

The Union of Utrecht, January 1579

Introduction: In 1578, Phillip II, who had not accepted the principles of the Pacification of Ghent as understood by its signatories, installed Alexander Farnese, the Duke of Parma as the Spanish commander and Governor General of the Low Countries. During the next seven years, Parma drove the Prince of Orange and his followers out of the Southern provinces and won back the allegiance of most of its increasingly overwhelmingly Catholic population, which eventually led to the division of the Low Countries and the creation of the Dutch Republic in the North. The Union of Utrecht, signed on January 23, 1579, was not originally intended as a new sovereign state but as a union of sovereign provinces. It was an agreement between the provinces of Holland, Zeeland, Utrecht, Gelderland, Friesland and the rural districts of Groningen. Its executive authority consisted of a Council of State while the States General was its representative body. Sovereignty remained with the provinces but there was no right of secession. Earlier in January 1579, the Union of Arras was formed, consisting of the southern Walloon provinces and principalities, which had remained largely Catholic. William of Orange, whose goal had been the creation of a general union of all the provinces of the Netherlands did not join the Union of Arras until May 3 of 1579, after it became clear that the Walloon provinces would make peace with the duke of Parma and the king. The Union of Utrecht, while not initially a constitution of a new state. Served as the legal foundation of the Dutch Republic until its abolition in 1795. The document 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. 69-74.

Whereas, since the Pacification made at Ghent, by which almost all the provinces of these Netherlands bound themselves to help each other with their lives and goods in order to drive out the Spaniards and other foreign nations, together with their adherents, we have discovered that these same Spaniards under Don John of Austria and their other chiefs and captains have endeavored and still daily endeavor to bring these provinces as a group and individually under their subjection, tyrannical government, and slavery and to divide and dismember these same provinces by arms and wily practices and to destroy and subvert the Union created by this aforesaid Pacification, with the aim of the utter ruin and downfall of the aforesaid lands and provinces, in which enterprise they persevere, having recently solicited certain cities and quarters with letters and attacked and invaded others, to wit, Gelderland, with arms,

Therefore, the members for the Duchy of Gelderland and County of Zutphen, the counties and lands of Holland, Zeeland, Utrecht, Friesland, and the districts between Eems and

Lauwers have found it wise to unite and bind each other more closely and specifically, not in order to split away from the aforesaid general Union made by the Pacification at Ghent, but in order further to strengthen it and to take measures against the troubles which may come upon them from the wiles, attacks, and violence of their enemies, by determining how and what each of these provinces will do in such a case and acting to protect them against the violence of their enemies. And to prevent further separation of the aforesaid provinces and individual members while the others remain in the aforesaid general Union and Pacification of Ghent, the deputies of the aforesaid provinces, with the full authority granted by their principals, have decreed and concluded the following Points and Articles, without thereby in any way desiring to secede from the Holy Roman Empire.

1

Firstly, the aforesaid provinces will form an alliance, confederation, and union among themselves, as they do hereby form an alliance, confederation, and union, in order to remain joined together for all time, in every form and manner, as if they constituted only a single province, and they may not hereafter divide or permit their division or separation by testament, codicils, donations, cessions, exchanges, sales, treaties of peace or marriage, or for any other reason whatsoever. Nevertheless each province and the individual cities, members, and inhabitants thereof shall each retain undiminished its special and particular privileges, franchises, exemptions, rights, statutes, laudable and long practiced customs, usages and all its rights, and each shall not only do the others no damage, harm, or vexation but shall help to maintain, strengthen, confirm, and indeed protect the others in these by all proper and possible means, indeed if need be with life and goods, against any and all who seek to deprive them of these in any way, whatever it may be. It is fully agreed that differences which now exist or may develop hereafter between some of the aforesaid provinces, members or cities of this Union, concerning their particular and special privileges, franchises, exemptions, rights, statutes, laudable and long practiced customs, usages and rights, shall be decided by means of the ordinary courts of justice, by arbiters, or by friendly agreement, and the other lands or provinces, cities and members thereof shall not interfere, as long as the parties submit to procedures at law, unless they intercede for the sake of agreement.

II.

[The Alliance and Union is to be maintained against attempts upon it made in the name of the Peace of Ghent or under the pretext of re-establishing Roman Catholicism, removing any innovations introduced since 1558, or overthrowing the present Union of Utrecht.]

III.

