The Twelve Years Truce (1609)

*Peace, Truce, War and Law in the Low Countries at
the Turn of the 17th Century*

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The Treaty of London, the Twelve Years Truce and Religious Toleration in Spain and the Netherlands (1598–1621)

Werner Thomas

Introduction

In European historiography since the 17th century, Spain has always been seen as the ultimate defender of Catholicism against Protestantism. The Black Legend created an image of a country that was ruled by the Holy Inquisition, and in which even the King could not escape the orders of the inquisitors.¹ A regime of terror, dominated by auto-da-fé, torture and the stake kept the Spaniards within the boundaries of orthodoxy. Bartolomé Bennassar even refers to it as a *pédagogie de la peur*.² Religious tolerance was not exactly a concept that was and is related to the Spanish Monarchy. Benjamin Kaplan's latest book on the practise of toleration in Early Modern Europe, for example, omits Spain completely, except when discussing intolerance.³

- 1 On the Black Legend, see Sverker Arnoldsson, *La leyenda negra. Estudios sobre sus orígenes* (Goteborg, 1960); William S. Maltby, *The Black Legend in England* (Durham, 1971); Koenraad W. Swart, 'The Black Legend during the Eighty Years' War' in John S. Bromley and Ernst H. Kossmann (eds.), *Britain and the Netherlands*, vol. 5: *Some Political Mythologies* (The Hague, 1975), 36–57; Julián Juderías, *La Leyenda Negra* (2nd edn., Madrid, 1986); Miguel Molina Martínez, *La leyenda negra* (Madrid, 1991); Ricardo García Cárcel, *La Leyenda Negra. Historia y opinión* (Madrid, 1992); Alain Barsacq and Bernardo J. García García (eds.), *Hazañas bélicas y leyenda negra. Argumentos escénicos entre España y los Países Bajos* (Madrid, 2004); Rómulo Carbia, *Historia de la leyenda negra hispano-americana* (Madrid, 2005); Werner Thomas, 'De mythe van de Spaanse inquisitie in de Nederlanden van de zestiende eeuw', *Bijdragen en mededelingen betreffende de geschiedenis der Nederlanden*, 105 (1990) 325–353.
- 2 Bartolomé Bennassar, 'L'inquisition ou la pédagogie de la peur' in idem, *L'Inquisition espagnole, XVe–XIXe siècle* (Paris, 1979), 105–141.
- 3 Benjamin Kaplan, *Divided by Faith. Religious Conflict and the Practice of Toleration in Early Modern Europe* (Cambridge, Mass./London, 2007). On the contrary, in his latest book, *All Can Be Saved. Religious Tolerance and Salvation in the Iberian Atlantic World* (New Haven/London, 2008), Stuart B. Schwartz analyses in a masterly way tolerant attitudes among ordinary people in Spain, Portugal and their overseas territories.

A similar image still exists of the Southern Netherlands governed by the Archdukes Albert of Austria and Isabella Clara Eugenia. Both sovereigns are seen as creatures of the Spanish King and slaves of their religious bigotry. Albert even received the nickname of 'grave digger of Protestants'. In contrast to the religious climate in the United Provinces, their country was a bastion of intolerance, and it was this lack of openness towards dissenters that led to its economic and political decline.⁴

In reality, since the reign of Charles V (1516–1558), the Spanish Monarchy pursued a two-track policy towards religious dissidents. So did even Philip II. Towards the subjects of *other* sovereigns, the Spanish King made the political interests of the Crown prevail over any religious considerations whatsoever. Thus, he allowed the so-called Alba-Cobham Agreement of 1575, concluded between the Duke of Alba and Henry Cobham,⁵ that granted the subjects of the Queen of England religious toleration in Spain and the Netherlands, and in 1597 he came to an arrangement with the merchants of the Hanseatic League, allowing them the same rights as their English colleagues.⁶ In both cases, Philip's forbearance was mainly inspired by commercial and political motives. In other words, in 1575 as well as in 1597, arguments of *raison d'état* more than religious fanaticism shaped the Monarchy's religious policy.

Towards *his own* subjects, on the contrary, Philip defended the principle of *cuius regio, eius religio*. He was of the opinion that as the sovereign of the Netherlands, he was entitled to determine the religion in his northern provinces. No subject of the King was allowed to practise any other religion but Catholicism. Religious dissidence was considered as the first step to

4 Cf. Roland Baetens, *De nazomer van Antwerpens welvaart. De diaspora en het handelshuis De Groote tijdens de eerste helft der 17de eeuw* (Brussels, 1976), vol. 1, 230, where the author describes the Merchant Adventurers's call for toleration as an 'insuperable barrier' for the Spanish authorities in Brussels. See also Denis Diagre, 'L'Archiduc Albert, souverain-modèle ou ange exterminateur?' in Anne Morelli (ed.), *Les grands mythes de l'histoire de Belgique, de Flandre et de Wallonie* (Brussels, 1995), 117–128. On the historiography of the Archdukes, see Werner Thomas, 'La Corte de los archiduques Alberto de Austria y la Infanta Isabel Clara Eugenia en Bruselas (1598–1633). Una revisión historiográfica' in Ana Crespo Solana and Manuel Herrero Sánchez (eds.), *España y las 17 provincias de los Países Bajos. Una revisión historiográfica (XVI–XVIII)* (Cordoba, 2002), vol. 1, 355–386.

5 Julio Retamal Favereau, *Diplomacia anglo-española durante la Contrarreforma* ([Santiago de Chile], 1981), 31, 46–52; Carlos Gómez-Centurión, *Felipe II, la empresa de Inglaterra y el comercio septentrional (1566–1609)* (Madrid, 1988), 71 ff.; Werner Thomas, *La represión del protestantismo en España, 1517–1648* (Leuven, 2001), 271–276.

6 Antonio Domínguez Ortiz, 'El primer esbozo de tolerancia religiosa en la España de los Austrias' in idem, *Instituciones y sociedad en la España de los Austrias* (Barcelona, 1985), 184–191 at 185.

(civil) disobedience, and liberty of conscience as a way to free oneself of royal authority. Any agreement on this point would therefore restrict royal power.⁷

In practice, religious toleration towards the subjects of other sovereigns was only pursued during peacetime. Moreover, the Spanish Inquisition clearly disapproved the Alba-Cobham Agreement and never stopped persecuting English Protestants, in spite of the complaints of the English ambassadors in Madrid.⁸ In reality, the politics of repression of the Spanish Monarchy in Spain and the Netherlands did not change until the beginning of the 17th century, when religious tolerance was implemented in order to make international peace – Philip III's so called *Pax Hispanica* – possible.⁹

The mechanisms that led to this adjustment were two international treaties between the Spanish Monarchy and its most important Protestant enemies: the Treaty of London of 1604 and the Twelve Years Truce of 1609. Apart from the cease-fire and the end of military hostilities, their attention was mainly focused on commerce, that is, on the re-establishment of commercial relations and the conditions they had to comply with. Religious matters were hardly mentioned. Nevertheless, both treaties exercised a favourable influence on the religious policy of the Monarchy and eventually shaped a climate of what in Spanish is called – although in relation to the situation in the Middle Ages – *convivencia*, religious cohabitation.

