



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).



Figure 0.1 Pieter Bruegel the Elder, *Justitia*, 1559, pen in brown on paper, 22 × 29.5 cm, Prints Department, Royal Library of Belgium, Brussels.



Figure 0.2 Philips Galle after Pieter Bruegel the Elder, *Justitia*, ca. 1559, engraving, 22.2 × 28.7 cm, Rijksmuseum, Amsterdam.

Introduction *Looking for Justice*

In 1559, Pieter Bruegel the Elder (ca. 1525–1569) drew the enigmatic sketch *Justitia*, which was engraved by Philips Galle and published in the same year (Figs. 0.1 and 0.2).¹ The blindfolded personification of justice at the center of this image is surrounded by a wide variety of contemporary legal practices, including arrests, hearings, and trials in court. The focus, however, is on physical punishment, with scenes of torture, corporal punishment, and execution making up the largest part of the drawing. This detailed, graphic, and penetrating overview of punishment techniques departs from the allegorical or symbolic representations of justice more common at the time. Instead, Bruegel derived his visual language from illustrated legal books, which had been gaining popularity in Europe (and particularly in the Low Countries after the publication of Joos de Damhoudere's illustrated *Praxis Rerum Criminalium* in 1554).² The sketch of the virtue *Justitia* is also remarkably different from the other sketches in Bruegel's series of fourteen virtues and vices. Whereas the other virtues are less ambiguous, the image of *Justitia* has given rise to a range of often contradictory interpretations by art historians.³ While some see the display of punishments as an affirmation of the validity of contemporary legal practice, others have argued that Bruegel depicted the supposed virtue as vice, drawing attention to the cruelty that surrounded the exercising of justice. Still others have interpreted the sketch as satire or criticism of contemporary legal practice: In this vein, historian

¹ Gerd Schwerhoff, "Virtue or Tyranny? Pieter Bruegel, *Justitia*, and the Myth of the Inquisition," in *Pieter Bruegel the Elder and Religion*, ed. Bertram Kaschek, Jürgen Müller and Jessica Buskirk, Brill's studies on art, art history, and intellectual history Volume 27 (Leiden: Brill, 2018).

² J. de Damhoudere, *Praxis rerum criminalium: Elegantissimis iconibus ad materiam accommodis illustrata* (Antwerpiae: Apud Ioannem Bellerum, sub insigni Falconis, 1554); Felix Jäger, "Framing the Law: Joos de Damhouder and the Legal Iconology of the Grotesque," in *The Art of Law: Artistic Representations and Iconography of Law and Justice in Context, from the Middle Ages to the First World War*, ed. Stefan Huygebaert et al., *Ius Gentium: Comparative Perspectives on Law and Justice* volume 66 (Cham: Springer, 2018).

³ For a recent overview of these varying interpretations see Schwerhoff, "Virtue or Tyranny?," 79–81.

Gerd Schwerhoff has characterized it as “a building block in the creation of Inquisition iconography.”⁴

Although Schwerhoff is undoubtedly right to situate the drawing in the political controversy of the time, Bruegel might not have had the top-down institution of the Inquisition (which was never active in the Low Countries) in mind. Rather, the work’s emphasis on the role of spectators indicates that it might relate more specifically to the interaction between the administrators of justice and the communities in which these practices of justice took place. Dozens of attentive eyes are directed toward the scaffold. Large crowds of men, women, and even children swarm toward the stake, gallows, and wheels in the background. In contrast to the watchful eyes of the public, *Justitia* herself is blindfolded—an attribute that the allegorical representation of justice had only recently acquired, as Adriano Prospero has shown.⁵ What are these spectators watching, the drawing seems to ask: good practices of law and order or mindless butchery?

The ambiguity of Bruegel’s drawing and the multitude of conflicting interpretations of it are illustrative of the experience of spectators of justice in the sixteenth-century Low Countries. Bruegel drew his *Justitia* at a time when public rituals of justice, particularly executions, were becoming increasingly unstable and would eventually disintegrate entirely. This breakdown of order and justice was documented in detail by members of the audience themselves, many of whom took up the pen to record and comment on hundreds of executions and the contestation of these rituals. Questions of who should be executed, for what, and by whom came to be among the most divisive problems within the community. The scaffold became the epicenter of explosive confrontations between the authorities, the spectators, and the condemned at the stake. While those seeking to die as martyrs for their faith rejected the script of guilt and redemption presented to them and thus questioned the legitimacy of the execution ritual, spectators began to attack the officers who tried to ensure an orderly execution, and guards turned on the audience. At the same time, magistrates were ordering increasingly theatrical punishments even for crimes other than heresy, bringing a degree of spectacle and variety that astonished

⁴ Schwerhoff, “Virtue or Tyranny?,” 109–10.

