



Universiteit
Leiden

The Netherlands

Looking for justice: execution spectators and the Revolt in the Low Countries, ca. 1520-1585

Casteels, I.

Citation

Casteels, I. (2025, June 26). *Looking for justice: execution spectators and the Revolt in the Low Countries, ca. 1520-1585*. Retrieved from <https://hdl.handle.net/1887/4251171>

Version: Publisher's Version

License: [Licence agreement concerning inclusion of
doctoral thesis in the Institutional Repository of
the University of Leiden](#)

Downloaded from: <https://hdl.handle.net/1887/4251171>

Note: To cite this publication please use the final published version (if applicable).

Epilogue *Executions After 1585*

On July 19, 1597, Anna Utenhove, aged forty-eight, was buried alive for heresy in Vilvoorde, just outside Brussels. It was a sober execution, conducted without an audience. Only the executioner, some officials of the Council of Brabant, and several Jesuits were present. Until the very last moment, when only her head still protruded from the hole in the ground dug by the hangman, the clergymen and councilors tried to persuade Utenhove to renounce her faith—she was an Anabaptist—but she refused.¹²⁹⁷ After nearly seventy years, Utenhove's death was an unceremonious end to the era of heresy executions in the Low Countries. By 1597, such executions had been in decline for at least two decades. Most provinces that had agreed to the 1576 Pacification of Ghent had suspended anti-heresy legislation immediately afterward. As we have seen, Protestants in the cities subsequently reclaimed by Farnese were treated more moderately than before, and the anti-heresy placards were again shelved. Put and Harline have aptly described Utenhove's death as an anachronism, one of the last convulsions of a dying policy.¹²⁹⁸

This epilogue takes a closer look at the trial and execution of Anna Utenhove to show why by 1597, the times had changed. After 1585, we will see, the crisis of justice in the Low Countries had finally come to an end. Moreover, although people continued to be executed for the crime of *lèse-majesté* throughout the early modern period—now as witches, rather than heretics—these executions would not cause such a crisis as had taken hold in the sixteenth century.

The Last Heresy Execution

As Van Dijk has shown, Anna Utenhove's case was problematic from the start.¹²⁹⁹ She was arrested in December 1594. After the capitulation of Brussels, Farnese

¹²⁹⁷ F. van Dijk, "Het laatste ketterproces in de Nederlanden: (19 Juli 1597, Anneke Emelt buiten Brussel levend begraven)," *Gereformeerd Theologisch Tijdschrift* 49 (1949); Simon Wuestenberg, "De nadagen van de hervorming in de Zuidelijke Nederlanden ketterij tijdens de regering van Albrecht en Isabella (1598-1621)" (2003), 114–17; Goosens, *Les inquisitions modernes dans les Pays-Bas méridionaux 1520-1633*.

¹²⁹⁸ Harline and Put, *A Bishop's Tale*, 45–47.

¹²⁹⁹ van Dijk, "Het laatste ketterproces in de Nederlanden," 222.

had stipulated that Reformed residents must reconcile with the Catholic Church within two years or leave the city. Like many others, Utenhove had done neither.¹³⁰⁰ The authorities had left her alone for years, even though her priest was well aware that she did not go to mass or attend confession. Problems began only after the death of Utenhove's aunt, from whom she was to inherit a small sum. After assisting at the aunt's deathbed, the pastor reported Anna to Nicolaas Oudaert, canon of the Saint Rumbold's Cathedral in Mechelen. It is unclear why the pastor signaled Anna's religious deviance only now—perhaps the pending inheritance played some role. In any case, two elderly women for whom Anna had worked thirteen years earlier were also arrested for Anabaptism. These women renounced their faith and were immediately set free. Anna, however, persisted. She was declared a heretic in March 1595 and transferred to the competent authorities: the Council of Brabant.¹³⁰¹

The council was none too eager to reintroduce the anti-heresy placards. Very few executions for heresy had taken place since Farnese's governorship, and the council was not sure what to do with its prisoner. Anna was locked up in the Treurenberg prison, where she might have remained for years, were it not for some important changes in government. In 1596, the ambitious Matthias Hovius became archbishop of Mechelen and immediately involved himself in the case.¹³⁰² When several visits by Hovius and other clergy could not bring Anna to renounce her faith, Hovius brought the prisoner to the attention of the recently appointed governor, Albrecht of Austria, who was himself a cardinal and the former grand inquisitor of Portugal. He had arrived in Brussels in 1596 and immediately made clear his intentions that obstinate heretics should once again be executed.¹³⁰³ Albrecht forced the Council of Brabant to expedite the trial. Eventually, the council could not avoid sentencing Utenhove, although the councilors and clergy tried time and again to convince her to renounce her faith

¹³⁰⁰ An analysis of the remaining Protestants in Antwerp in Marie J. Marinus, "De Protestanten Te Antwerpen (1585-1700)," *Trajecta* 2, no. 4 (1993): 327–43.

¹³⁰¹ van Dijk, "Het laatste ketterproces in de Nederlanden," 226–28.

¹³⁰² Harline and Put, *A Bishop's Tale*, 45–47.

¹³⁰³ Wuestenberg, "De nadagen van de hervorming in de Zuidelijke Nederlanden ketterij tijdens de regering van Albrecht en Isabella (1598-1621)," 65; Werner Thomas, "The Treaty of London, the Twelve Years Truce and Religious Toleration in Spain and the Netherlands (1598–1621)," in *The Twelve Years' Truce (1609): Peace, Truce, War, and Law in the Low Countries at the turn of the 17th century*, ed. Randall Lesaffer, Legal history library volume 13 (Leiden, Boston: Brill, 2014), 286–87.

so that they could set her free. In the end, Albrecht got his way, and Utenhove was executed by being buried alive.¹³⁰⁴