Spain and the Treaty of London

The motives of the Spanish and English government to start the negotiations that led to the Treaty of London, signed on 29 August 1604, have already been studied intensively.¹⁰ I therefore will not go into the political circumstances in

7 See my article 'Alva and Religion' in Maurits Ebben, Margriet Lacy-Bruijn and Rolof van Hóvell tot Westerfliet (eds.), *Alba. General and Servant to the Crown* (Rotterdam, 2013), 116–135, 398–402.

8 Gary M. Bell, 'John Man: The Last Elizabethan Resident Ambassador in Spain', *The Sixteenth Century Journal*, 7/2 (1976) 75–93; Thomas, *La represión*, 276–280.

9 On the *Pax Hispanica*, see Bernardo J. García García, *La Pax Hispanica. Política exterior del Duque de Lerma* (Leuven, 1996); Paul Allen, *Philip III and the Pax Hispanica, 1598–1621. The Failure of Grand Strategy* (New Haven, 2000); Antonio Feros, *Kingship and Favoritism in the Spain of Philip III, 1598–1621* (Cambridge, 2000); Jesús María Usunáriz, *España y sus tratados internacionales: 1516–1700* (Pamplona, 2006), 233–272; Patrick Williams, *The Great Favourite. The Duke of Lerma and the Court and Government of Philip III of Spain, 1598–1621* (Manchester, 2006).

10 Léopold Willaert, 'L'Angleterre et les Pays-Bas catholiques', *Revue Générale*, 6 (1905) 47–54, 566–581, 811–826; 7 (1906) 585–607; 8 (1907) 81–101, 305–311, 514–532; 9 (1908) 52–61,

which the Treaty was concluded, but I will strictly limit myself to the religious consequences in Spain and the Netherlands.

The Treaty of London offered British subjects in Spain and the Netherlands guarantees for tolerance without any reciprocity for Catholicism in Great Britain. Based almost literally on the Alba-Cobham Agreement, Article 23 of the London Treaty stipulated that English merchants in Spain or the Southern Netherlands were not to be molested for religious motives – that is, for being Protestants – if they did not cause any public scandal. Three secret articles gave more details about the final arrangement. The first secret article guaranteed that the subjects of the King of Great Britain would not be persecuted for crimes of heresy committed outside the territory of the Spanish Monarchy. The second established that they did not have the obligation to attend Mass in Spain or the Southern Netherlands, and that they could not be forced to confess or to take Holy Communion. However, when they entered a Catholic church or when they crossed the Holy Sacrament in the streets, they were obliged to kneel and render honour to it, or to hide in a side-street. The third article stipulated that when there were reasons to detain an English merchant, sailor or captain, the Inquisition would only confiscate the property of the accused, and not the whole ship or cargo, as had frequently happened in the past.¹¹

737–745; Joseph Cuvelier, *Les préliminaires du traité de Londres*, 29 août 1604 (Brussels/Paris, 1923); Albert J. Loomie, *Toleration and Diplomacy. The Religious Issue in Anglo-Spanish Relations, 1603–1605* (Philadelphia, 1963); Pauline Croft, 'England and the Peace with Spain, 1604. Pauline Croft Analyses the Causes and Traces the Consequences of a Momentous Treaty', *History Review*, 49 (2004) 18–23; Porfirio Sanz Camanes, 'España ante las paces del Norte a comienzos del siglo XVII. Del Tratado de Londres a la Tregua de Amberes', *Cuadernos de Historia de España*, 81 (2007) 113–134; Bernardo J. García García, 'Peace with England, from Convenience to Necessity, 1596–1604' in Anne J. Cruz (ed.), *Material and Symbolic Circulation between England and Spain, 1554–1604* (Aldershot, 2008), 136–150.

11 Antonis Anselmus (ed.), *Placcaeten, ordonnantien, landt-chartres, blyde-incomsten, privilegiën ende instruction by de Princen van dese Neder-Landen, aen de Inghesetenen van Brabandt, Vlaenderen, ende andere Provincien, 't sedert 't iaer 1220* (Antwerp, 1648), vol. 1, 621–632. The text was also published in Jean Dumont, *Corps universel diplomatique du droit des gens* (Amsterdam/The Hague, 1728), vol. 6.1, 625 ff.; Stephen Whatley (ed.), *A General Collection of Treatys, Manifest's Contracts of Marriage, Renunciations, and other Public Papers, from the Year 1495, to the Year 1712* (London, 1732), vol. 2, 131–146; Joseph Antonio de Abreu y Bertodano (ed.), *Colección de los Tratados de Paz, Neutralidad, Garantía, Protección, Tregua, Mediación, Accesión, Reglamento de Límites, Comercio, Navegación, etc., hechos por los Pueblos, Reyes y Príncipes de España Con los Pueblos, Reyes, Príncipes, Repúblicas, y demás Potencias de Europa y de otras partes del Mundo* (Madrid, 1740), vol. 1, 243, 285 and 354.

The Treaty of London did not establish a regime of religious liberty, not even of freedom of cult for the English. It was a commercial agreement, and therefore only applicable to the merchant class, and by extension, to travellers: English subjects who decided to stay permanently – that is, longer than one year and one day – in Spain or the Netherlands still had to convert to Catholicism.¹² Also, public worship of any other religion than Catholicism was prohibited. With the exception of the English ambassadors in Madrid and Brussels, English subjects were not permitted to organise private religious ceremonies. Any conversation or debate with Spanish or Flemish subjects on religious matter was prohibited. Protestant literature was not to be brought into the territory of the Monarchy, even if it was only for personal use.

Once the negotiations ended, but before the ratification, Madrid took the necessary measures to avoid that the activity of the Spanish Inquisition would abort the Treaty, as had happened in 1575, when Grand Inquisitor Gaspar de Quiroga refused to implement religious tolerance towards subjects of Queen Elizabeth I.¹³ In 1599, the Duke of Lerma had removed Grand Inquisitor Pedro de Portocarrero from office, and in the next ten years he appointed four different Grand Inquisitors, thus hollowing out their power and influence. In 1608, he even designated his uncle, Bernardo de Sandoval y Rojas. At the same time, he filled the Council of the Inquisition, also called *Suprema*, with his creatures, so that he could easily influence the religious policy of the Inquisition. In order to avoid that the actions of the relatively independent local tribunals would affect Spain's international politics, he stipulated that any sentence passed on English subjects had to be confirmed by the *Suprema* before its execution. In this way, any inconvenient conviction made by local inquisitors could always be overruled by Madrid. At least the Spanish government seemed to be ready to implement religious tolerance.¹⁴

However limited the concessions to Protestantism might have been, Spanish public opinion, and especially the orthodox sector of it, condemned the Treaty almost immediately. Since 1595, various Jesuit theologians had written treatises against religious freedom, and in his quite successful *De origine et progressu Officii Sanctae Inquisitionis* of 1598, the Inquisitor of Sicily, Luis de

12 Madrid, Archivo Histórico Nacional, *Inquisición*, reg. 2042–2054: case of Pedro Delarnodi, Santiago de Compostela 1612–1613.