⁵ Adriano Prospero, *Justice Blindfolded: The Historical Course of an Image*, Catholic Christendom, 1300-1700 (Leiden, Boston: Brill, 2018).

spectators. Capital punishment, once the backbone of justice, civic order, and peace, had thus become deeply contested by the mid-1560s.

This dissertation revolves around the question of just why, over the course of the sixteenth century, executions became so controversial. By examining a variety of sources, including chronicles, poems, pamphlets, prints, and martyr books, it offers for the first time a systematic analysis of executions from the perspective of the spectators who attended them. Moreover, by contrasting the perception of justice with attested legal practices, it aims to show how authorities took these spectators and their opinions into account. Focusing on the spectators thus sheds new light on the dynamic between execution audiences and their governments and offers insight into the logic of why some of those executions “worked,” while others did not.

Executions as Rituals of Justice

The historiography of executions has tended to focus more on the stagers of executions than their audiences. Since Michel Foucault identified it as the display of sovereign majesty in 1975, capital punishment has been understood to stand at the core of early modern state-building.⁶ Admittedly, Foucault’s approach has been the subject of much criticism by later historians—indeed, his source base was limited, and he was much more interested in explaining the rise of the practice of imprisonment than in the workings of early modern public executions. Even so, his influence has been extraordinary, and his work has done much to lift research into early modern punishment out of obscurity.⁷ He proposed a dramaturgical model, emphasizing the “theatrical” mechanics of public executions, and pointed to the “logic” behind early modern punishment as the creation of exemplary terror. In this way, he directed sociological and cultural attention toward the connection between power and violence in the early modern world.⁸ Around the same time, the “civilizing theory” of Norbert Elias

⁶ Michel Foucault, *Surveiller et punir: Naissance de la prison* (Paris: Gallimard, 1975).

⁷ For an historiographic overview of capital punishment before Foucault see Florike Egmond, “The Cock, the Dog, the Serpent, and the Monkey. Reception and Transmission of a Roman Punishment, or Historiography as History,” *International Journal of the Classical Tradition* 2, no. 2 (1995).

⁸ For the English context, too, historians connected executions to power dynamics and state formation around this time, but here the focus was more on class struggle. See

inspired Pieter Spierenburg to argue that the decline of public executions after the sixteenth century reflected a shift toward a “civilized” society in which violence was restricted.⁹ Similarly, by centering public executions in early modern state-building, Charles Tilly identified them as part of a process of power centralization and monopolization of violence by the authorities, which contributed to the emergence of the modern nation-state, which increased its power through military and fiscal control.¹⁰

More recent consensus among historians of executions has challenged this top-down, modernist approach by emphasizing the existence of a gap between the intentions of authorities and the reception of spectators. Authorities could only convey their statement of power by making use of a “universal language of justice,” which required them to adhere to the expectations of those spectators.¹¹ Indeed, Foucault himself emphasized that “in the ceremonies of the public execution, the main character was the people, whose real and immediate

Douglas Hay, Peter Linebaugh and John G. Rule, eds., *Albion's Fatal Tree: Crime and Society in Eighteenth-century England* (Penguin, 1977).

⁹ Pieter Spierenburg, *The Spectacle of Suffering: Executions and the Evolution of Repression, from a Preindustrial Metropolis to the European Experience* (Cambridge: Cambridge University Press, 1984); Norbert Elias, *The Civilizing Process* (Oxford: Blackwell, 1982) Although controversial, this pacification thesis still echoes in recent works, most prominently in Steven Pinker, *The Better Angels of our Nature: Why Violence has Declined* (New York: Viking, 2011). For a contestation of Pinker's thesis see Mark S. Micale and Philip Dwyer in “On Violence in History,” “Introduction: History, Violence, and Steven Pinker,” ed. Mark S. Micale and Philip Dwyer, special issue, *Historical Reflections/Réflexions Historiques* 44, no. 1 (2018): 1–5; Philip G. Dwyer and Mark S. Micale, *The Darker Angels of Our Nature: Refuting the Pinker Theory of History & Violence* (London: Bloomsbury, 2021).

