

Pacification of Ghent, 1576

Introduction: After the loss of the North to the rebels, the Duke of Alba was replaced in the South but Spain still failed to pacify the two most important Southern provinces, Flanders and Brabant. A mutiny of Spanish soldiers and massacre in Antwerp in November of 1576, known as the 'Spanish Fury,' finally produced a temporary peace settlement, known as the Pacification of Ghent, which included the evacuation of Spanish soldiers and religious toleration that allowed Holland and Zeeland to retain Calvinism as their established religion. Philip II's new governor of the Low Countries, Don Juan of Austria, was required to swear to uphold the Pacification. Thus, it appeared that the provinces of the Netherlands were now reunited and that the main aims of the rebels, religious toleration and local self-government. Legal sovereignty, however, remained with the Spanish crown. The selection below was translated from the French and Dutch by Herbert H. Rowen and published in his *The Low Countries in Early Modern Times: A Documentary History* (New York: Harper & Row, 1972), pp. 59-64.

To all those who shall see or hear these presents, Greetings. As these provinces have been exposed these last nine or ten years to a cruel war because of the Spaniards' ambition and harsh government, and because of the injustice and violence committed by them and their adherents, so that this country has fallen into extreme hardship and destitution; and in order to provide for these needs and to prevent greater trouble and the oppression and sufferings of this country by means of a firm peace and effective pacification, there assembled at Breda during the month of February in the year 1574 deputies and commissioners of His Majesty and of the Prince of Orange as well as of the States of Holland, Zeeland and their associates, who proposed various measures strongly conducive to such pacification. But these measures did not bear the fruit which had been expected from them, but on the contrary, instead of the relief and compassion which it was hoped His Majesty would give us, the Spaniards continued every day their oppression and impoverishment of the poor subjects and tried to reduce them to perpetual enslavement by arousing sedition among them, going so far as to threaten the Lords and the cities and seizing several places by hostile force, which they sometimes looted and burned. This is why those to whom the government of this country was entrusted have declared the Spaniards to be enemies of His Majesty and of the public good, and the States of these provinces were compelled, with the consent of these deputies, to take up arms and adopt other measures to prevent total ruin, and in order that the inhabitants of these Low Countries, being joined together

in a firm peace and agreement, may by common action drive out the Spaniards and their adherents as the destroyers of this land and restore these subjects to the enjoyment of their rights, privileges, customs, and liberties, by which means their trade and their prosperity may flourish again. With the prior accord of the aforesaid Lords to whom the government of the country was entrusted, the negotiation begun at Breda for God's honor and His Majesty's service between the prelates, nobles, cities, and members of Brabant, Flanders, Artois, Hainaut, Valenciennes, Lille, Douai, Orchies, Namur, Tournai, Utrecht, and Malines, on the one hand, and the States of Holland, Zeeland, and their associates on the other, by their respective commissioners, to wit: [.. .] after the presentation of their commissions included at the end of these presents, have made and drawn up the present treaty, alliance, and firm and perpetual Union, under the following conditions:

I. First, that all offenses, slanders, misdeeds, and damages occurring as a result of the troubles between the inhabitants of the provinces included in this treaty, no matter where or how they happened, shall be forgiven, forgotten and considered as not having occurred, so that no mention shall ever be made of them and no one shall be sued on account of them.

II. In consequence thereof, the said States of Brabant, Flanders, Hainaut, etc., as well as the said Lord Prince and the States of Holland and Zeeland and their associates, promise to maintain henceforth in good faith and without dissimulation, and to have their provinces maintain a firm and inviolable peace and friendship, and by this means to assist each other at all times and on all occasions with their counsel and deeds, their lives and wealth; with the particular purpose of driving and keeping out of the country the Spanish soldiers and other foreigners who have attempted, without any recourse to law, to deprive Lords and Nobles of their lives, to appropriate the riches and wealth of the country, and to reduce and keep the common people in perpetual enslavement. And in order to furnish whatever will be necessary to resist those who may attempt to thwart them in these measures, the said confederates and allies promise to hold themselves ready and equipped to make all necessary and reasonable contributions and taxation promptly.