13 Thomas, *La represión*, 276–281.

14 José Martínez Millán, 'Los inquisidores generales durante el reinado de Felipe III' in Joaquín Pérez Villanueva and Bartolomé Escandell Bonet (eds.), *Historia de la Inquisición en España y América* (Madrid, 1984), vol. 1, 887–892.

Páramo, argued the need for extirpation of all religious heterodoxy.¹⁵ When in the spring of 1605 the Earl of Nottingham, Charles Howard, travelled to the Iberian Peninsula in order to attend the ratification ceremony, his diplomatic mission provoked very negative reactions. The famous poet Luis de Góngora noted bitterly:

The Queen gave birth; the Lutheran came
With six hundred heretics and heresies;
We spent a million in a fortnight
Giving him jewels, accommodation and wine.¹⁶

The London Treaty got through its first difficult moments when the English legation arrived at La Coruña. One of the English sailors almost immediately got into a fight with a Spanish priest and slapped him in the face. The opponents of the Treaty could not have dreamed of a better argument: the English had not been in Spain for a week, and there had already been a first incident with a heretic showing disrespect for Catholicism. However, the incident did not have major consequences: while the English admiral offered to hang the sailor, the Governor of Galicia gave him a meal and set him free.¹⁷ The second incident occurred when the commissioners of the Inquisition found Protestant bibles in Spanish, printed in the Northern Netherlands, in the luggage of some members of the legation. They had to promise not to take the books with them.¹⁸

Although the first contact with the English delegation was somewhat difficult, in the days and weeks following their arrival there were no more incidents. On the contrary, Tomé Pinheiro da Veiga, a Portuguese at the Spanish court in Valladolid, wrote in his diary that the English 'behaved with much modesty, respect and courtesy towards statues and sacraments'.¹⁹ The English

15 Apart from Páramo, see also Pedro de Ribadeneira, *Tratado de la religión y virtudes que debe tener el príncipe cristiano para gobernar y conservar sus estados, contra lo que Nicolás Maquiavelo y los políticos deste tiempo enseñan* (Madrid, 1595) and Juan de Mariana, *De rege et regis institutione* (Toledo, 1599).

16 'Parió la Reina; el luterano vino/Con seiscientos herejes y herejías;/Gastamos un millón en quince días/En darles joyas, hospedaje y vino', cited in Miguel Herrero García, *Ideas de los españoles del siglo XVII* (Madrid, 1966), 475.

17 John Stoye, *English Travellers Abroad, 1604–1667. Their Influence in English Society and Politics* (2nd edn., New Haven, 1989), 236.

18 Marcelino Menéndez Pelayo, *Historia de los heterodoxos españoles* (4th edn., Madrid, 1986), vol. 2, 123–124.

19 '[...] procedieron con mucha modestia, respeto y cortesía a todos los imágenes y sacramentos', Tomé Pinheiro da Veiga, *Fastiginia. Vida cotidiana en la Corte de Valladolid* (transl. Narciso Alonso Cortés, Valladolid, 1989), 161.

diplomats who were invited to the presentation of Prince Philip in the church of Our Lady of San Llorente left the church when Mass began. English members of the ambassador's suite were seen in Catholic churches, probably out of curiosity, but never caused any scandal.²⁰ Apparently, Spaniards gradually lost their mistrust.

Nevertheless, in the weeks and months following the ratification of the Treaty, the embassy in Valladolid and the court in London received many complaints about the non-application of the secret articles by Spanish authorities. Royal functionaries still confiscated English merchandise in Spanish harbours and the Inquisition still proceeded against subjects of the King of Great Britain as if the secret articles did not exist. In January 1605, Thomas Wilson, secretary to Sir Robert Cecil, described the sentiments of the Spanish people quite negatively:

(...) for although Englishmen were so discreet to give noe scandale yet will the Spaniards both men and wemen be continually urging them, yea some of the cheefest of them in the port townes have said unto my self, yt lett ther Kinge doe what he will in other matters, but for the religion they will lose life and goodes and abandon their contry and goe dwell in the Indies rather then they will suffer heresy.²¹

Wilson's words clearly contradict Pinheiro da Veiga's description.

The reason for this potentially dangerous policy – Madrid was risking the rupture of the Treaty – lies in the slowness with which the secret articles were applied. While the English Crown informed the merchant community in London of the new situation already in September 1604, the Spanish Council of State waited until October before ordering the Inquisition not to start new trials on minor accusations, and to inspect English merchandise with less rigour than before.²² The *Suprema*, in its turn, did not communicate the new policy to the local tribunals until October 1605.²³ But once the new guidelines had arrived in the districts, all subjects of the King of Great Britain were released, although not before the inquisitors reminded them of the conditions of the Treaty.²⁴

20 Pinheiro da Veiga, *Fastiginia*, 83, 101 and 109.

21 Cited in Stoye, *English Travellers Abroad*, 357, note 40.

22 Loomie, *Toleration and Diplomacy*, 37 and 43.

23 Henry Charles Lea, *Historia de la Inquisición española* (transl. Ángel Alcalá and Jesús Tobío, Madrid, 1983), vol. 3, 265.

24 Madrid, Archivo Histórico Nacional, *Inquisición*, reg. 2075-15B (case of Jerónimo Alarde); reg. 1829-2^a (case of Duarte Monox). Cf. Henry Charles Lea, *The Inquisition in the Spanish Dependencies* (New York/London, 1908), 171. The Tribunal of Palermo also released all

This did not mean the end of all inquisitorial activity against the English. At least during the first years of the Treaty, local inquisitors were determined to strictly apply the secret articles and to punish English subjects that had been denounced. In almost all cases, they argued that the accused had occasioned public scandal. The concept of 'public scandal' was vague enough to permit such interpretation. Answering questions made by Spaniards on one's religion was already considered as 'scandalous', even if the Protestant did not start the conversation himself, but only responded to the curiosity of the local population. On several occasions the tribunals tried to punish these heretics severely. Time and time again their sentence was overruled by the *Suprema*, who defended more and more the Crown's interests of international policy rather than those of Catholicism in Spain.²⁵ And when the inquisitors seemed to have forgotten what these interests were, the English ambassador in Madrid did not hesitate to remind them. On several occasions, he intervened actively in order to stop inquisitorial persecution of subjects that did not respect the secret articles of the Treaty, reminding the King that any conviction could have negative consequences on the Anglo-Spanish trade and on the treatment of Catholics in Great Britain.²⁶

The embassy itself converted into a real bastion of Protestantism in Madrid. Anglican services were held twice a day. In theory, only the members of the diplomatic staff had access to the chapel, but soon English and other Protestants residing in Madrid, mostly German Lutherans and French Huguenots attended the services. At the same time, it was a place of refuge for anybody who wanted to avoid Catholic Fasting Days. The Inquisition kept strict watch on the visitors of the building, but barely intervened. As time went on, the English ambassador felt so untouchable, that he began to organise a group of heavies to 'convince' British subjects not to convert to Catholicism. In some cases it even used nocturnal violence in order to prevent conversions, mostly of Irishmen. The *Suprema* was always informed about the incidents and was eager to punish the culprits, but had to limit its intervention, urging upon the ambassador to have a better control over the members of his 'family'.²⁷

English prisoners, William Monter, *Frontiers of Heresy. The Spanish Inquisition from the Basque Lands to Sicily* (Cambridge, 1990), 247.