¹⁰ Charles Tilly, *Coercion, Capital, and European States, AD 990-1992*, Studies in social discontinuity (Cambridge: MIT Press, 1992); David Garland, *Peculiar Institution: America's Death Penalty in an Age of Abolition* (Cambridge: Harvard University Press, 2010)

¹¹ Peter Lake and Michael Questier, “Agency, Appropriation and Rhetoric under the Gallows: Puritans, Romanists and the State in Early Modern England,” *Past and Present* 153 (1996); Tomas Macsotay, “Sacred Forms and the Crowd's Guilt in Late Seventeenth- and Eighteenth-Century Execution Imagery,” *Cultural History* 8, no. 1 (2019); Esther Cohen, “Symbols of Culpability and the Universal Language of Justice: The Ritual of Public Executions in Late Medieval Europe,” *History of European Ideas* 11 (1989): 3; Gregory Shaya, “The Unruly Emotions of the Execution Crowd and its Critics in Late Nineteenth- and Early Twentieth-Century France,” *Cultural History* 8, no. 1 (2019).

presence was required for the performance.”¹² Historians do not yet agree, however, on what that “universal language” consisted of and how it was created. Some historians have argued, as Richard Evans has done for Germany, that executions functioned as redemptive rituals to restore order in society.¹³ Others have drawn attention to the importance of religious ideals and practices for execution rituals: Most notably, Adriano Prospero and Nicholas Terpstra have shown the fundamental role of lay fraternities of comforters in the shaping of executions in the Italian city-states.¹⁴ Yet another interpretation is offered by Paul Friedland, who has emphasized the entertainment value that public executions offered for the crowds in France.¹⁵ Tom Laqueur has likewise argued that in England, by the eighteenth century, the spectators themselves turned executions into carnivalesque events.¹⁶

In recent years, cultural historians have drawn attention to the role of emotions in the logic and perception of early modern punishment.¹⁷ Una

¹² Michel Foucault, *Discipline and Punish: The Birth of the Prison*, Reprint, Penguin social sciences (London: Penguin, 1991), 57–58.

¹³ Richard J. Evans, *Rituals of Retribution: Capital Punishment in German 1600-1987* (Oxford: Oxford University Press, 1996); Adriano Prospero, *Crime and Forgiveness: Christianizing Execution in Medieval Europe* (Cambridge Massachusetts: Harvard University Press, 2020); Nicholas Terpstra, ed., *The Art of Executing Well: Rituals of Execution in Renaissance Italy* (Kirkville: Truman State University Press, 2008).

¹⁴ Terpstra, *The Art of Executing Well: Rituals of Execution in Renaissance Italy*; Prospero, *Crime and Forgiveness*. For religious overtones in English execution rituals see Andrea McKenzie, *Tyburn's Martyrs: Execution in England, 1675-1775* (London: Hambledon, 2007), esp. 157-190.

¹⁵ Paul Friedland, *Seeing Justice Done. The Age of Spectacular Capital Punishment in France* (Oxford: Oxford University Press, 2012).

¹⁶ Thomas Laqueur, “Crowds, Carnival, and the State in English Executions, 1604-1868,” in *The First Modern Society: Essays in English History in Honour of Lawrence Stone*, ed. Lawrence Stone et al., Past and present publications (Cambridge, New York: Cambridge University Press, 1989) See also

¹⁷ Maureen Warren, “Eternal Memory Mirrors’: Seventeenth-century Dutch Newsprints of Political Executions,” *Early Modern Low Countries* 5, no. 1 (2021); Florike Egmond, *Execution, Dissection, Pain and Infamy: A Morphological Investigation* (London: Routledge, 2003); Claire Esnault, “L’exécution capitale à la fin de la renaissance: Discours et représentations” (Unpublished doctoral thesis, Université Aix-Marseille & Université d’Ottawa, 2016); Karl Härter, “Images of Dishonoured Rebels and Infamous Revolts: Political Crime, Shaming Punishments and Defamation in the Early Modern Pictorial Media,” in *Images of Shame: Infamy, Defamation and the Ethics of Oeconomia*, ed. Carolin Behrmann (Berlin: De Gruyter, 2016).

McIlvenna has argued for the importance of emotions in the cultural production of execution songs and broadsheets in early modern Europe, emphasizing the importance of dynamics of honor and shame in the workings of these forms of media.¹⁸ Scholarly attention has also been paid to what happened when executions “went wrong.” When, for example, an executioner failed to carry out their job correctly and in good order—and the condemned did not die instantaneously—the crowd could revolt and might even attack the executioner or carry out the job itself.¹⁹ Other historians, such as Katharine Royer in the case of England, have emphasized the agency of the condemned in the construction of the execution narrative, arguing that these individuals often seized the opportunity to defy the expectations of both authorities and spectators and disrupt the rituals of justice.²⁰

Although greatly nuanced, Foucault’s legacy of the theatrical interpretation of capital punishment is still present in these readings. The titles of the most influential works on executions are illustrative: Such events are described as “theatres of horror,” “theaters of death,” or “rituals of retribution.”²¹ Even when focusing on the audience, these works explain perception in terms of the “effectiveness” of dramaturgical techniques employed by authorities. Nonetheless, other events or ideas *outside* the execution ritual itself might also

¹⁸ Una McIlvenna, *Singing the News of Death: Execution Ballads in Europe 1500-1900*, 1st ed., New cultural history of music series (New York: Oxford University Press, 2022).