It would be the last time the Habsburg authorities succeeded in forcing local courts to execute a heretic. At first, the impact of Utenhove's execution seemed limited. Protestants still residing in the Habsburg Netherlands trod cautiously after her death, but otherwise, they remained silent.¹³⁰⁵ On the other side of the border, in the Dutch Republic, Utenhove's death was immediately publicized through propaganda and print as the secret heresy executions of the 1560s had been. In Anabaptist circles, she was perceived as a martyr: In 1598, the Anabaptist *New Song of a Young Daughter, Buried Alive in Brussels* was published.¹³⁰⁶ Her death was also included in the 1609 edition of Van Haemstede's *Martelaersboeck* and later in Van Braght's famous *Martyrs' Mirror*, first published in 1660.¹³⁰⁷ More importantly, however, it was instrumentalized politically by the anti-peace faction in the context of the ongoing peace negotiations between the Dutch Republic and the Habsburg king. Although Anabaptists were not exactly accepted in the Dutch Republic either, Utenhove's death was framed in anti-peace publications as yet another example of Spanish intolerance and cruelty.¹³⁰⁸ One example is an allegorical print from 1598

¹³⁰⁴ van Dijk, "Het laatste ketterproces in de Nederlanden," 229–30.

¹³⁰⁵ Harline and Put, *A Bishop's Tale*, 45–47.

¹³⁰⁶ Een nieuw Liedeken, van een jonghe Dochter, die binnen Brussel levendich ghedolven is, om datse den Naem Jesu Christi heeft beleden, Anno 1597, Den Haag KB: Pamflet 1002.

¹³⁰⁷ Adriaan Cornelis van Haemstede, *De historien der vromer martelaren, die om het getuygenis des Evangelii haer bloet vergoten hebben van Christi tijden af tot onsen tijdt toe* (T'Amsterdam: by Jan Evertsz. Cloppenburch, 1609). Editions after 1566 did not include Van Haemstede's name anymore. T. J. van Braght, *Het bloedigh tooneel der doops-gesinde, en weerloose Christenen, die om het getuygenisse Jesu hares salighmaeckers geleden hebben en gedoodt zijn van Christi tijdt af tot dese onse laetste tijden toe* (by Jacob Braat, 1660), Mitsgaders, een beschrijvinge des H. Doops, ende andere stucken van den godsdienst, door alle de selve tijden geoeffent: begrepen in twee boecken zijnde een vergrootinge van den voorgaenden Martelaers-spiegel, uyt vele geloofweerdige chronijcken, memorien, getuygenissen etc, 792–98.

¹³⁰⁸ The well-known polemical and didactic author Jacobus Viverius addressed a pamphlet to the States General: Jacobus Viverius, *De vyt-spraecke van Anna vyt den Hove* (*Die te Brussel om de suyuere leere moordadelick is ghedoluen gheweest*) *aen de heeren Staeten van dese vereenighde Nederlanden: Waer in gehandelt wordet van den Spaenschen vrede. Midtsgaders Den lof van Godes vrede* (by Christoffel Guyot, 1598).

showing the risks of a peace treaty with Spain, on which her death figured prominently (Fig. 7.1).

On the side of the Catholic polemicists, the famous Anglo-Dutch Catholic reformist Richard Verstegan sought to justify Utenhove's death in a pamphlet focusing on Catholic martyrs that he published in 1601.¹³⁰⁹ It is doubtful that many Catholics shared his vision by this point. On the contrary, in the long term, it became clear that in the Habsburg Low Countries, as in the Dutch Republic, support for heresy executions had evaporated completely. Albrecht still made a few efforts to revive anti-heresy legislation: In 1603 and 1606, he attempted to reissue the 1550 and 1556 Blood Placards.¹³¹⁰ The bishops, Leuven



Figure 7.1 *Allegory on the Treacherous Peace Negotiations in 1598*, ca. 1598, etching, 14.6 × 37.2 cm, Rijksmuseum, Amsterdam.

See also Judith Pollmann, "No Man's Land. Reinventing Netherlandish Identities, 1585–1621," in Stein; Pollmann, *Networks, Regions and Nations*, 251–53.

¹³⁰⁹ *Brief et veritable discours, de la mort d'aucuns vaillants et glorieux martyrs, lesquels on à fait mourir en Angleterre, pour la foy & religion catholique, l'an passé de 1600. et semblablement aussi en ceste presente année de M.D.C.I. Ensemble une responce à la fin, sur quelques livrets calomnieux & imprimeries publiées par les Geux, contre nostre debonnaire Seigneur, l'archiduc Albert, touchant une anabaptiste, n'agueres justiciée à Bruxelles* (chez Hyerosme Verdussen, sur le Cimitiere nostre Dame, aux dix Commandemens, 1601).

¹³¹⁰ Wuestenberg, "De nadagen van de hervorming in de Zuidelijke Nederlanden ketterij tijdens de regering van Albrecht en Isabella (1598–1621)," 66–67; Thomas, "The Treaty of London, the Twelve Years Truce and Religious Toleration in Spain and the Netherlands (1598–1621)," 286–287; Goosens, *Les inquisitions modernes dans les Pays-Bas méridionaux 1520–1633*, 126–27.

and Douai theologians, and provincial courts he had consulted, however, all preferred to leave the placards aside and focus on prevention and education instead. Although several heretics would be convicted in the first decade of the seventeenth century, none were executed.¹³¹¹ In 1606, a few months after the archduke tried once again to have the anti-heresy placards enforced, the Court of Artois simply refused to execute a heretic in its custody, writing that it would follow “a gentler, more temperate approach.”¹³¹² Somewhere along the way, Albrecht himself must have realized that seeking to continue heresy executions would prove rather harmful to his purposes. Utenhove’s trial—and the responses it sparked—made clear that executing heretics was no longer a useful tool for the preservation of religious homogeneity in the Habsburg Low Countries. Eventually, the archduke came to understand that a focus on Catholic restoration would simply be more effective. In the years that followed, Albrecht and Isabella, who would rule autonomously over the Habsburg Low Countries from 1598 onward, and Archbishop Hovius would spearhead this restoration.¹³¹³

Chronicling Executions After 1585

Chroniclers remained silent on Utenhove’s death. Brussels chronicler Jan de Pottre, by then seventy-two years old, was still chronicling in 1597, but he did not mention the execution.¹³¹⁴ All his attention seems rather to have been reserved for the festivities taking place in his hometown around the same time. In detail, he described the celebrations as the governor, Albrecht, was betrothed to the daughter of Philip II, Infanta Isabella of Spain. The wedding and Joyous Entry of the pair were celebrated with much public display—in every aspect the

¹³¹¹ According to Goosens, *Les inquisitions modernes dans les Pays-Bas méridionaux 1520-1633*, 113–14., a man was executed for heresy as late as 1618, but this has been refuted by Wuestenberg, “De nadagen van de hervorming in de Zuidelijke Nederlanden ketterij tijdens de regering van Albrecht en Isabella (1598-1621),” 118.