25 See cases in Thomas, *La represión*, 321–325.

26 Thomas, *La represión*, 325–333. For an exemplary case of diplomatic intervention on behalf of English prisoners of the Inquisition, see: Madrid, Archivo Histórico Nacional, *Inquisición*, reg. 108–110 (trial of Richard Scott).

27 Werner Thomas, 'Diplomatieke cultuur tussen religieuze verdeeldheid en staatsraison. De Spaanse inquisitie en de Engelse ambassade in Madrid in tijden van Reformatie en Contrareformatie' in Peter Van Kemseke (ed.), *Diplomatieke cultuur* (Leuven, 2000), 71–86.

It is therefore no surprise that very soon after 1604, persecution of British subjects diminished considerably. The number of Englishmen arrested by the Inquisition dropped from 142 between 1559 and 1604 to 37 between 1604 and 1648. While during the twenty years before 1604 the Holy Tribunal condemned more than eighty British Protestants, between 1604 and 1624 it received only 29 denunciations, of which seven ended in absolution *ad cautelam* and five were suspended.²⁸ Three more were reprehended in the presence of only the inquisitors, that is, not in a public auto-da-fé. Among the absolved, there were perpetrators of crimes that in other circumstances would have received a much more severe punishment. One of these was the sailor Tetos Cult, who spat at an image of a saint in a tavern in Sanlúcar de Barrameda at the beginning of 1605.²⁹ The worst offenders were simply banished from the country, as happened in 1609 to another sailor, Nicolas Rahen, who insulted two priests and mocked a statue of the Virgin in public.³⁰ No one was burned at the stake.

In spite of occasional local resistance, the climate of toleration created by the Treaty of London was never turned back. Although the Treaty was suppressed during the Anglo-Spanish war from 1624 to 1630, the *Suprema* waited two years before informing the local tribunals that they should treat the English as any other heretics. When it finally did, there were no obvious changes in the religious policy of the Monarchy. Only eight Englishmen were arrested; four of them were merchants who had not obeyed the command of expulsion. The Treaty of Madrid of 1630 confirmed the secret articles of the Treaty of London and ended *de facto* the persecution of Anglicans in Spain.³¹

The Netherlands and the Twelve Years Truce

While in Spain times were changing, Habsburg policy in the Netherlands remained almost the same. This was more or less the result of the arrangements Philip II had made at the end of his life. The King considered the Dutch rebels as his subjects, in spite of the Act of Abjuration of 1581, and it is therefore no surprise that when ceding the Netherlands – including the insurgent

28 Absolution 'for safety's sake', due to the doubt whether the suspect did or did not commit acts of heresy. If there was not enough basis for a formal accusation, the case was simply suspended.

29 Thomas, *La represión*, 315–317.

30 Madrid, Archivo Histórico Nacional, *Inquisición*, book 835, f° 372.

31 Thomas, *La represión*, 319–320.

provinces – to his daughter Isabella Clara Eugenia in order to resolve the Dutch problem in a peaceful way, Philip made her promise not only to maintain Catholicism, but also to persecute heresy by all means.³² Moreover, the choice of Albert of Austria as her husband and co-sovereign made a change in religious policy in the Netherlands very unlikely. As former Cardinal of Toledo and Grand Inquisitor of Portugal, the Archduke had always defended religious orthodoxy against Protestantism.³³ And in the years that he was Governor General of the Netherlands, from 1596 to 1598, he had already shown what his plans with the Protestants in the country were, by condemning to death by burying alive the Brussels Anabaptist Anneke Utenhove.³⁴ Only a storm of protest from different sectors of society, with the exception of the Jesuits and the high clergy, prevented him from starting new religious persecutions. This setback did not mean that he altered his ideas about the fate of Protestantism in his country. Soon, he supported the proposal of the Antwerp vicar general to burn at the stake every reconciled heretic who relapsed.³⁵ Later on, in 1610, he even declared to the papal nuncio Ottavio Mirto Frangipani that, rather than having to allow Protestants in his country, he preferred not to have subjects at all.³⁶ This statement reflects a way of thinking very similar to that of Philip II.³⁷

32 See the Act of Cession in Victor Brants (ed.), *Recueil des ordonnances des Pays-Bas: Règne d'Albert et Isabelle, 1597–1621* (Brussels, 1909), vol. 1, 7–13, especially the secret articles on 12–13.

33 Francisco Caeiro, *O Arquiduque Alberto de Austria. Vice-rei e Inquisidor-mor de Portugal, Cardeal Legado do papa, Governador e depois soberano dos Países Baixos. História e arte* (Lisbon, 1961).

34 F. Van Dijk, 'Het laatste ketterproces in de Nederlanden (19 juli 1597, Anneke Emelt buiten Brussel levend begraven)', *Gereformeerd Theologisch Tijdschrift*, 49 (1949) 219–231.

35 Marie-Juliette Marinus, 'De protestanten te Antwerpen (1585–1700)', *Trajecta*, 2/4 (1993) 327–343 at 328–329.

36 Alexandre Pasture, 'Le placard d'hérésie du 31 décembre 1609: sa portée juridique et son application pendant le règne des archiducs Albert et Isabelle (1609–1633)' in M.M.F. Béthune and Alfred Cauchie (eds.), *Mélanges d'histoire offerts à Charles Moeller* (Leuven, 1914), 301–310 at 304: 'A chi proponera in consideratione all' archiduca serenissimo che l'editto promulgato contra gli heretici per occasione delle prediche di Lillo havrebbe potuto far diminuire notabilmente il numero di vassali, fu data per sua Altezza pia et generosa risposta dicendo che più tosto desiderava di non havere sudditi che haverne di quella sorte'.