¹⁹ Hannele Klemettilä, *Epitomes of Evil: Representation of Executioners in Northern France and the Low Countries in the Late Middle Ages*, Studies in European urban history (1100-1800) (Turnhout: Brepols, 2006); Joel F. Harrington, *The Faithful Executioner: Life and Death, Honor and Shame in the Turbulent Sixteenth Century* (New York: Picador, 2013). Spierenburg was one of the first historians to emphasize the importance of the hangman. Spierenburg, *The Spectacle of Suffering*, 13–42.

²⁰ Katherine Royer, *The English Execution Narrative, 1200-1700*, Body, gender and culture no. 17 (Abingdon, Oxon: Routledge, 2014); Sarah Tarlow and Emma B. Lowman, eds., *Harnessing the Power of the Criminal Corpse*, Palgrave Historical Studies in the Criminal Corpse and its Afterlife (Basingstoke: Palgrave Macmillan, 2018). See for an earlier approach to the behavior of the condemned at stake J. A. Sharpe, “Last Dying Speeches: Religion, Ideology and Public Execution in Seventeenth-Century England,” *Past and Present* 107 (1985) Sharpe, however, argued that the last words of the condemned usually confirmed the narrative of the authorities.

²¹ Richard van Dülmen, *Theatre of Horror: Crime and Punishment in Early Modern Germany* (Oxford: Polity, 1990); Paul Klemp, *The Theatre of Death: Rituals of Justice from the English Civil Wars to the Restoration* (Newark: University of Delaware Press, 2016); Evans, *Rituals of Retribution*.

have influenced execution spectatorship. If historians agree that authorities could not take the perceptions of the audience for granted, how are we then to understand the construction of a culture of justice? And how was execution policy informed by the role of the spectators?

Heresy Executions During the Reformation

In contrast to this dramaturgical approach, historians of religion have emphasized the agency of those dying as martyrs for their faith in the context of the Reformation. Many European rulers chose to repress the religious dissent that became widespread from the 1520s onward through capital punishment. The various strands of Anabaptism were punished particularly harshly.²² Heresy executions have always attracted a large share of attention in the field of Reformation history, but with time, the dominant perspective has shifted away from the institutional, top-down focus on repression.²³ In its place, recent scholarship has devoted more attention to the bottom-up processes of religious change and the personal experience of faith, focusing on the “cultures” or “repertoires” of reformation.²⁴ Brad Gregory, Emily Murphy, and Erin Lambert, for example, have emphasized how martyrs (both Catholic and Reformed) were able to provide examples of the appropriate dying behavior for their respective confessions by fashioning their deaths at the stake, drawing attention to the execution soundscape.²⁵ For the Low Countries, Louise Deschryver has argued

²² Kat Hill, *Baptism, Brotherhood, and Belief in Reformation Germany: Anabaptism and Lutheranism, 1525-1585*, Oxford historical monographs (Oxford: Oxford University Press, 2015).

²³ Brad Gregory, *Salvation at Stake: Christian Martyrdom in Early Modern Europe* (Cambridge: Harvard University Press, 1999).

²⁴ Kat Hill, *Cultures of Lutheranism: Reformation Repertoires in Early Modern Germany*, Past & present supplement 12 (Oxford: Oxford University Press, 2017).

²⁵ Emilie K. M. Murphy, “Musical Self-Fashioning and the ‘Theatre of Death’ in Late Elizabethan and Jacobean England,” *Renaissance Studies* 30, no. 3 (2016); Erin Lambert, *Singing the Resurrection: Body, Community, and Belief in Reformation Europe*, New cultural history of music (New York: Oxford University Press, 2018). See also Anne Dillon, *The Construction of Martyrdom in the English Catholic Community, 1535-1603*, St. Andrews studies in Reformation history (Routledge, 2002) For the Low Countries specifically Lisanne Vroomen, “Vrees niet voor zwaard, water, galg of vuur: Een verkennend en vergelijkend onderzoek naar het religieuze martelaarslied in de Lage Landen (1570-1645),” *Trajecta* 27, no. 1 (2018).