¹³¹² Quoted in Wuestenberg, “De nadagen van de hervorming in de Zuidelijke Nederlanden ketterij tijdens de regering van Albrecht en Isabella (1598-1621),” 67. ‘voie plus douce et tempérée’.

¹³¹³ Luc Duerloo, “Archducal Piety and Habsburg Power,” in Thomas; Duerloo, *Albert & Isabella, 1598-1621*, 278.

¹³¹⁴ De Pottre chronicled until his death in 1601. His son continued his chronicle and recorded some wins and losses and battles with the Dutch Republic, but apparently, he lost interest soon, as the entries soon became scarcer and came to a halt in 1604.

opposite of Anna's execution.¹³¹⁵ De Pottre's lack of interest in the latter is telling. Shortly after 1585, the enormous surge in the chronicling of justice that had characterized the previous decades came to a halt. Although the genre would continue to exist and the form of chronicles would remain largely stable up until 1850, the popularity of contemporary chronicling in general seems to have declined somewhat at the end of the sixteenth century.¹³¹⁶ Chroniclers' attention, moreover, shifted to other memorable events. Justice remained a staple ingredient in many chronicles, but executions would never be as prominent as they had been in the second half of the sixteenth century.¹³¹⁷ The decline of the contemporary chronicling of justice indicates that the crisis of justice, as experienced by execution audiences, was over.

From the end of the 1580s onward, the executions carried out in the 1560s would be incorporated into the more retrospective accounts that now began to emerge. Now that the dust had settled somewhat, many writers started to set down their memoirs. Several authors from Friesland and Groningen who had fled to Emden after the governor of Friesland, the Count of Rennenberg, reconciled with the king in 1580, started writing histories of their troubled times while exiled: Chroniclers such as Johan Rengers ten Post and Abel Eppens tho Equart fall into this category.¹³¹⁸ Moreover, around the time of the peace negotiations between the Dutch Republic and the Habsburg monarchy between

¹³¹⁵ *Dagboek van Jan de Pottre*, 195.

¹³¹⁶ New peaks in contemporary chronicling emerged in later times of crisis and instability, for example in the years around 1667 (when the War of Devolution took place), 1747 (invasion by the French army), and 1788 (restoration of the Orange Stadtholder against the revolutionist Patriot Movement). See Alie Lassche, Jan Kostkan, and Kristoffer Nielbo, "Chronicling Crises: Event Detection in Early Modern Chronicles from the Low Countries," in *Proceedings of the Computational Humanities Research Conference 2022 (CHR 2022)* (2022), 220.

¹³¹⁷ There are exceptions – for example the eighteenth-century Amsterdam captain of the civic militant Jacob Bicker Raye, who chronicled many executions taking place in his hometown. His work was used by Spierenburg, *The Spectacle of Suffering*. Still, such chroniclers would become the exception rather than the norm.

¹³¹⁸ J. R. van ten Post, *Werken van den Ommelander edelman Johan Rengers Van ten Post*, 3 vols., ed. H. O. Feith I (A. L. Scholtens, 1852); Abel Eppens, *De kroniek van Abel Eppens tho Equart*, ed. J. A. Feith and Hajo Brugmans, *Werken uitgegeven door het Historisch Genootschap Ser. 3*, 27 (Amsterdam: Müller, 1911); Wiebe Bergsma and E. H. Waterbolk, *Kroniekje van een Ommelander boer in de zestiende eeuw* (Groningen: Wolters-Noordhoff/Forsten, 1986); Bergsma and Waterbolk, *Geschiedverhaal van een Ommelander notabele (ca. 1550-ca. 1570)*.

1598 and 1609, a printed historiography of the Dutch Revolt was beginning to take shape.¹³¹⁹ It would not take long before distinctive memory cultures developed along the political and religious lines that divided the Dutch Republic and the Habsburg Low Countries.¹³²⁰ In the south, Florentius van der Haer published a loyalist version of the origins of the revolt, which he dedicated to Alexander Farnese. In London, the former Antwerp merchant Emanuel van Meteren wrote a historical account that was published in the Dutch Republic, although it was not immediately received favorably.¹³²¹ On a more local level, too, history writing was gaining momentum. Yves Junot has noted this, for example, in Valenciennes, where such writing proliferated in the first half of the seventeenth century.¹³²² Similarly, comparing examples from Amsterdam, Nijmegen, and the southern Netherlands, Raingard Esser has demonstrated how in the seventeenth-century Low Countries, published local histories and chorographies (descriptions of specific cities or regions) served as crucial arenas for the creation of shared memories and identities.¹³²³

At the end of the seventeenth century, in particular, the executions of the early Dutch Revolt would come to life once again following the development of the Dutch Republic as a printing center for explicitly violent images.¹³²⁴

¹³¹⁹ J. Pollmann, "The Cult and Memory of War and Violence," in *The Cambridge Companion of the Dutch Golden Age*, ed. Helmer Helmers and Geert H. Janssen (Cambridge: Cambridge University Press, 2018), 91–92.

¹³²⁰ See Jasper van der Steen, *Memory Wars in the Low Countries, 1566-1700*, Studies in Medieval and Reformation traditions, 1573-4188 volume 190 (Leiden, Boston: Brill, 2015).