That the aforesaid provinces shall also be bound to assist each other in the same way and to help each other against all foreign and domestic lords, princes, lands, provinces, cities or members thereof, who seek to do them, as a group or individually, any harm or injustice, or wage war upon them. But it is agreed that assistance given by the Generality of this Union shall be provided with knowledge of the situation.

IV.

Item, in order to assure the aforesaid provinces, cities and members thereof more effectively against all violence, the frontier cities and others where this shall be found necessary in any provinces, shall be maintained and fortified at the cost of the cities and provinces in which they are situated, with the Generality providing one-half of the costs. Provided that if it shall be found expedient to build several new fortresses in any of the aforesaid provinces, or to rebuild or tear down any that now exist, then the costs shall be borne by all the aforesaid provinces in common.

V.

And to provide for the expenses which shall be found necessary in such cases as the above for the defense of the aforesaid Provinces, it is agreed that there will be introduced, raised, and leased to the highest bidder every three months or at other convenient time, in all the provinces upon the same footing for their common defense, various taxes upon all kinds of wines, beers of domestic and foreign brew, the grinding of corn and grain, salt, gold, silver, silk and woollen cloth, livestock and cultivated land, slaughtered beasts, horses, oxen sold or exchanged, goods weighed at public scales, and all other goods which it shall be unanimously agreed hereafter to tax. In accordance with the ordinance to be drafted and adopted upon this matter, the revenues of the domains of his Royal Majesty shall also be employed for these ends, after deducting the charges upon them.

VI.

These revenues shall be increased or decreased only by unanimous decision, according to the needs of the situation, but shall serve only the common defense and the expenditures placed upon the Generality, and they shall not be diverted to any other use.

IX.

Item, that no treaties of truce or peace shall be made or wars begun, nor any taxes or contributions be raised affecting this Union in general except with the general advice and consent of the aforesaid provinces. But in other matters affecting the maintenance of this Confederation and the results and consequences thereof, decisions shall be made according to the opinions and votes of a majority of the provinces included in this Union, which shall be counted according to the existing practice of the States General but only provisionally until other arrangements are ordered by the common decision of the Allies [the word 'Allies' is used for members of the Union throughout the document].

Provided that in the event that the provinces cannot reach agreement in matters of truce, peace, war, or taxation, then the difference will be referred to and provisionally submitted to the stadholders now in office in the aforesaid United Provinces, who shall bring the parties to an agreement or make their own decision in the conflict, as they shall deem proper. It shall be understood that if the stadholders themselves cannot come to an agreement in such matters, they shall name impartial assessors or deputies of their own choice and the parties shall be held to accept the decisions made by the stadholders in this manner.

X

None of the aforesaid provinces, cities, or members thereof may make any confederation or alliances with any neighboring rulers or countries, without the consent of these United Provinces and Allies.

XI.

It is agreed that if any neighboring princes, lords, lands, or cities desire to join with the aforesaid provinces and enter this Confederation, they may be accepted only by common advice and consent of these provinces.

XII.

The aforesaid provinces shall be required to adhere to the same valuation of coinage, that is, the

rate of monetary exchange, according to such ordinances as shall be made thereupon at the first opportunity, and it may not be changed except by common agreement.

XIII.

As for the matter of religion, the States of Holland and Zeeland shall act according to their own pleasure, and the other Provinces of this Union shall follow the rules set down in the religious peace drafted by Archduke Matthias, governor and captain-general of these countries, with the advice of the Council of State and the States General, or shall establish such general or special regulations in this matter as they shall find good and most fitting for the repose and welfare of the provinces, cities, and individual Members thereof, and the preservation of the property and rights of each individual, whether churchman or layman, and no other Province shall be permitted to interfere or make difficulties, provided that each person shall remain free in his religion and that no one shall be investigated or persecuted because of his religion, as is provided in the Pacification of Ghent...

XVIII

Item, none of the United provinces, or cities or members thereof, shall impose any taxes, convoy fees, or similar burdens, which shall be detrimental to other Provinces, except by common agreement, and none of the allies may be taxed more highly than the inhabitants of the province itself...

XXIV

To assure its more exact performance, the Stadholders of the aforesaid provinces who are now in office and their successors, as well as the magistrates and chief officials of each Province, City and member thereof, shall be required to swear an oath to follow and maintain this Union and Confederation and each article therein, and to have others do the same.

XXV

The same oath shall be taken by all civic guards, confraternities, and corporate bodies in any cities and places in this Union.