for the importance of death practices in general, including not only executions but also burials, for the formation of confessional identity, emphasizing the importance of diverging sensory repertoires between Protestants and Catholics.²⁶ Still others have shown the importance of martyrological writings for the formation of confessional cultures, such as those of Jean Calvin for France or John Foxe for England.²⁷

Moreover, following Natalie Zemon Davis, historians of France, in particular, have stressed how confessional differences between groups in society often came into sharp focus during execution rituals or burials, even leading to outbreaks of violence.²⁸ In one seminal contribution, David Nicholls has drawn attention to the breakdown of ritual forms during heresy executions in Reformation France.²⁹ The greatest threat here, according to Nicholls, came not from martyrs' denying the script of repentance and reconciliation but from the spectators' "changing from an undifferentiated mass inspired by curiosity into a Catholic crowd motivated by hostility towards the victim."³⁰ These historians have shown that the authorities had no, or only very limited, control over the course of events during such executions and have emphasized the potentially disruptive influence of convicts or audiences. These historians have, however, paid relatively little attention to the shift in cultures or perceptions of punishment in general. Widening the scope to consider the changing dynamics

²⁶ Louise Deschryver, "You Only Die Once: Calvinist Dying and the Senses in Lille and Tournai During the Dutch Revolt," *Early Modern Low Countries* 4, no. 1 (2020). See also Isabel Casteels, Louise Deschryver, and Violet Soen, "Introduction: Divided by Death? Staging Mortality in the Early Modern Low Countries," *Early Modern Low Countries* 5, no. 1 (2021) For changing death practices in Germany see Craig Koslofsky, *The Reformation of the Dead: Death and Ritual in Early Modern Germany, 1450-1700*, Early modern history. Society and culture (Basingstoke: Macmillan, 2000).

²⁷ Jameson Tucker, *The Construction of Reformed Identity in Jean Crespin's Livre des martyrs: All the True Christians* (London: Routledge, 2017); D. M. Loades, ed., *John Foxe and the English Reformation*, St. Andrews studies in Reformation history (Aldershot: Scolar press, 1997).

²⁸ Natalie Zemon Davis, "The Rites of Violence: Religious Riot in Sixteenth-Century France," *Past and Present* 59 (1973); Alexandra Walsham, *Charitable Hatred: Tolerance and Intolerance in England, 1500 - 1700* (Manchester: Manchester University Press, 2006).

²⁹ David Nicholls, "The Theatre of Martyrdom in the French Reformation," *Past and Present* 121 (1988).

³⁰ Nicholls, "The Theatre of Martyrdom in the French Reformation," 68-70.

of execution spectatorship beyond heresy executions can advance our understanding of the broader impact of the Reformation on the perception of execution practices in general—not only those for religious crimes.

The Reformation gave rise to fundamentally different confessional and theological views regarding death and the afterlife between Catholics and Protestants. In addition to theological differences, historians of the Reformation have also begun to consider the diverging emotional scripts of Catholic, Anabaptist, Lutheran, and Reformed communities. They were initially inspired in this by the emerging field of the history of emotions, pioneered by historians such as William Reddy, Barbara Rosenwein, and Monique Scheer, which emphasizes the importance of emotional regimes and practices for historical change.³¹ In one important contribution, Susan Karant-Nunn has shown that in the Holy Roman Empire, the Reformation shaped not only religious doctrine but also religious feelings.³² Indeed, even as Protestants rejected the Catholic “glorification” of bodily suffering, pain, and purification, the culture of martyrdom provided many examples of suffering in Christ’s wake.³³ How, we might ask, did these confessionally diverging emotional regimes shape the perception of executions over the course of the Reformation, and were practices of capital punishment affected by these changes?

Compassion and empathy have long been thought to have emerged in the eighteenth century, serving as a marker of progress or civilization. Pieter Spierenburg, for example, argued that an “increased sensibility” and capacity for

³¹ Peter N. Stearns and Carol Z. Stearns, “Emotionology: Clarifying the History of Emotions and Emotional Standards,” *The American Historical Review* 90, no. 4 (1985); William M. Reddy, *The Navigation of Feeling: A Framework for the History of Emotions* (Cambridge: Cambridge University Press, 2001); Barbara H. Rosenwein, *Emotional Communities in the Early Middle Ages* (Ithaca, N.Y.: Cornell University Press, 2007); Monique Scheer, “Are Emotions a Kind of Practice (And Is That What Makes Them Have a History)? A Bourdieuan Approach to Understanding Emotion,” *History and Theory* 51, no. 2 (2012). Rob Boddice and Mark Smith, *Emotion, Sense, Experience* (Cambridge: Cambridge University Press, 2020). For a recent state of the art see Rob Boddice, “The History of Emotions: Past, Present, Future,” *Revista de Estudios Sociales*, no. 62 (2017).

