FROM COURT OF BRABANT TO CONSTITUTIONAL COURT

KONINGSPLEIN 7 PLACE ROYALE - 1000 BRUSSELS
HISTORY OF THE CONSTITUTIONAL COURT BUILDING AND THE PLACE ROYALE
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Seal of Maria Theresa for the duchy of Brabant (1755)
National Archives, Sigillography, No 971
THE COUDENBERG PALACE

The Coudenberg Hill, on the top of which the present Place Royale is situated, has been a centre of power in Brussels since the 12th century.

The origins of the city itself date back to the 10th century when the islet of St. Géry on the Senne (near the present Stock exchange building) was fortified by the Duke of Lower Lorraine. However, it is one of his successors, Henry I (1190-1235), Count of Louvain and first Duke of Brabant, who chose to establish a fortified residence in uptown Brussels when the first ramparts were built around the city. This castle, which later became the Coudenberg Palace (which on old engravings is depicted under the name “Court of Brabant”, or “Curia Brabantiae”), was the residence of the Dukes of Brabant or their representatives (since most ruled in many other places too) until the fire of 1731. With their power and prestige, those princes had a major impact on the splendour of this palace, which was enlarged, embellished and enriched over the centuries.

As a matter of fact, when the House of Brabant became extinct in the 15th century, the Duchy passed into the hands of the House of Burgundy in the age when Philip the Good (1396-1467) took control of a territory which corresponds roughly (except for the ecclesiastical principalities) to the present territory of the Netherlands, Belgium and Luxembourg, along with the north of France, as he became Duke of Luxembourg, Count of Flanders, Namur, Hainaut, Holland and Zeeland, and Lord of Friesland. Those possessions together formed the Burgundian Netherlands. Philip the Good added the Aula Magna to the Coudenberg Palace; the vestiges of this magnificent hall can be found under the north-westerly quarter of the Place Royale. The Aula Magna consisted of one single hall and was about thirty metres high, forty metres long and sixteen metres wide. The walls were covered with priceless tapestries.
On the death of Philip the Good, his son, Charles the Bold (1433-1477), attempted in vain to unite the Burgundian Netherlands and the Duchy of Burgundy into one territory. His daughter Mary of Burgundy (1457-1482) married an Archduke from Austria, who was to become Emperor Maximilian I. As a result, her possessions were joined together with those of the Habsburgs for three centuries. The Coudenberg Palace consequently became one of the residences of some of the most powerful princes of those times, the most illustrious of them being Charles V (1500-1558), grandson of Maximilian and Mary of Burgundy on his father’s side, Philip the Fair, and grandson of the Catholic kings Ferdinand of Aragon and Isabella of Castile on his mother’s side, Joanna the Mad. In view of this lineage, he was to travel across Europe throughout his reign, since his territories extended from Italy to the Burgundian Netherlands and from Germany to Spain, not to mention his possessions in America. However, he was born in Ghent and apparently found these provinces a pleasant place to live. It was he who added a chapel to the Coudenberg Palace, built in memory of his parents and celebrated for its fine proportions. The chapel had one nave with light coming in through two levels of windows, and was built on the slope of the hill which has now been levelled, near the present Palace of Fine Arts. The Court of Brabant consisted of three main buildings arranged in a U-shape, of which the base – the living quarters accommodating the princes’ apartments and situated approximately where the Bellevue Hotel now stands – would today cover the area between the western end of the Royal Palace and the corner of the Palace of Fine Arts on the Rue Royale, whereas one leg of the U-shape would consist of the chapel of Charles V on the corner and the Aula Magna of Philip the Good further along, and the other leg in the direction of the Constitutional Court and St. James’s Church would contain the annexes. A courtyard in the centre covered roughly half the present Place Royale.
The buildings that partly closed off the courtyard were replaced in the 12th century by a new wing comprising the Clock Tower, which stood roughly in the centre of the present Place Royale and formed the main entrance to the Palace. A park and gardens, which were later to become the Park of Brussels, extended behind the Palace.