¹³²¹ van der Steen, *Memory Wars in the Low Countries, 1566-1700*, 56–58.

¹³²² Junot, *Les bourgeois de Valenciennes: Anatomie d'une élite dans la ville (1500-1630)*, 95–100.

¹³²³ Raingard Esser, *The Politics of Memory: The Writing of Partition in the Seventeenth-century Low Countries*, Brill's studies in intellectual history v. 208 (Leiden, Boston: Brill, 2012), 8.

¹³²⁴ Michel van Duijnen, "A Violent Imagination: Printed Images of Violence in the Dutch Republic, 1650-1700" (Unpublished Doctoral Thesis, Vrije Universiteit, 2019). See also Michel van Duijnen, "From Artless to Artful: Illustrated Histories of the Eighty Years' War in the Seventeenth-Century Dutch Republic," *BMGN - Low Countries Historical Review* 135, no. 2 (2020); Michel van Duijnen, "Only the Strangest and Most Horrible Cases': The Role of Judicial Violence in the Work of Jan Luyken," *Early Modern Low Countries* 2, no. 2 (2018); Frans-Willem Korsten et al., "Imagineering, or what Images do to People: Violence and the Spectacular in the Seventeenth-Century Dutch Republic," *Cultural History* 10, no. 1 (2021) For crime and punishment as media

Printmakers such as Romeyn de Hooghe and Jan Luyken drew heavily on the republic's violent past. Interestingly, Michel van Duijnen has argued that by that time, the memory of the preceding century's violence had become so distant that its executions allowed printmakers to create a collective imagination of violence in its own right, without much reference included to the specific religious or political circumstances that had surrounded them.¹³²⁵

The End of the Crisis of Justice

After the fall of the Calvinist republics in the south, the war in the Low Countries would continue for many decades. Especially in the rural areas around the frontier, unsafety would last for much longer.¹³²⁶ The chronicle of Van Hernighem—who continued writing until 1594—attests to the enormous damage done by the so-called freebooters of the 1580s. These violent groups operated from rebel strongholds (such as Oostend or Sluis) and were engaged in organized crime, targeting farmers or traveling merchants using guerilla techniques substantially similar to those of the *geuzen* a few decades earlier.¹³²⁷ In 1587, Van Hernighem recorded the spectacular execution of a woman named Barbele Taquits, who, according to him, was the leader of a group of two hundred bandits, who had “done so much theft for such a long time and had been behind many murders.”¹³²⁸

Nonetheless, after 1585, the crisis of justice, excessive executions, and transgressive legal practices that had characterized the first years of the revolt would decrease significantly. At least in urban contexts and in areas further away

genre in eighteenth-century Amsterdam see Pieter Spierenburg, *Written in Blood: Fatal attraction in enlightenment Amsterdam*, 1. ed., History of crime and criminal justice series (Columbus: Ohio State University Press, 2004).

¹³²⁵ van Duijnen, “A Violent Imagination,” 177–82.

¹³²⁶ See for example the impact of the continued violence in the area around ‘Hertogenbosch: Adriaenssen, *Staatsvormend geweld*.

¹³²⁷ Tim Piceu, “Lords of the Forests in Flanders: Small War by Freebooters and the Dutch Contributions System in Flanders, 1584-1592,” in *Unconventional Warfare from Antiquity to the Present Day*, ed. Brian Hughes and Fergus Robson (Cham: Palgrave Macmillan, 2017); Antoon Viaene, “Oostendenaers en Slusenaers. Benamingen uit de Vrijbuitertijd 1580-1600,” *Biekorf* 60, no. 1959: 402.

¹³²⁸ Augustijn van Hernighem, *Croonyck ofte Geschiedenesse, 1584-1587*, BHSL.HS.3700, Universiteitsbibliotheek Gent, 211. ‘ende hadde zoo veele Langhe gheduerende dieverien ghedaen ende veele moorden ghesustyneert ende helpen doen’.

from the frontiers, life would become much safer and less uncertain. Execution practices settled into a new paradigm, in which interventions in the course of justice by the central authorities were once again the exception. The federalist structure of the Dutch Republic, which was based on the agreements set out in the formation of the Union of Utrecht in 1579, had developed into a stable state by 1609 and remained largely unchanged until 1795.¹³²⁹ Each province had a high level of autonomy, as did the cities within the provinces. Although the influence of the state increased over the course of the early modern period, this influence did not extend to criminal law. The administration of justice remained mainly the responsibility of the local law courts, which continued to judge according to local legal rules and customs.¹³³⁰ In the Habsburg Low Countries, too, criminal justice remained in the hands of local governments.¹³³¹ The Criminal Ordinances issued by Alba in 1570, the first unification of criminal law, had been officially abolished after the Pacification of Ghent but continued, in practice, to be used customarily by the courts.¹³³² The archducal couple continued the unification and systematization of the legal system with the publication of the Perpetual Edict of 1611, which was primarily intended as a solution to the many local differences in customary law and a means of preventing abuses of power.¹³³³ The homologation of customary law accelerated particularly quickly after the publication of the edict. This process was supported by the courts themselves, as the systematization and unification of the many and varied local legal rules was seen as a distinct improvement to the legal system by legal practitioners.

¹³²⁹ Groenveld, Leeuwenberg and van der Weel, *Unie, bestand, vrede*.

¹³³⁰ Florike Egmond, "De hoge jurisdicties van het 18e-eeuwse Holland Een aanzet tot de bepaling van hun aantal, ligging en begrenzingen," *Tijdschrift Holland* 19, no. 3 (1987); Egmond, "Fragmentatie, rechtsverscheidenheid en rechtsongelijkheid in de Noordelijke Nederlanden."

¹³³¹ Monballyu, *Zes eeuwen strafrecht*, 37–38.

¹³³² Vrugt, *De criminele ordonnantiën van 1570*, 169–73.