³² Susan C. Karant-Nunn, *The Reformation of Feeling: Shaping the Religious Emotions in Early Modern Germany* (Oxford: Oxford University Press, 2010).

³³ Karant-Nunn, *The Reformation of Feeling*; Jan F. van Dijkhuizen, “Stoned, Slain, Sawn Asunder: Violence, Consolation and the Meanings of Martyrdom in Early Modern England,” *Journal of the Northern Renaissance* 11 (2020).

compassion, mainly among elites, regarding punishment and “cruelty” was the main reason why the penal system changed across the early modern period into a system focused on regulating the mind.³⁴ Such narratives are challenged, however, by the claim of historians of emotions that emotional experience is not universal and that it is impossible to chart such linear progress toward “civilization.”³⁵ Katie Barclay, for instance, has recently argued that the perception of public punishment before the eighteenth century should also be viewed in the context of cultural modes of compassion and the witnessing of suffering in devotional practices.³⁶ In a related vein, Herman Roodenburg has highlighted the long-standing tradition of the “making of empathy” in the Low Countries from the late medieval period onward through narratives of Christ’s passion.³⁷

As historians of executions have generally been more interested in why public punishment eventually *declined* in favor of the more internally oriented mode of the prison in the eighteenth century, little attention has so far been paid to the role of such emotional religious regimes in the *emergence* of spectacular punishment. Building further on the new perspectives described above, this dissertation charts the emotional regimes of execution spectatorship in the period of the sixteenth century. This period has been characterized by historians of executions as a transformative period in which punishment not only became more spectacular but was also quantitatively the high point of public executions.³⁸ Nonetheless, the emotional perception of executions in this period has not

³⁴ Spierenburg, *The Spectacle of Suffering*, 204–5.

³⁵ Sarah McNamer, *Affective Meditation and the Invention of Medieval Compassion*, The Middle Ages series (Philadelphia: University of Pennsylvania Press, 2010).

³⁶ Katie Barclay, “Compassion as an Agent of Historical Change,” *The American Historical Review* 127, no. 4 (2023).

³⁷ Herman Roodenburg, “Empathy in the Making: Crafting the Believer’s Emotions in the Late Medieval Low Countries,” *BMGN - Low Countries Historical Review* 129, no. 2 (2014).

³⁸ Richard Ward, *A Global History of Execution and the Criminal Corpse*, Palgrave Historical Studies in the Criminal Corpse and its Afterlife (Basingstoke (UK): Palgrave Macmillan, 2015). On medieval punishment see Cohen, “Symbols of Culpability and the Universal Language of Justice”; Esther Cohen, ““To Die a Criminal for the Public Good”: The Execution Ritual in Late Medieval Paris,” in; Claude Gauvard, *Condamner à mort au Moyen Âge. Pratiques de la peine capitale en France, XIIIe-XVe siècle*, 1re édition (Paris: puf, 2018); Katherine Royer, “The Body in Parts: Reading the Execution Ritual in Late Medieval England,” *Historical Reflections / Réflexions Historiques* 29, no. 2 (2003).

attracted much attention. This dissertation will argue that the Christian norm of execution spectatorship was largely shaped by the emotional regime of compassion, and that executions for heresy during the Reformation put pressure on this norm.³⁹ It thus seeks to offer a more integrated view of the mutual impact of religious persecution and general execution practices, bringing together the separate research traditions of Reformation and execution history. I will argue that addressing the formative role of spectators in this period enhances our understanding of the development of public punishment beyond its role in top-down state formation. Doing so can also help us explore why executions as a whole became so controversial in the sixteenth century and how this related to the emergence of a spectacular or theatrical execution paradigm during this period.

The Dutch Revolt and the Perception of Justice

The Low Countries provide an informative case study within which to explore these questions. This highly urbanized and literate region was a hotbed of Protestantism and an important center for the spreading of Reformed ideas.⁴⁰ In the face of the Reformation, the Habsburg authorities regarded it as their duty to preserve Catholicism in their lands. Alastair Duke has estimated that around thirteen hundred heresy executions took place in the Low Countries up to 1566—the highest number in all of Europe.⁴¹ Historians have made extensive use of the relevant trials to trace the spread of religious ideas in these territories during the Reformation and the political implications.⁴² The many Lutheran,

³⁹ See for a more detailed definition of the norm of execution spectatorship the section ‘The Execution Script’.