Coudenberg Palace in the mid-16th century as compared with the present Place Royale
(Source: Archaeological Site of Coudenberg, www.coudenberg.com)
'Curia Brabantiae in Celebri et Populosa Urbe Bruxellis'.
XVIIIth century engraving after Jan Vande Velde II.
In the middle, the rear side of the Coudenberg Palace
(© Museum of the City of Brussels – Maison du Roi).
It was in the Aula Magna of Philip the Good that Charles V abdicated in 1555. His brother Ferdinand succeeded him as emperor and acquired the hereditary possessions of the Habsburgs (Austria, Bohemia, Hungary, etc), while his son Philip, who became king of Spain under the name Philip II, inherited the Burgundian Netherlands. It should be noted that in this connection it is incorrect to speak of the Spanish Netherlands or, in the 18th century, of the Austrian Netherlands, since the rulees who reigned over that territory did so in their respective capacities as Duke of Burgundy, Duke of Brabant, Count of Flanders etc, as is testified by their titles as they appear on the coins and seals that were struck in these provinces. This situation should therefore not be regarded as an occupation or annexation as would happen later on. Having said that, Philip II rarely stayed in the Burgundian Netherlands, preferring instead, as his successors would also do, to have himself represented there by his governors, who were often descendants of the Habsburg family. His authoritarian policy, particularly with respect to the local freedoms, taxation and Protestantism, gave rise to conflicts that impoverished the country and led to the separation of the Northern provinces – the United Provinces, the present Kingdom of the Netherlands – and the Southern provinces, subsequently called the Catholic Netherlands.
From left to right, the ‘place des Baille’, the Aula Magna and the Palace chapel with,
in the foreground, the Palace inner courtyard
(© Museum of the City of Brussels – Maison du Roi).
On the monarch’s death in 1598, his daughter Isabella and her husband, Archduke Albert, who was descended from the Austrian branch of the Habsburgs, became the sovereigns of the Netherlands. They made the country’s economy flourish and established their court in the Coudenberg Palace where they received artists such as Rubens. The Rue Isabelle, the remains of which are to be found under the present Place Royale, is named after the Archduchess, who had this road widened and prolonged so that she could go to St. Gudule’s Collegiate Church. This sovereignty came to an end on the death of Archduke Albert; the successors of Philip II would henceforth be once again represented by governors, a situation which lasted throughout the 17th century until the Spanish, and oldest, branch of the Habsburgs became extinct with the death of Charles II in 1700. The War of the Spanish Succession that followed came to an end with the Treaty of Utrecht (1713), whereby the Catholic Netherlands and with those territories the titles of Duke of Burgundy and Duke of Brabant were transferred to the Austrian, and youngest, branch of the Habsburgs.
Charles of Lorraine and the Place Royale

On 3 February 1731, under the reign of the Emperor Charles VI, the Coudenberg Palace was destroyed by a fire that began in the apartments of the then governess (Archduchess Marie Elisabeth, sister of Charles VI). The fire could not be extinguished owing to the water supply that was hampered by freezing weather conditions. This event is commemorated on a plaque depicting the old palace on one of the façades of the present Bellevue Hotel, on the corner of the Place Royale and the Rue Royale. The site would remain in a state of ruin for more than forty years, until in 1774 the governor Charles of Lorraine (1712-1780), brother of Emperor François I and husband of the sister of Empress Maria Theresa, Archduchess Marie-Anne of Austria, decided to embellish the city by redesigning what is now called the Royal Quarter, namely the Park of Brussels and the Place Royale and their environs, including the Parliament, the Rue Royale and the Museum Square. The Neoclassical façade of the building abutting on the Royal Library and bordering this square is actually the façade of the (new) palace that was built for the governor.
The site of the present Place Royale, which at the time was situated on a steep slope, was levelled (raising work, reuse of the foundations of the old buildings, construction of arches in brick to support the new buildings), resulting in a monumental square with eight similar buildings connected two-by-two by four porticoes and surrounding the Neoclassical fronton of St. James’s Church. The project was designed by the architects Barré, Zinner and Guimard. The square was originally called Place de Lorraine; it was adorned in the middle by a statue of the governor, which was financed by the States of Brabant (the statue currently standing next to his palace was inspired by the original statue, which was melted down by the French revolutionaries to make coins): a testimony to the fact that he was probably the most popular governor of the Netherlands.
The dining room of the Hôtel de Flandre at the end of the 19th century; the winter garden can be seen in the background.
ACCOMMODATION OF THE CONSTITUTIONAL COURT

The building which currently accommodates the Constitutional Court was constructed between 1776 and 1778, and is one of the eight pavilions from the urban building project of Charles of Lorraine. The project was financed by the neighbouring Coudenberg Abbey, and the interior was designed by Guimard.