III. It has been further agreed that immediately after the departure of the Spaniards and their adherents, when everything will be quiet and safe, the two parties will be bound to promote and obtain the convocation and meeting of the States General in the form and manner in which it was

held during the time of the late Emperor Charles, of praiseworthy memory, when he ceded and transferred these Low Countries to the hands of the King our Sire, in order to put the affairs of the country generally and individually in good order, concerning not only the exercise of religion in the provinces of Holland, Zeeland, and associated places, but also the restitution of fortresses, artillery, ships, and other things belonging to His Majesty, which during the said troubles were captured by Hollanders, Zeelanders, or otherwise, in such fashion as shall be found expedient for the service of His Majesty and the welfare and unity of the country. This will be done without contradiction and without interference, delay, or holding back from either side, either in regard to ordinances, declarations, and resolutions which will be taken and made in the application of these measures, whatever they may be, to which both parties submit themselves absolutely and in good faith.

IV. That henceforth the inhabitants and subjects on both sides, in any province of the Low Countries, no matter what their status, quality, or condition, will have the right to stay and reside, pass in and out, remain, and engage in trade everywhere, either for the sale of goods or otherwise, and in full freedom and security. It shall be understood that the Hollanders, Zeelanders, and others of whatever province, quality, or condition they may be, shall not be allowed or permitted to infringe in any way inside or outside the said lands of Holland, Zeeland, and the allied places, against the repose and public peace, notably against the Roman Catholic religion, or against its practice, nor to slander or annoy anyone on this cast, by deed or word, nor to commit scandals against it by similar acts, under penalty of punishment as disturbers of the public peace and in order to serve as an example to others.

V. And in order to assure that nonetheless no one be exposed to renewal of court action, capriciousness, or peril, all ordinances heretofore made and published regarding heresy, as well as the criminal ordinances made by the Duke of Alva, and prosecution and execution of sentences under them, shall be suspended until the States General shall order otherwise: but it shall be understood that no scandal will be caused, as defined above.

VI. My Lord the Prince shall continue to hold the posts of Admiral General of the Sea and His Majesty's Governor in Holland, Zeeland, Bommel and other associated places, with general command such as he now exercises, with the same judges and magistrates, without any change

or innovation, except with his consent and advice, and in the towns and places which His Excellency now holds, until the States General shall order otherwise after the departure of the Spaniards.

VII. But as regards the cities and places included within his commission from His Majesty which are not now under the authority of His Excellency, this point will remain in suspension until these cities and places will be joined in this union and agreement with the other States and His Excellency will have given them satisfaction in the points concerning interests in coming under his government with regard to the practice of religion or in other matters, so that the provinces may not be dismembered and all dissension and discord may be avoided.

VIII. And meanwhile no ordinances, instructions, judgments or writs shall have force in the lands and cities governed by the said Prince except such as will have been approved or issued by His Excellency or by the Council, the magistrates, or the officers in them, without prejudice for the future to the jurisdiction of the Grand Council of His Majesty.

[Other clauses provide for the release of prisoners without the payment of ransom, and for the restitution to the Prince and all others of their property confiscated since 1566 and not yet sold or transferred.]

XIII. The columns, trophies, inscriptions, and effigies erected by the Duke of Alva putting dishonor and blame on those named above or on anyone else, shall be pulled down and destroyed.

[Further clauses establish the attribution of revenues affected by the events of the war.]

XIX. All prelates and other ecclesiastical persons whose abbeys, dioceses, foundations, and residences, although located outside Holland and Zeeland, nonetheless possess property within these provinces, shall return to the possession of these properties, as provided above for laymen.

XX. But as for religious and other ecclesiastical persons who were professed or prebendaries in these two provinces and withdrew from them, in view of the fact that most of their property has passed into new ownership, they shall henceforth be reasonably provided for along with those who have remained, or otherwise they shall be permitted to take possession of their property, but at the choice and option of the States, and provisionally until the States General shall give orders about their subsequent claims.

[Other clauses about the special position of Holland and Zeeland follow.]

XXIV. The lands, lordships, and towns on the opposite side shall not be included in this joint accord and pacification to enjoy its benefits, until they shall have joined and entered it effectively, which they may do when they wish.

Which treaty and peace negotiation, resulting from the report, approval, and acceptance of the Lords Deputies in the government of these provinces, as well as of their States, together with the Prince, the States of Holland, Zeeland and their associates, the said deputies, by virtue of their power and commission, have promised to observe, maintain, and fulfill inviolably in all the said points and articles, as well as all that the States General shall define and order in regard to it; and to obtain their ratification, swearing, signature, and sealing by the prelates, nobles, cities, and other members of the said provinces on both sides, and particularly by the said Lord the Prince of Orange, generally and particularly, within a month to the satisfaction of all. In witness whereof the said deputies present or this purpose have signed these presents in the town hall of Ghent on November 8, 1576.