husband, Prince Hendrick. Queen Juliana was born in Noordeinde Palace in 1909, and Queen Beatrix has been using it as her working palace since 1984.

To reach the end of the route, walk back along Noordeinde until you reach Hoogstraat. At the end of this road, turn right. You are now on Dagelijkse Groenmarkt. Here, at the old City Hall at no. 1, is where universal male suffrage (the right to vote) was proclaimed in 1917.

ARTICLE 4 OF THE CONSTITUTION

Every Dutch national shall have an equal right to elect the members of the general representative bodies and to stand for election as a member of those bodies, subject to the limitations and exceptions prescribed by Act of Parliament.

Active and passive voting rights are set out in Chapter 1, Article 4 of the Constitution. Every Dutch national may participate in elections, cast their vote and stand for election. Exceptions to this can be made by Act of Parliament. Chapter 3, Article 53 prescribes that the elections must take place by secret ballot, and Article 54 adds that persons must be aged at least 18 to participate in parliamentary elections (and other representative bodies as well).

Universal male suffrage was proclaimed on the steps of the former city hall on Groenmarkt on 12 December 1917. That year was known as the year of the 'Pacification'. Three important events took place that year concerning a deal between the three most prominent political movements (Confessional, Liberal and Socialist). Each movement realised a key political objective, respectively: the financial equality of public and special education, the replacement of district systems by a system of proportional representation and the introduction of universal male suffrage to replace census suffrage (where only people who paid a certain amount of taxes were allowed to vote). These issues have now all been incorporated into the Constitution.

Women were awarded passive voting rights in 1917, which meant that women were allowed to stand for election but were not entitled to vote. Women were granted active voting rights in 1919.

End of the walk. Thank you for your interest in The Constitution Walk.



This publication was made possible with funding from het Ministerie van Binnenlandse Zaken en Koninkrijksrelaties (the Dutch Ministry of the Interior and Kingdom Relations).



Ministerie van Binnenlandse Zaken en
Koninkrijksrelaties



Publisher

Instituut voor Publiek en
Politiek (Institute for
Political Participation)
Prinsengracht 915
1017 KD Amsterdam
T +31 (0)20 521 76 00
E info@publiek-politiek.nl
I www.publiek-politiek.nl

Compilation

Ministerie van Binnenlandse
Zaken en Koninkrijksrelaties
Instituut voor Publiek en
Politiek

Translation

Amsterdam Translation
Services

Photography

Bob Karhof
Ministerie van Binnenlandse
Zaken en Koninkrijksrelaties
Instituut voor Publiek en
Politiek

Design

Puntspatie [bno], Amsterdam

Printing

Leoirschuring, Amstelveen



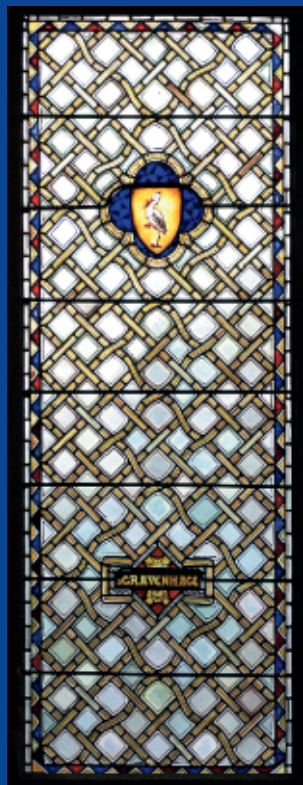
FSC

www.fsc.org

MIX
Papier van
verantwoorde herkomst
FSC® C016769

Website

www.grondwetpad.nl



The Constitution Walk

The Hague is known as the seat of Dutch government and parliament. The city is home to all the Dutch ministries. The Queen's working palace is also situated in The Hague. The royal seat occupies a prominent place in parliamentary traditions, such as Budget Day. The Hague is also home to the highest judicial power in the Netherlands. In brief, The Hague is the centre of Dutch parliamentary democracy. But how visible is this? How obvious is the role of buildings such as the 'Ridderzaal' (Hall of Knights), the Senate, the House of Representatives and Noordeinde Palace in our constitutional monarchy? The Hague furthermore has a long history as the centre of our form of government. This history is reflected in several places around The Hague, but where exactly? The walking route described in this brochure provides answers to the above questions. The Constitution Walk will take you along various places that relate to the Articles found in our Constitution. Instantly making The Hague much more visible as the centre of the Dutch Constitution!



Instituut voor Publiek en Politiek