37 Dutch Protestants even reminded in their Beggar's songs that the entourage of the King had declared the same: 'Want de Inquisicy seyt/Thegens zijne Majesteit/Liever gheen Lant dan Luthrianen', P. Leendertz, *Het geuzenliedboek naar de oude drukken uit de nalatenschap van E. Kuiper* (Zutphen, 1924), vol. 2, 53–55 (1597). At the occasion of one of the 1559 auto-da-fé, Philip II is said to have declared that he would prefer to hand over his own

Once installed as sovereign rulers of the Netherlands, the Archdukes made plans to continue the Habsburg anti-Protestant policy. During the meeting of the States General in Brussels in 1600, Albert hesitated to confirm the privileges of the different provinces because he thought that this would lead to the suppression of the edicts Charles V and Philip II had promulgated against Protestantism.³⁸ In fact, until 1606 the Archduke tried several times to renew the so called Blood Edict of Charles V. This edict of 1550 condemned to death not only all Protestants, but also everybody else who possessed, read or discussed forbidden books, attended Protestant sermons or lodged Protestants. At the same time, Albert wanted to re-enact some edicts concerning censorship and Protestant literature, and most of all, the 1556 edict promulgated by Philip II to confirm the anti-Protestant legislation of his father. Both the 1550 and 1556 edict had fallen into disuse since the time of Alexander Farnese. Indeed, in 1603 and again in 1606, Albert urged the governors of the different provinces to 'the immediate and severe execution' ('la prompte et rigoureuse execution') of the Caroline legislation on heresy.³⁹

On the other hand, Albert continued the Habsburg policy regarding the presence of Protestants in newly conquered territory: they were simply expelled. At Ostend, all inhabitants had to take an oath of allegiance to the Archdukes and the Catholic religion. Protestants who did not want to convert were given three months to settle their affairs.⁴⁰ The same conditions were imposed on the population of the towns that were taken in 1605 and 1606. In Grol, for example, inhabitants were given two months to consider whether they would stay as Catholics or would remain Protestant and thus choose to leave the city.⁴¹

The Treaty of London did not force the Archduke – who did not approve the secret articles and held the opinion that Philip III made too many concessions

son to the Inquisition, rather than to tolerate that he would become a Protestant. Cf. Jesús Alonso Burgos, *El luteranismo en Castilla durante el siglo XVI. Autos de fe de Valladolid de 21 de mayo y de 8 de octubre de 1559* (San Lorenzo de El Escorial, 1983), 115.

38 Hendrik J. Elias, 'De ketterij in de Nederlanden onder Albrecht en Isabella. Een eigenaardig geval te Brugge in 1618', *Annales de la Société d'émulation de Bruges pour l'étude de l'histoire et des antiquités de la Flandre*, 68–69 (1925–1926) 370–387 at 370.

39 Aline Goossens, *Les inquisitions modernes dans les Pays-Bas Méridionaux, 1520–1633* (Brussels, 1997–1998), vol. 1, 126–127.

40 Brants, *Recueil des Ordonnances*, vol. 1, 256: 'vivant catholiquement sous nostre obéissance et dont ils seront tenus de prester le serment ès mains de nostre-dit officier et gens de loy que establirons en icelle ville'.

41 Emanuel Van Meteren, *Historie der Neder-landscher ende haerder na-buren oorlogen ende geschiedenissen tot den iare M.VI^c.XII*. (The Hague, 1614), f° 555v.

on the point of religion – to adopt major changes in his religious policy. In contrast with the situation on the Iberian Peninsula, very few subjects of the Queen of England had been persecuted in the Netherlands in the years before the Treaty.⁴² Therefore, its religious arrangements were mostly theoretical. Apart from the English and Scottish regiments at Ostend, which constituted half of the garrison defending the town, the number of British Protestants in the Southern Netherlands was very limited. Although the Archduke had already in 1605 discussed the re-establishment of trade relations with England, the Brussels court was still considering its final decision until 1616.⁴³ Thus, many years passed before English merchants returned to the Southern Netherlands.⁴⁴

The situation in the Netherlands changed when in the spring of 1607 peace talks started between Madrid, Brussels and The Hague. Religious toleration was one of the major subjects of discussion. At the beginning, the Spanish King and the Archdukes required religious freedom for Catholics in the United Provinces without reciprocity in the Southern Netherlands or Spain. Only then they would recognise the sovereignty of the Dutch provinces. On the other hand, the States General considered any demands of that type as interferences in its internal affairs and, thus, infringements upon its sovereignty. Therefore, and in spite of Philip's and Albert's instructions to their representatives that religion was to be the first matter that ought to be discussed, the head of the Spanish delegation, Ambrogio Spinola, almost immediately decided to give

42 Goosens, *Les inquisitions modernes*, vol. 2, 176–177.

43 Henri Lonchay, Joseph Cuvelier and Joseph Lefèvre (eds.), *Correspondance de la cour d'Espagne sur les affaires des Pays-Bas au XVIIIème siècle* (Brussels, 1923), vol. 1, 442, n° 1075; 448, n° 1098; 452, n° 1113; 478–479, n° 1207.

44 It was only in 1615, for example, that about forty English families of clothiers from Middelburg asked for permission to establish themselves in Antwerp. This request occasioned a lively discussion between supporters and opponents at the archducal court that went on until at least the summer of 1618 and during which the danger of Protestant infection was the most important argument against the proposal, cf. Petrus F.X. De Ram, 'Un document sur la décadence commerciale d'Anvers au commencement du XVIIe siècle', *Bulletin de la Commission Royale d'Histoire*, 2nd series, 8 (1856) 296–312; Hendrik J. Elias, *Kerk en Staat in de Zuidelijke Nederlanden onder de regeering der aartshertogen Albrecht en Isabella (1598–1621)* (Antwerp, 1931), 26–28. Others argued that the risk of the spread of heresy was minimal, as most Flemish did not understand English: Lonchay, Cuvelier and Lefèvre, *Correspondance de la cour d'Espagne*, 486–487, n° 1233; letter of Iñigo Borja to Philip II, Antwerp 6 October 1616. Finally, in 1619 the families were allowed to come to Antwerp on the condition that no public scandal should arise, and that the English would not practice their religion in public: Elias, *Kerk en Staat*, 28.

preference to less explosive topics. Nevertheless, this could not prevent religion, together with disagreement on free navigation to the Indies, finally wrecking the peace talks.⁴⁵

Once the negotiations for a truce had started, religion was, curiously enough, no major topic anymore. The final result was an arrangement that gave Protestant subjects of the States General the same rights in Spain and the Southern Netherlands as the Treaty of London did to British subjects, but without mentioning religion once. Article 7 of the Truce only refers to the clauses of the 1604 London Treaty:

And the subjects and inhabitants of the lands of the States General will have the same security and liberty in the lands of the King and the Archdukes as have been granted to the subjects of the King of Great Britain, by the latest treaty of peace and by the secret articles concluded with the Constable of Castile.⁴⁶

These secret articles, as we have seen, included regulations for the presence of British Protestants in Spain and the Netherlands.