⁴⁰ Christine Kooi, *Reformation in the Low Countries, 1500-1620* (Cambridge: Cambridge University Press, 2022).

⁴¹ Alastair Duke, “Building Heaven in Hell’s Despite: The Early History of the Reformation in the Towns of the Low Countries,” in *Reformation and Revolt in the Low Countries*. For the European contextualization see William Monter, *Heresy Executions in Reformation Europe, 1520–1565*, Transferre, ed. Ole P. Grell and Bob Scribner (Cambridge: Cambridge University Press, 2002).

⁴² Alastair Duke, *Reformation and Revolt in the Low Countries* (London: Hambledon, 1990); Johan Decavele, *De dageraad van de reformatie in Vlaanderen (1520-1565)* (s. n. Leuven: sn, 1975); Guido Marnef, *Antwerp in the Age of the Reformation: Underground Protestantism in a Commercial Metropolis, 1550-1577* (1996); Kooi, *Reformation in the Low Countries, 1500-1620* For a recent historiographical overview

Anabaptist, or Reformed martyrological accounts in which these executions were recorded and publicized have also been analyzed extensively.⁴³ Although these accounts are often labeled as inaccurate and biased, Gilmont and Gregory have shown that they are less unreliable than has often been thought.⁴⁴ Nonetheless, these martyrologies were primarily focused on propagating religious beliefs, and as such, they reveal less about the executions themselves or perceptions of justice.

The observation that heresy executions during the Dutch Revolt were controversial is not new. Propaganda against “the Inquisition,” the Duke of Alba, and the executions ordered by his Council of Troubles was widespread during the revolt and significantly fueled the escalation of the conflict. In particular, the rebels led by William of Orange demonized the Spanish soldiers and stressed the cruelty and violence practiced by the “Spanish usurper.” This perspective has long echoed through historiography, which focused heavily on the executions conducted on the orders of the central Catholic authorities in Brussels, such as the high-profile political executions of the Counts of Egmont and Horne by the Council of Troubles on June 5, 1568. The myth of the Black Legend—depicting Spanish culture as unusually intolerant, cruel, and bloodthirsty—has by now been successfully debunked. By analyzing the posters, pamphlets, and prints published during the Revolt, historians have emphasized that this image was created by propaganda campaigns.⁴⁵ They have further shown that fear of the

see Violet Soen, “Which Religious History for the (Two) Early Modern Netherlands Before 1648? Questions, Trends and Perspectives,” *Revue d'Histoire Ecclésiastique* 112, 3-4 (2017).

⁴³ Gregory, *Salvation at Stake*. See also the older but influential publications by A.L.E. Verheyden, who composed lists of martyrs for several cities in the Low Countries: Alphonse L. E. Verheyden and François-Louis Ganshof, *Het Brugsche martyrologium (12 October 1527 - 7 Augustus 1573)* (Brussel: Wilco, 1944); A. L. E. Verheyden, *Het Gentse Martyrologium (1530-1595)* (Bruges: De Tempel, 1945); Alphonse L. E. Verheyden and Léon-Ernest Halkin, *Le martyrologe courtraisien et le martyrologe bruxellois* (Vilvorde: Allecourt, 1950); Alphonse L. E. Verheyden, *Le martyrologe protestant des Pays-Bas du Sud au XVI^e siècle* (Bruxelles Librairie des éclaircisseurs unionistes, 1960).

⁴⁴ Jean-François Gilmont, *Jean Crespin: Un éditeur réformé du XVI^e siècle*, Travaux d'humanisme et renaissance 186 (Genève: Librairie Droz, 1981); Gregory, *Salvation at Stake*, 16–29.

⁴⁵ A.C Duke, “A Legend in the Making: News of the 'Spanish Inquisition' in the Low Countries in German Evangelical Pamphlets, 1546-1550,” *Nederlandsch Archief voor*

Inquisition was fueled by both Protestant minorities and domestic, often Catholic, elites, who felt that an Inquisition tribunal installed by the king would threaten their jurisdiction.⁴⁶

Despite the fierce outcry in this propaganda against “the Inquisition,” it was not the Inquisition proper that was responsible for the many religious executions, but the state.⁴⁷ The Habsburg rulers of the Low Countries reframed heresy as *lèse-majesté divine* and thus regarded it as treason, which was to be punished by secular courts. Moreover, public executions for treason, such as those carried out in Ghent in 1540 after the rebellion against Charles V, have been identified as an important tool in the political culture of the Burgundian-Habsburg “theatre state”.⁴⁸ Such highly visible and spectacular executions were,