¹³³³ Monballyu, *Zes eeuwen strafrecht*, 38; Georges Martyn, *Het Eeuwig Edict van 12 juli 1611: Facsimile uitgave van een originele druk van Ordonnance et Edict perpétuel des Archidvcqz Noz Princes souverains pour meilleure direction des affaires de la Iustice, en leurs Pais de pardeça, en Ordinancie ende Eewich Edict vande Ertzhertogen onse sovereyne princen tot beter directie vande zaken van Justicie in hunne Landen van herwertsover*, *Rechtshistorische monumenten* dl. 1 (Antwerpen, [Apeldoorn]: Berghmans; Maklu, 1997); Georges Martyn, "Het recht ten tijde van de aartshertogen: Codificatie en enkele fundamentele wetten," in Thomas; Duerloo, *Albert & Isabella, 1598-1621*, 249.

	City	Period	Executions per 10,000 inhabitants per annum
Dutch Republic	Amsterdam	1651–1750	0.2
	Leiden	1600–1700	0.1
	Utrecht (province)	1600–1700	<0.1
Habsburg Low Countries	Antwerp	1600–1650	0.4
	Brussels	1600–1700	0.2
	Nivelles	1650–1700	0.2
	Mechelen	1600–1650	0.5
	Arras	1600–1650	0.3

Table 7.1 Average number of executions per 10,000 inhabitants per annum in various cities in the Low Countries, ca. 1600–1700.¹³³⁴

The new status quo is clear when we look at the data available on the frequency of executions in various cities of the Low Countries. Table 7.1 shows the data on execution frequencies for the seventeenth century. In the cities for which data are available, the frequency of executions, which had dropped sharply in the second half of the sixteenth century, stabilized from the beginning of the seventeenth century and would remain low for the rest of the *ancien régime*. The frequency of executions in cities of the Dutch Republic seems somewhat lower than in those of the Habsburg Low Countries, but the difference is negligible, and no conclusions regarding local differences can be based on this small sample. The data available for the provincial courts show that these did not replace the urban courts as the main distributors of criminal justice. Looking at the example

¹³³⁴ Figures based on the numbers presented in: for Amsterdam: Spierenburg, *The Spectacle of Suffering*, 213. For Leiden: van den Heuvel, *De criminele vonnisboeken van Leiden 1533 - 1811*, 66–320. For Utrecht: Utrecht, City Archive, 239-1 Hof van Utrecht, no. 99-1 t/m 99-13: criminal sentences, 1530-1811. Consulted online on www.hetutrechtsarchief.nl. For Antwerp: Granzow, “Al dieven, al schelmen? De scherprechters van Antwerpen, 1550-1700,” 147–48. For Brussels: Vanhemelryck, “De beul van Brussel en zijn werk (XIV-XIX eeuw),” 186. For Nivelles: Rousseau, “Du contrôle social et de la civilisation des mœurs. Pratiques judiciaires et représentations religieuses à Nivelles aux temps des Réformes (XVe -XVIIe siècle),” 104. For Mechelen: Maes, *Vijf eeuwen stedelijk strafrecht*, 387. For Arras: Muchembled, *Le temps des supplices*, 249–53. All further calculations are my own.

of the Court of Holland, as discussed in Chapter One, the average number of executions per year decreased from 2.7 in the fifteenth century to 2.3 in the sixteenth and 0.4 in the seventeenth century. In the same period, the population of Holland grew exponentially, rising from ca. 200,000 inhabitants in the fifteenth to almost 900,000 inhabitants at the end of the seventeenth century. Criminal justice thus remained a local affair in the Low Countries until the end of the *ancien régime*.

By the end of the sixteenth century, new debates emerged on the efficiency of punishment. In 1587, humanist Dirck Volkertsz. Coornhert (1522-1590) published *Boeventucht*, in which he presented a critique of the criminal justice system, which in his view was inefficient in fighting crime.¹³³⁵ Although probably written already during his own imprisonment on the orders of the Council of Troubles in the Hague in 1567, Coornhert referred explicitly to the lack of policing of vagabonds and beggars in recent years because of the “heavy storms of war”.¹³³⁶ His solution to the problem of increasing crime among poor people was the establishment of prisons. It is important to note, however, that his proposal for reform did not originate from compassion or aversion of physical punishment. If anything, Coornhert argued not that punishment was not too strict, but too lenient—the system was simply not enforceable and not deterring enough for potential criminals. He identified three key issues: insufficient control over the poor, widespread expectations that criminals would escape punishment, and, interestingly, a lack of fear of capital punishment. Coornhert even argued that criminals “rather choose quick and sudden death over a long and dragging one and thus think that punishment by the government treats them more gently than nature itself.”¹³³⁷ Therefore, according to Coornhert, it would be most efficient to design a punishment “more bitter than death itself, [...] more strict, unrelenting, and prolonged.”¹³³⁸ The most suitable

¹³³⁵ Dirk V. Coornhert, *Boeventucht*, ed. Arie-jan Gelderblom and Marijke Meijer Drees (1985).

¹³³⁶ Coornhert, *Boeventucht*, 59. ‘nu eenighe Jaren by na heel ongestraft geweest, door de zware stormen des oorlochs...’

¹³³⁷ Coornhert, *Boeventucht*, 74. ‘verkiezen eenen korten scerpen voor eenen langen quynende dood, ende meynen also dat de straffinge der Overheyd henluyden zoetelijker handelt dan de nature zelve.’