Like the Treaty of London, the Twelve Years Truce procured to avoid Spanish and archducal subjects from being exposed to Protestantism. Nevertheless, its proclamation occasioned in the Southern Netherlands the same problems as the application of the Treaty of London had done in Spain, but on a much bigger scale. Dutch Protestants living under archducal rule felt protected enough to show their faith openly. In fact, they had already started to do so during the negotiations. At the beginning of 1608, Bishop Aubertus Miraeus wrote to the Archdukes that the shamelessness of the Protestants in Antwerp grew every day. From February 1609 on, more than fifty Calvinists attended the sermons at the residence of the States General's delegates in the city. This infuriated Miraeus, but he could not convince the city magistrate to take action against

45 Willem J.M. Van Eysinga, *De wording van het Twaalfjarig Bestand van 9 april 1609* (Verhandelingen der Koninklijke Nederlandse Akademie van Wetenschappen, afdeling Letterkunde N.S. 66.3; Amsterdam 1959), 114–115; Peter Brightwell, 'The Spanish System and the Twelve Years' Truce', *English Historical Review*, 89 (1974) 270–292; Simon Groenveld, *Het Twaalfjarig Bestand, 1609–1621. De jongelingsjaren van de Republiek der Verenigde Nederlanden* (The Hague, 2009), 33–48.

46 'Oock sullen d'ondersaten ende inwoonders van de Landen der Heeren Staaten de selve versekertheyt en vryheyte in de Landen van den voorseyde Heeren Koninck ende Erts-Hertoghen, die men toeghelaten heeft den ondersaten des Koninckx van Groot Bretanien, by het Leste Tractaet van Peys, ende de secrete Artijckelen ghemaect met den Connestabel van Castilien'. cf. Brants, *Recueil des Ordonnances*, vol. 1, 402–409 at 403.

them.⁴⁷ Once the Treaty was signed, a weekly transport service by boat between Antwerp and the Dutch town of Lillo was organised. Three of the twelve boats were collectively paid for by the richer members of the Protestant community in order to give their poorer coreligionists the opportunity to attend the sermons. On days with fine weather, local authorities counted more than six hundred Calvinists who embarked at the Antwerp wharf. On board, they sang Protestant psalms, raising their voice when they passed by the Spanish fortifications. Protestant literature was distributed among the participants, and many of them took it home once the sermons had ended. This even surprised the English ambassador William Trumbull, who in a letter to Sir Thomas Edmondes wrote: 'Such is the liberty which the Protestants of Antwerp do assume unto themselves since the making of the truce as they do every Sunday repair to the sermons at Lillo in great numbers'.⁴⁸ Moreover, Bishop Miraeus soon discovered that the Calvinist community of Lillo had started the construction of a much larger church building, which was financed by the contributions of the Antwerp Calvinists. He also found out that they got married in Lillo and baptised their children there. Back in Antwerp, they did not even bother to hide their religious conviction from the Catholic priests of the city.⁴⁹

The Antwerp Protestants were not the only ones to take advantage of the new situation. At the same time, Dutch merchants, who were allowed to travel freely in the Southern Netherlands, were behaving without respect for Catholic religion and ceremonies. Already in May 1609, the Archdukes had to send instructions to the bishops, the governors and the Provincial Councils, urging them to vigorous application of the new legislation concerning Protestants in their country: every act or word that scandalised Catholics was to be punished; Catholic subjects were not allowed to abandon their faith; and Protestants that took up residence in the Southern Netherlands were to convert to Catholicism.⁵⁰ In July, the papal nuncio in Brussels, Guido Bentivoglio, did the same.⁵¹ Nevertheless, daily contact between Catholics and Protestants produced

47 Marinus, 'De protestanten te Antwerpen', 329.

48 William Trumbull to Sir Thomas Edmondes, Antwerp 15 November 1609, published in: *Calendar of the Manuscripts of the Marquess of Downshire* (London, 1924), vol. 2, 179–181. I would like to thank Dr Paul Arblaster for this information. J.M.G. Leune, *Lillo en Liefkenshoek* (Brussels, 2006), vol. 1, 534 and 549, argues that these numbers are highly exaggerated.

49 Marinus, 'De protestanten te Antwerpen', 329.

50 Brants, *Recueil des ordonnances*, vol. 2, 1–2.

51 Alexandre Pasture, *La restauration religieuse aux Pays-Bas Catholiques sous les archiducs Albert et Isabelle (1596–1633) principalement d'après les Archives de la Nonciature et de la Visite ad Limina* (Leuven, 1925), 304, footnote.

continuous disputes and even violence. In an attempt to diminish or even eliminate religious friction and the consequent problems of public order, Albert issued an edict in July 1609, prohibiting

from now on to set people against each other, or to conduct any disputation or conversation on whatever religious topic, or on what has happened during the Rebellion, [...] but all are obliged to put up with each other in silence, peace and concord, without causing scandal.⁵²

It seemed like a somewhat naive attempt to remedy the situation. During the autumn, things got out of hand. The Antwerp Catholics felt more and more offended by the Lillo sermons and reacted violently. On 1 November, they assembled on the banks of the river Scheldt awaiting the arrival of the boats. Once the Protestants got ashore, they were insulted and threatened by this 'concourse of tumultuous people', as Trumbull called them.⁵³ In turn, the Calvinists shouted slogans such as 'down with papists and monks'. During the night, some of them destroyed a statue of the Holy Virgin at the entrance of the college of the Jesuit order, the members of which they held responsible for the anti-Protestant climate in the city.⁵⁴ Bishop Miraeus urged the Archdukes to intervene. Although Albert and Isabella could not directly forbid the construction of the church, they insisted that the city authorities finally prohibit the Lillo trips and punish subjects that had participated in the Lillo sermons.⁵⁵

Philip III was almost immediately informed about the disturbances in Antwerp and other Flemish towns.⁵⁶ At the end of November, he ordered his ambassador in Brussels, the Marques of Guadaleste, to confront Albert with the inconveniences of the Lillo sermons and of the archducal policy towards Calvinists in general.⁵⁷ Under heavy pressure from Madrid, the Archduke promulgated on the last day of 1609 a severe edict that was to put an end to the

52 Brants, *Recueil des ordonnances*, vol. 2, 10: 'voortaen d'eenen teghen den anderen op te worpen, oft van t'ghene des gheduerende de voorschreven voorleden troublen mach ghepasseert zijn, [...] maerdat sy sullen schuldich zyn, met malcanderen te draghen in alle stilte, vrede ende eendrachticheyt, sonder voorts te stellen eenich schandaal'.

53 William Trumbull to Sir Thomas Edmondes, Antwerp 15 November 1609, published in: *Calendar of the Manuscripts of the Marquess of Downshire* (London, 1924), vol. 2, 179–181.