Over the years, the building has been used for various purposes. Originally it accommodated two mansions, which were sold by the abbey in 1783. From 1800 onward and throughout the nineteenth century, the place served as a hotel for travellers. It was run by the Baesten family and was renowned under the name “Hôtel de Flandre” as an exclusive stopover place for the aristocracy. With Belgium’s independence in 1830, this quarter once again became the centre of power, with the Hôtel de Flandre being comprised between the Royal Palace and St. James's Church, on the steps of which in 1831 the first King of the Belgians was sworn in.

It was converted and extended several times. In 1854 (after the Aligambe Hotel behind it had been demolished), a splendid dining room (now a reception room) was added to the structure. In 1864, it was extended on the side of the Borgendael cul-de-sac towards the Royal Palace. Embellishment works were carried out as well, which included the laying out of a winter garden in the former courtyard (now the room where the Court holds its public sessions).
The winter garden of the Hôtel de Flandre at the end of the 19th century
In 1878, the hotel was taken over by Edouard Dremel, who already since 1862 owned the neighbouring Bellevue Hotel, which also served as hotel for travellers and of which the wine cellars were partly accommodated in the cellars of the Coudeberg Palace. The Hôtel de Flandre and the Bellevue Hotel, which at Dremel’s request became connected with each other by an underground passage, hosted many famous visitors, including crowned heads (the German Kaiser, the Tsar, the Kings of Denmark, Spain, Greece, Italy, Sweden and Siam, the Prince of Wales and Empress Eugenie), representatives of the political community (Benjamin Disraeli, William Gladstone, President Ulysses Grant), and celebrities of the time, such as Gordon Pasha, Henry Morton Stanley, Alfred Krupp and Sarah Bernhardt. At that time, the portico connecting the two hotels was restored, after the original portico, which was built in 1777-1778 on behalf of the city by Guimard after a design by Barré, had been destroyed.

The Bellevue Hotel was operated until 1905, when the building, which was bought by the “Fondation de la Couronne” of the independent State of Congo, was presented to Princess Clementine, the youngest daughter of Leopold II, and subsequently went through several uses before it became the present Bel-Vue Museum. The Hôtel de Flandre remained a hotel until the First World War.
The building site of the Court of Arbitration in October 1991

Deliberations room

Reception room
In 1924, the building became public property and was transformed in order to accommodate the Ministry of Colonial Affairs (conversion of the winter garden and addition of an attic floor).

During the Second World War, it served as the administrative headquarters of the German occupiers: the German Governor-General, General von Falkenhausen, had his office there. Later on it was used by the Ministry of Foreign Affairs, the Africa Library and the Ministry of the Brussels Region.

In the early nineties, the complex and difficult renovation works – the façades and the two rooms on the ground floor are listed – were begun by the Public Buildings Agency with a view to accommodating the Constitutional Court. The works were completed within thirty months, and in November 1993 the Court moved into the renovated building.
Courtroom
Registry waiting area
Library
The Place Royale
The courtroom is situated on the ground floor and is directly accessible from the entrance hall. The courtroom is square and is lit by a pyramid-shaped glass dome covering what used to be the courtyard. The blue colour of the seats, wall covering and carpeting is reminiscent of the robes worn by the judges and registrars of the Court on solemn occasions. The ground floor also accommodates the registry, the reception room for lawyers and journalists, and the two listed rooms: the room where the deliberations are held – a drawing room overlooking the Place Royale and decorated with restored stuccowork – and the former dining room of the Hôtel de Flandre, overlooking the Borgendael cul-de-sac and now a reception room. The 19th-century decoration of this room (frescoes and mirrors) has also been restored.

The rest of the building was entirely rebuilt in 1993. The two presidents, the judges, the legal secretaries and the administrative staff of the Court have their offices on the first and second floors. The third floor holds the library and reading room.
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