¹³³⁸ Coornhert, *Boeventucht*, 78. ‘eenigen straffe bitterder wesende dan die dood zelve, daar af oock d'exempelen bereyt ende over al voor oogen mochten zyn tot bewijs van een strenge ende onverbiddelike, ooc langhdurighe straffinge zodanigher boeven’.

punishment meeting these criteria, according to Coornhert, was forced labour in prisons. In fact, what Coornhert proposes here on the eve of the Dutch so-called Golden Age, is enslavement.¹³³⁹

Still, the practical application of Coornhert's ideas seem to have been limited.¹³⁴⁰ To be sure, several cities in Holland, such as Leiden and Amsterdam, were among the first cities in Europe to establish prison workhouses in the 1590s, but they differed from Coornhert's proposal in some important respects. Workhouses such as the *rasphuis* and *spinhuis* (named after the most common occupation of the inmates, rasping wood and spinning wool) were not so much aimed at punishing actual crimes, but at social reform, the correction of "bad habits" and youth delinquency prevention. Mostly the poor and the young were targeted, first offenders of petty crimes, who were thought to be still amenable to correction. Serious criminal offenses continued to be punished by death. Still, the establishment of such prison workhouses was an important sign that new ideas on punishing and crime prevention, focused on confinement, discipline and control instead of physical punishment, started to emerge from the end of the sixteenth century onwards.¹³⁴¹

Divine *Lèse-majesté* After 1585

Although heresy executions ended with Anna Utenhove's burial, the crime of divine *lèse-majesté* continued to exist. Instead of heresy, however, the most

¹³³⁹ Coornhert distinguishes between forced labor as "prevention" of crime, by way of controlling the poor and making them do something "useful", and forced labor as punishment. The latter could be serving on the galleys for a few years (in the case of non-capital crimes) or could be a life sentence in prison. Coornhert recommends branding capital offenders in the face or splitting their nose, so they would be easily recognizable and could be hanged "without any sentence" as "fugitive and damned slaves" if they ever would try to break free. See Coornhert, *Boeventucht*, 96–97.

¹³⁴⁰ Coornhert, *Boeventucht*, 36–44.

¹³⁴¹ Key works on the development of the Dutch prison system are Pieter Spierenburg, *The Prison Experience: Disciplinary Institutions and their Inmates in Early Modern Europe* (New Brunswick: Rutgers university press, 1991) and Herman Franke, *Twee eeuwen gevangen: Misdaad en straf in Nederland* (Utrecht: Spectrum, 1990) and See for a recent perspective centering on the agency of inmates Iris van der Zande, "De gevangene als actor: De mogelijkheden van gevangenen om hun eigen situatie en het gevangenisstelsel te beïnvloeden in Rotterdamse gevangenissen, 1800-1850," *PROCES* 100, no. 4 (2021).

common form of divine *lèse-majesté* for which one could be executed in the seventeenth century was witchcraft. Four years prior to Utenhove's death, Augustijn van Hernighem reported on the only witchcraft trial he witnessed in his thirty years of chronicling.¹³⁴² In a very detailed account, Van Hernighem described the trial of a "sorceress" in Ypres who had been arrested together with her daughter, aged around fifteen, her husband, and her mother. According to Van Hernighem's account, they had been imprisoned and tortured for a long time. On May 10, 1593, mother and teenage daughter were both burned after being strangled first; in July, the grandmother, named Maryette, was burned alive. The accusations for which these women stood trial correspond to what many historians have identified as the stereotypical key elements of witchcraft trials all over Europe. Van Hernighem wrote that they had allegedly had sexual intercourse with the devil, had attended "meetings of sorcerers and sorceresses organized by the enemy," and had "bewitched cows and horses."¹³⁴³

These accusations, however, seemed less shocking to Van Hernighem than the fact that the accused had "forsaken God and the Holy Trinity, Jesus Christ, his holy blessed mother, and all God's sweet saints, and also Christianity, the Holy Church, the pope in Rome, and all things Christian that brought salvation to the people."¹³⁴⁴ As with the rise of heresy trials six decades earlier, it was most of all the denial of salvation, brought about by the devil, that was the chronicler's concern. In relation to Maryette's trial, especially, Van Hernighem emphasized that she had denied many newborns salvation, as she had been a midwife: She "had murdered many children after delivery, who were then buried without being baptized, and took them out of the earth and burned them in

¹³⁴² Augustijn van Hernighem, *Beschrijving der stad Yper, 1592-1595*, Fonds Goethals-Vercruysse, ms. 296., State archives, 125-126; 148-149.

¹³⁴³ Hernighem, *Beschrijving der stad Yper*, 125. 'haddet gheweist dyckwils inde vergaderynge van tghemeyn dat den vyant hielt van toveraers ende toverressen tot merry ontrent kesenet noch dat daer en boven haddet eenen vyant voor zyn Lief die hem zeer dyckwyls vleeschelyck bekent heeft inde ghedaente van een jonck gheselle Jae noch bin dat hadde ghevanghen gheleghen ende oock Coeyen ende perden betovert'.

¹³⁴⁴ Hernighem, *Beschrijving der stad Yper*, 125. 'haddet verloochghent god ende de helighe tryvuldicheit jesus chrystus marie zyn ghebenedyde moeder ende alle Godts Liefve helighen ende oock zyn chrystendom de helighe kercke den paus van roome ende alle chrystelycke zaken die den mensche mochten brynghen ter zalicheit'.

honor of the enemy, and with the ashes she did her sorcery.”¹³⁴⁵ In Van Hernighem’s opinion, they did “so many atrocious things that one is horrified to write it down.”¹³⁴⁶

Witch executions have so far been absent from this dissertation. This seems unsurprising, as the main wave of executions for witchcraft in the Low Countries only started after 1590. After an initial, smaller wave of trials in the 1530s and 1540s, the majority of witchcraft executions took place between 1590 and ca. 1650—later than in many European countries.¹³⁴⁷ As Dries Vanysacker and others have shown, according to recent estimates, at least thirteen hundred executions for witchcraft took place in the Low Countries between 1450 and 1685, a number very similar to the total number of heresy executions (although the latter took place over a shorter period).¹³⁴⁸ There are, however, significant regional differences. The northern Netherlands only saw 160 executions for witchcraft, whereas the Dutch-speaking south saw 314 executed witches and the French-speaking parts of the Low Countries around 500.¹³⁴⁹ The greatest wave

¹³⁴⁵ Hernighem, *Beschrijving der stad Yper*, 148. ‘hadde x jaer ghewandelt als een vroe vrouwe met assystencie van een andere van huere ghelycke vroe vrouwe ende hadde veele kynderen int tontfanghen derrelyck vermoort ende als zy begraven waeren iae zonder doopsel haelde die uutter eerde ende hadden die ter eere vanden vyant verbrant ende met die asschen zoo dede zoe huere toverrie’.