54 Marinus, 'De protestanten te Antwerpen', 329.

55 Marinus, 'De protestanten te Antwerpen', 328–329.

56 Lonchay, Cuvelier and Lefèvre, *Correspondance de la Cour d'Espagne*, vol. 1, 343, n° 769.

57 Lonchay, Cuvelier and Lefèvre, *Correspondance de la Cour d'Espagne*, vol. 1, 343–345; Maurice Van Durme, *Les Archives générales de Simancas et l'histoire de la Belgique IXe–XIXe siècles* (Brussels, 1966), vol. 2, 570.

religious friction. In its introduction, he described the problems that had led to this measure: Dutch as well as Flemish subjects provoked Catholics in the Southern Netherlands by teaching their errors in public and by organising sermons and 'improper meetings at night' ('onbehoorlycke vergaderynghen by nachten; conventicles nocturnes'), thus committing 'scandalous deeds' ('schandaleuse feyten; actes et paroles scandaleuses') to incite and 'seduce' the local population. The new law prohibited every public or secret Protestant meeting, and the participation in it of any archducal subject. Dutch travellers were to behave with respect for Catholic religion and ceremonies, and Dutch subjects who took up residence in the Southern Netherlands were reminded that they had to convert to Catholicism, just as the Treaty of London stipulated.⁵⁸ At the same time, the provincial councils issued complementary measures. In order to prevent the importation and spreading of 'booklets, treatises and songs full of blasphemy and false doctrines' ('diversche boecxkens, tractaten, refereynen ende liedekens vol blasphemien ende valse leeringhe'), Dutch merchants were to allow inspection of the books they imported for personal use.⁵⁹ The Marques of Guadaleste as well as Albert's confessor Fray Iñigo de Brizuela, were satisfied with the measures that were taken and were fully convinced that they would stop Protestant infiltration.⁶⁰

However, the situation in the Southern Netherlands did not improve at all. In September 1612, a Dutch Calvinist refused to kneel when the Holy Sacrament made its way through the streets of Brussels, probably motivating a third proclamation of the 1609 edict in November.⁶¹ Two years later, the Archduke bitterly noted that 'several strangers, coming to our land, have done acts and held very scandalous discourses to the prejudice of our religion; some of them secretly imported prohibited books and distributed them among the people in order to divert it from its old religion'.⁶² Spanish observers in Brussels noted a significant deterioration of the religious situation in the country. Fray Jerónimo Gracián de la Madre de Dios, a Spanish Carmelite monk residing in Brussels,

58 Brants, *Recueil des Ordonnances*, vol. 2, 26–28; Dutch version: *Tweeden Placaet-Bovck inhoudende diversche Ordonnancien, Edicten, ende Placaeten [...] van Vlaenderen* (Ghent, 1629), 30–32.

59 Brants, *Recueil des Ordonnances*, vol. 2, 33–35.

60 Lonchay, Cuvelier and Lefèvre, *Correspondance de la Cour d'Espagne*, vol. 1, 347; Van Durme, *Les Archives générales de Simancas*, vol. 1, 571.

61 Lonchay, Cuvelier and Lefèvre, *Correspondance de la Cour d'Espagne*, vol. 1, 395–396.

62 Brants, *Recueil des Ordonnances*, vol. 2, 221: 'plusieurs estrangers venans a nosdits pays, s'advancent de faire actes, et tenir discours fort schandaleux, au prejudice de nostre religion, aucuns y apportans secretement livres defenduz, et les divulgans entre le peuple pour le divertir de son ancienne religion'.

even wrote a treatise bearing the significant title 'Sparks of heresy that may fly from Flanders to Spain' (*Centellas de fuego de herejía que pueden saltar de Flandes a España*), in which he argued that, precisely because Spanish soldiers in the Netherlands were more and more exposed to Protestantism, they could mean a threat to Spanish Catholicism when returning to their homes.⁶³ Madrid was alarmed by the spread of new heresies in the Southern Netherlands, and the Spanish Council of State even dedicated some meetings to the problem.⁶⁴

Apart from the attitude of the Dutch merchants, the Nicodemism of Flemish subjects was another growing problem. Many Protestants residing in the Southern Netherlands participated in Calvinist sermons in the south of the United Provinces – Cadzand, Sluis, IJzendijk, Aardenburg, Breda, Bergen-op-Zoom – or the north of France – Calais.⁶⁵ In 1610, the magistrate of Valenciennes arrested two Calvinists that had organised Protestant meetings in their houses.⁶⁶ The apprehension of one Alard Roulof two years later revealed the existence of a Protestant community in Lille. In at least eight houses in the city, some fifty Protestants met on a regular base.⁶⁷ In 1613 and 1614 similar communities were discovered in Arras and Douai.⁶⁸ From 1611 on, Bishop Johannes Malderus mentions different clandestine meetings in the city of Antwerp, probably a consequence of the prohibition of attending the Lillo sermons. Dutch preachers visited the Antwerp community and religious instruction was given to the children. Both activities show a certain level of organisation that alarmed the local authorities.⁶⁹ In Luxemburg, there was growing evidence

63 Werner Thomas, 'Jerónimo Gracián de la Madre de Dios, la corte de Bruselas y la política religiosa en los Países Bajos meridionales, 1609–1614' in René Vermeir, Raymond Fagel and Maurits Ebben (eds.), *España y los Países Bajos, siglos XVI–XVIII. Agentes e identidades en movimiento* (Madrid, 2011), 289–312.

64 Lonchay, Cuvelier and Lefèvre, *Correspondance de la Cour d'Espagne*, vol. 1, 432; Van Durme, *Les Archives générales de Simancas*, vol. 2, 14 and 443.

65 Arnold de Jonge, *De geuzenhoek te Sint-Maria-Hoorebeke* (Horebeke, 1979), 11; Brussels, Archives Générales du Royaume, *Conseil Privé – époque espagnole*, n° 1117: letter from the Privy Council to the authorities of Saint-Omer (1611); trial of Anthoine Le Candle and Franchoise Beccu (1613).

66 Brussels, Archives Générales du Royaume, *Conseil Privé – époque espagnole*, n° 1117: trial of Almbard and Hughes du Boon (1610).

67 Brussels, Archives Générales du Royaume, *Conseil Privé – époque espagnole*, n° 1117: trial of Alard Roulof (1612–1613).

68 Brussels, Archives Générales du Royaume, *Conseil Privé – époque espagnole*, n° 1117: trial of Maximiliaan Joyel (1613–1614); trial of Jehan Le Maire (1614).