¹³⁴⁶ Hernighem, *Beschrijving der stad Yper*, 149. ‘zoo veele gruwelycke zaken datmen tzelve afgryst te schryfvene’.

¹³⁴⁷ Robert W. Thurston, “Violence towards Heretics and Witches in Europe, 1022–1800,” in *The Cambridge World History of Violence*, ed. Robert Antony, Stuart Carrol and Caroline Dodds Pennock, 4 vols., *The Cambridge World History of Violence* 3 (Cambridge: Cambridge University Press, 2020), 515–16; Monter, *Heresy Executions in Reformation Europe, 1520–1565*, 63.

¹³⁴⁸ Dries Vanysacker, “Witch Hunts in the Low Countries (1450–1685),” in *The Routledge History of Witchcraft: Edited by Johannes Dillinger*, ed. Johannes Dillinger, *The Routledge histories* (London, New York: Routledge Taylor & Francis Group, 2020), 113–14. See also Dupont-Bouchat, Marie-Sylvie (ed.), *La sorcellerie dans les Pays-Bas sous l’ancien régime. De hekserij in de Nederlanden onder het Ancien Régime*. Kortrijk-Heule: UGA, 1987; Gijswijt-Hofstra, Marijke and Willem Frijhoff (eds.), *Witchcraft in the Netherlands from the Fourteenth to the Twentieth Century*. Rotterdam: Universitaire Pers, 1991.

¹³⁴⁹ It has been noted by historians that in the Dutch Republic, witch trials never became as frequent as in other European countries and they already stopped occurring in 1609. I will not go into the reason for this difference, but it might have had more to do with the particular legal structure of the Dutch Republic than with a lack of fear for witchcraft among the population, or a lack of support for witch executions. Among the

of prosecutions took place in the Duchy of Luxembourg, with estimates ranging from 358 to ca. 3,000 executions.¹³⁵⁰ These numbers are nonetheless dwarfed by witch executions taking place elsewhere in Europe, most notably in the Holy Roman Empire. The estimated total number of executions for witchcraft in Europe is around forty-five thousand, of which around 75 percent were women.¹³⁵¹

While heresy trials were in their final decline, the “witch craze” was about to begin. The timing is indeed striking and has led historians to emphasize the similarities between the persecution of heresy and that of witchcraft.¹³⁵² Both crimes of divine *lèse-majesté*, they were thus religious crimes judged by secular courts. In the Low Countries, the Antwerp-born Jesuit theologian Martin Delrio witnessed the dangers of heresy firsthand, and he and his family were intricately connected to the organization of heresy repression under Alba. In the 1590s, Delrio authored the most influential treatise on witchcraft of the early modern period: Witch trials were often based on the very ideas described in his *Disquisitiones Magicae*. As a result, it is easy to think that the attention of judges and audiences simply shifted from heretics to witches—the same fears, but slightly different details. Execution spectators probably considered heretics equally dangerous to witches—as Van Hernighem’s report indicates, the witnesses of the first major wave of witchcraft trials in the Habsburg Low Countries, starting around 1590, must have made the connection with heresy. Nor was it only the uneducated lower classes that were concerned about

explanations, the continued influence of the Pacification of Ghent – which made it impossible to sentence someone to death based on their beliefs – has been mentioned. See Hans de Waardt, *Toverij en samenleving: Holland 1500-1800*, Hollandse historische reeks 15 (Den Haag: Stichting Hollandse Historische Reeks, 1991), 192–213.

¹³⁵⁰ Marie-Sylvie Dupont-Bouchat, « La répression de la sorcellerie dans le duché de Luxembourg aux XVI^e et XVII^e siècles. Une analyse des structures de pouvoir et de leur fonctionnement dans le cadre de la chasse aux sorcières, » in *Prophètes et sorciers dans les Pays-Bas, 16^e–18^e siècle*, ed. Marie-Sylvie Dupont-Bouchat, Willem Frijhoff, and Robert Muchembled (Paris: Hachette, 1978), 41–154.

¹³⁵¹ Johannes M. Machielsen, *Martin Delrio: Scholarship and Demonology in the Counter-Reformation*, First edition, A British Academy postdoctoral fellowship monograph (Oxford: Oxford University Press, 2015).

¹³⁵² Gary K. Waite, *Eradicating the Devil's minions: Anabaptists and witches in Reformation Europe, 1525-1600* (Toronto, London: University of Toronto Press, 2007). For a recent overview see Thurston, “Violence towards Heretics and Witches in Europe, 1022-1800”.

witchcraft. As Judith Pollmann has shown, the famous Utrecht humanist lawyer Arnoldus Buchelius—although he was initially deeply skeptical—became very worried about the dangers presented by witchcraft and followed the witch trials in Utrecht in the 1590s with much interest.¹³⁵³

Comparing the chronicling of executions for heresy with those for witchcraft, however, shows significant differences. Chroniclers' lack of interest in witchcraft trials throughout the sixteenth century cannot be attributed to the absence of such trials. In the northern provinces, for example, the peak of witch executions was in the sixteenth century, and no witch trials took place there after the beginning of the seventeenth century. In Holland, the peak even coincided with that of heresy executions in the mid-1560s. Nonetheless, in contrast to executions for heresy and sedition, chroniclers barely reported witch trials. There were some descriptions: Aside from Van Hernighem, Christiaan Munters, who, as we have seen, was exceptionally preoccupied with the salvation of souls, reported on a trial taking place in Liège in the 1540s.¹³⁵⁴ Overall, however, compared with their detailed descriptions of heresy trials or endless listing of the names of those executed for iconoclasm or sedition in the aftermath of 1566, chroniclers do not seem to have spared much attention for witch executions in their writings.