69 Marinus, 'De protestanten te Antwerpen', 337.

that the Count of Manderscheid protected Protestants in his lands. In 1613, after a second trial, he and his wife were banished from the country and his possessions were confiscated.⁷⁰

The Archdukes tried to remedy the situation. During the whole period of the truce, they insisted on the application of the measures taken to protect the Catholic population from Protestant influences. Already in April 1611, the Archduke had to repeat the 1609 edict.⁷¹ When in August 1612, Rodrigo Calderón informed Philip III on the rapid spread of Calvinism in the South, the King subsequently insisted on more rigorous action against the former rebels, because he was convinced that if local authorities did not intervene immediately, Flanders would end up in the same way as the German Empire.⁷² To prevent this, Madrid even thought about asking the Queen of France's mediation in order to convince the United Provinces of the necessity of respecting the arrangements made in the Twelve Years Truce.⁷³ The Brussels Council of State also insisted on severe punishment of Calvinist provocations, but in the end the Archduke only proceeded to a fourth proclamation of the edict on 4 March 1614. Three years later, on 25 March 1617, he was forced to do the same.⁷⁴

The instauration of new heresy laws might lead to the conclusion that repression of Protestantism was intensified during the truce, especially in the cases permitted by the Treaty, that is, when involving Flemish subjects, Dutch Protestants residing in the Southern Netherlands, or Dutch merchants and travellers provoking 'scandal'. In reality, the truce led to a situation of *de facto* toleration towards foreigners *and* locals, in which only the most 'scandalous' cases were persecuted, that is: public worship of and propaganda for Protestant religions, and public insults to Catholicism, the Catholic Church and its ministers. Low profile Protestants – Dutch as well as Flemish – were generally left in peace. As early as 1610, Iñigo de Brizuela wrote in a letter to Philip III that heretics would no longer be molested if they did not profess their religion openly.⁷⁵ Moreover, when in 1617 Bishop Malderus decided to track down and punish

70 Brussels, Archives Générales du Royaume, *Conseil Privé – époque espagnole*, n° 1117 (for the 1603 case); Goosens, *Les inquisitions modernes*, vol. 2, 171–172 (for the 1613 trial).

71 Brants, *Recueil des Ordonnances*, vol. 2, 79–80.

72 Lonchay, Cuvelier and Lefèvre, *Correspondance de la Cour d'Espagne*, vol. 1, 344, n° 774, and 345, n° 775.

73 Lonchay, Cuvelier and Lefèvre, *Correspondance de la Cour d'Espagne*, vol. 1, 388; Elias, *Kerk en Staat*, 13.

74 Brants, *Recueil des Ordonnances*, vol. 2, 318–319.

75 Lonchay, Cuvelier and Lefèvre, *Correspondance de la Cour d'Espagne*, vol. 1, 347, n° 784.

Flemish Protestants, they protested, arguing that they were discriminated by comparison with their fellow believers from the North, and they threatened to abandon the city. The Archduke as well as the city authorities restrained Malderus from carrying out his plans, thus reaffirming this climate of relative toleration towards all inhabitants of the Southern Netherlands. The absence of centrally organised campaigns to eradicate Protestantism in the Southern Netherlands, in spite of the re-enactments of the 1609 edict, only confirms this new policy.

An example of religious toleration was the establishment, from 1618 on, of several Arminian pastors in Antwerp and Waalwijk with the approval of the Archdukes. The Privy Council even advised that nothing could prevent their presence in the Southern Netherlands if they respected the Twelve Years Truce. During their stay in Antwerp, they were not bothered at all. One of the Arminians even stated that in religious matters he felt more free than in Holland, and that the Antwerp magistrate favoured their presence.⁷⁶ Nevertheless, an official request of the Arminians to reside permanently in the South was refused because Albert hoped that their presence in the United Provinces would contribute to the restoration of Catholicism. In 1620 they were asked to leave the country, although more for political than for religious motives.⁷⁷ The return of the Merchant Adventurers to Antwerp in 1619, that brought hundreds of Protestants into the city, was also an example of this climate of relative toleration. In this case, the Antwerp authorities explicitly argued that the English could very well be granted free exercise of their religion, as was already the case with 'naturals', that is, the Flemish subjects.⁷⁸

This situation did not change in 1621, when war broke out. Most subjects of the States General left the country. Inquisitorial persecution in Spain increased only very slightly. Although a few Dutchmen were condemned to the stake, this generally occurred because of political reasons, as the case of Hans Avontroot in 1633 demonstrates. Avontroot was officially burned because he had tried to convert the King of Spain to Calvinism. In reality, his execution was a not very subtle way of scuppering the peace negotiations with the United Provinces that had started in 1632.⁷⁹ Although in the Netherlands the Flemish bishops

76 Marinus, 'De protestanten te Antwerpen', 332.

77 Elias, *Kerk en Staat*, 28–30.

78 Lonchay, Cuvelier and Lefèvre, *Correspondance de la Cour d'Espagne*, vol. 1, 486, n° 1233: letter of Iñigo de Borja to Philip III.

79 Werner Thomas, 'El hombre que intentó convertir al Rey de España: Hans Avontroot (1559–1633)', *Foro Hispánico*, 3 (1992) 43–64.

intended to recommence religious persecution, they were not supported by local or central authorities. In the spirit of the Council of Trent, a good shepherd did not destroy his disobedient sheep anymore, but tried to bring them back to the flock by arguments. Episcopal visitations reports from the second quarter of the 17th century show the presence of several Protestant communities in different Flemish towns, who managed to survive until the Peace Treaties of 1648. And when in 1657 the Brussels government decided to promulgate one more time the 1609 edict, the Privy Council wrote to the vicar of the Bishopric of Ghent that 'nevertheless you will apply the law discreetly and with caution, and you will not bring into use inquiries that are more severe than those that were used during the years of the Truce and the following war, thus allowing toleration and coexistence, as was allowed then'.⁸⁰

Conclusion

The Treaty of London and the Twelve Years Truce led to a change in the attitude of the Spanish Habsburg towards Protestantism in their lands. The need for peace and commercial interests imposed a regime in which a general persecution of Protestants no longer formed part of Habsburg religious policy. In part, repressive action was made impossible by the international situation. Madrid and Brussels feared for the fate of Catholics in Great Britain and the United Provinces, an element that was cleverly used by the English and Dutch governments. In fact, the agreements concerning the Catholics living in those parishes that belonged to southern bishoprics – Roermond, 's-Hertogenbosch, Bruges, Ghent and Antwerp, which included the parishes of Bergen-op-Zoom and Breda – but were military occupied by the Dutch, were almost never respected.⁸¹

But there was another reason that forced Madrid and Brussels to abandon religious repression, particularly in the Netherlands. From 1609 on, the Spanish King started to organise the reincorporation of the Southern Netherlands into the Spanish Monarchy, due to the childlessness of the Archdukes. Repression of Protestantism clashed with the effort of the Crown

80 '[...] que néanmoins pour éviter aux remuemens desdits estats vous aurez a vous en servir avec la plus grande modestie et retenue que faire se pourra, et n'user des recherches plus rigoureuses qu'on a faict au temps de ladite tresve et de la guerre en suivie, ains sera faicte pareille tollerance et convivence comme au mesme temps'. Cited in Elias, *Kerk en Staat*, 25.

81 Brants, *Recueil des Ordonnances des Pays-Bas*, vol. 1, 350.

to gain the hearts of the Flemish subjects. Instead, they reached for other weapons in order to limit the impact of Protestantism. In the Netherlands, the Antwerp Truce allowed the Archdukes to finally rebuild the Flemish Church and to implement the Tridentine Reform, including the implementation of mechanisms of social control. They thus created a type of religiosity that was strong and combative enough to resist Protestantism without any need for repression. The image of burning heretics belonged almost completely to the past. From being intransigent countries, the Southern Netherlands as well as Spain changed into more open societies, where religious tolerance was practised up to a certain point.