Why was this the case? Historian William Monter, who studied heresy executions in Europe, wrote that he saw “only two great differences between the persecution of heretics during the Reformation and the persecution of witches under confessionalism. The first is in scope: witch-hunts were even more widespread than heresy hunts, and ten times more fatal. The second is that witches never published any martyrologies.”¹³⁵⁵ The first observation might be true for Europe as a whole but does not apply to the Low Countries—the total number of witchcraft executions there was not significantly larger than the number of heresy executions. Nonetheless, it is important to note that the geographical spread of the two types was very different. Whereas heresy was, as we have seen, primarily an urban affair, witch executions tended to take place in

¹³⁵³ Judith Pollmann, *Een andere weg naar God: de reformatie van Arnoldus Buchelius (1565-1641)* (Bert Bakker, 2000), 117–24.

¹³⁵⁴ Munters, *Dagboek van Gebeurtenissen*, 129.

¹³⁵⁵ Monter, *Heresy Executions in Reformation Europe, 1520–1565*, 64.

less populated or rural areas located further away from juridical centers.¹³⁵⁶ Monter's second observation, however, seems fully accurate for the Low Countries. Unlike the Anabaptist and—even more so—the Reformed patients who found themselves on the scaffold, those accused of witchcraft were not part of organized congregations. There were no groups to oppose their prosecution, to create martyrologies of their deaths, or to interfere during their executions. Even more so than with heresy executions, those sentenced to death in the aftermath of iconoclasm were well-established burghers and part of the urban fabric of their cities. Spectators experienced their executions as a great rupture of the urban peace.

The trials and executions of witches did not pose a threat to public order to the same extent. Even if spectators considered witches as dangerous as heretics, the executions of the former simply did not stir up as much unrest and unsafety as did the deaths of those punished as the latter. Unlike Reformed believers or iconoclasts, those executed for witchcraft were often social outcasts. In cities and rural areas alike, witch accusations were often made against women who were not well integrated within their neighborhoods.¹³⁵⁷ Admittedly, well-established women could also be accused. Often, midwives or other knowledgeable women were accused of witchcraft, which has given rise to the hypothesis that witch hunting was actually a cover for “women hunting,” incited particularly by men who feared powerful women. Although misogyny was, of course, a clear characteristic of early modern society and must thus have played a role in witch trials, we should be careful about interpreting witch hunts as “institutionalized feminicide,” as it has recently been termed.¹³⁵⁸ Framing accusations of witchcraft as the persecution of women in general risks obscuring

¹³⁵⁶ Many witch trials took place for example in Roermond, a politically unstable region in the border region of the Low Countries. See Helena Maria Coenders, *Het Verbond van heks en duivel: Een waandenkbeeld aan het begin van de moderne tijd als symptoom van een veranderende situatie van de vrouw en als middel tot hervorming der zeden* (Baarn: Ambo, 1983), 264–65.

¹³⁵⁷ Coenders, *Het Verbond van heks en duivel*, 270–71.

¹³⁵⁸ Recently, several national governments have officially apologized for witch executions, which have been described as ‘institutionalized feminicide’. Stephen Burgen, “Catalonia to pardon up to 1,000 people accused of witchcraft,” *The Guardian*, 26 Jan 2022, <https://www.theguardian.com/world/2022/jan/26/catalonia-expected-to-pardon-up-to-1000-people-accused-of-witchcraft>. For a similar initiative in the Netherlands, see <https://www.nationaalheksenmonument.nl>.

the fact that fears of witchcraft were very real for early modern people and not simply a veil for misogyny.¹³⁵⁹

Moreover, witch trials did not lead to as many disputes about the competences of the various law courts as heresy trials had done. Whereas local courts had often been reluctant to conduct executions for heresy or sedition—because these led to unrest—they encountered fewer difficulties in executing witches.¹³⁶⁰ The policy of heresy prosecution required continuous pressure from the central government, but quite the opposite was true for the prosecution of witchcraft. Although the emergence of the main wave of witch hunts in the Low Countries coincided with new legislation issued by Philip II, Monballyu showed that the rise of a new demonological understanding of the crime of witchcraft among local judges had a much greater impact on the prosecution of witches.¹³⁶¹ Judges themselves became increasingly worried about witchcraft from the end of the sixteenth century onward. Moreover, historians have shown that witchcraft accusations often originated with other women within the community, frequently stemming from local conflicts, underlying hatred, or neighborhood disputes.¹³⁶² In contrast to executions for heresy or sedition, the state itself does not seem to have had an active prosecution policy. Witch executions were never used as a tool for centralization, nor did they ever become as political as the executions discussed in this dissertation. The sad conclusion must be that there was much popular support for witch trials—or at least that there was not enough opposition to such trials to stop them, as was eventually the case with heresy. There seems to be no evidence that spectators considered witchcraft executions unjust. In the Dutch Republic of the late 1590s, then, the deaths of dozens of

¹³⁵⁹ A call to take the fear of witchcraft at face value in Lyndal Roper, *Witch Craze. Terror and Fantasy in Baroque Germany*, First printed in paperback (New Haven: Yale Univ. Press, 2006).

¹³⁶⁰ Jos Monballyu, "De houding van de rechters tegenover hekserij in de Zuidelijke Nederlanden tijdens de 15de tot 17de eeuw," in *La sorcellerie dans les Pays-Bas sous l'Ancien Regime: aspects juridiques, institutionnels et sociaux*, ed. Marie-Sylvie Bouchat-Dupont, De hekserij in de Nederlanden onder het Ancien Regime juridische, institutionele en sociale aspecten (Heule: UGA, 1987).

¹³⁶¹ Monballyu, "De houding van de rechters tegenover hekserij in de Zuidelijke Nederlanden tijdens de 15de tot 17de eeuw," 21–23. Coenders, *Het Verbond van heks en duivel*, 194–97.

¹³⁶² Thurston, "Violence towards Heretics and Witches in Europe, 1022-1800," 517; Coenders, *Het Verbond van heks en duivel*, 270–71.

women accused of witchcraft were supported by the very same people who strongly condemned Anna Utenhove's execution for heresy.