Kerkgeschiedenis, 1997; Werner Thomas, “De mythe van de Spaanse inquisitie in de Nederlanden van de zestiende eeuw,” *BMGN - Low Countries Historical Review* 105, no. 3 (1990); Fernando Martínez Luna, *Een ondraaglijk juk: Nederlandse beeldvorming van Spanje en de Spanjaarden ten tijde van de Opstand (1566-1609)* (Hilversum: Verloren, 2018); Alastair Duke, “Posters, Pamphlets and Prints: The Ways and Means of Disseminating Dissident Opinions on the Eve of the Dutch Revolt,” *Dutch Crossing* 27, no. 1 (2003); Martin van Gelderen, *The Political Thought of the Dutch Revolt 1555-1590*, Ideas in context (Cambridge: Cambridge University Press, 1992).

⁴⁶ Violet Soen, *Vredehandel: Adellijke en Habsburgse verzoeningspogingen tijdens de Nederlandse Opstand (1564-1581)* (Amsterdam: Amsterdam University Press, 2012); Violet Soen, “Philip II’s Quest: The Appointment of Governors-General during the Dutch Revolt (1559-1598),” *BMGN: Low Countries Historical Review* 126, no. 1 (2011); Liesbeth Geevers, *Gevallen vazallen: De integratie van Oranje, Egmont en Horn in de Spaans-Habsburgse monarchie (1559-1567)* (Amsterdam: Amsterdam University Press, 2008).

⁴⁷ Gert Gielis and Violet Soen, “The Inquisitorial Office in the Sixteenth-Century Habsburg Low Countries: A Dynamic Perspective,” *The Journal of Ecclesiastical History* 66, no. 1 (2015); Aline Goosens, *Les inquisitions modernes dans les Pays-Bas méridionaux 1520-1633*, 2 vols. 1: La Legislation (Brussels: Editions de l’Université de Bruxelles, 1997); Alastair Duke, “The ‘Inquisition’ and the Repression of Religious Dissent in the Habsburg Netherlands 1521-1566,” in Pollmann; Spicer *Dissident Identities in the Early Modern Low Countries*.

⁴⁸ Anne-Laure van Bruaene, “The Habsburg Theatre State: Court, City and the Performance of Identity in the Early Modern Southern Low Countries,” in Stein; Pollmann, *Networks, Regions and Nations*; Peter Arnade, *Realms of Ritual: Burgundian Ceremony and Civic Life in Late Medieval Ghent* (Ithaca (N.Y.): Cornell University Press, 1996); Peter Arnade, *Beggars, Iconoclasts and Civic Patriots: The Political Culture of the Dutch Revolt* (Ithaca and London: Cornell University Press, 2008); Xavier Rousseaux, *Violence, conciliation et répression: recherches sur l’histoire du crime, de l’antiquité au XXIe siècle* (Louvain-la-Neuve: Presses universitaires de Louvain, 2008).

however, an exception. Executions should also be seen as part of a two-way dynamic along with an increase in pardoning and grace, which was even more fundamental for state formation.⁴⁹

Although powerful local Catholic elites may have felt threatened by the Habsburg tendency toward centralization and thus resisted persecuting heretics, this does not necessarily mean that execution spectators shared their attitude, nor does it explain why executions became contested by audiences. After all, most execution spectators in the Low Countries were Catholics, and heresy was regarded as a threat by all, authorities and inhabitants alike. Despite this sense of threat, Judith Pollmann has argued that the Catholic laity of the Low Countries responded relatively passively to the emergence of Protestantism in general, in contrast to France, where the clergy played an active role in mobilizing Catholics in the fight against heresy.⁵⁰ Indeed, whereas in France, the fear of heresy even led to lynchings of Protestants by panicking Catholic crowds, execution spectators in the Low Countries did not engage in similar ways.

The controversy surrounding the Inquisition, both in anti-government propaganda and in the attitudes of the local and provincial law courts, has led to a narrow focus in historiography on heresy trials alone, which fails to take into account that executions for heresy were part of a larger system of justice, and heresy was just one of many crimes for which one could be sentenced to death.

⁴⁹ Marjan Vrolijk, *Recht door gratie. Gratie bij doodslagen en andere delicten in Vlaanderen, Holland en Zeeland (1531-1567)* (Hilversum: Verloren, 2004); Hugo De Schepper, *Het gratierecht in het Bourgondisch-Habsburgse Nederland 1384-1633: Vorstelijk prerogatief en machtsmiddel* (Brussel, 1995); Hugo De Schepper, "Repressie of Clementie in de Nederlanden onder Karel V en Filips II," in *Een rijk gerecht: Opstellen aangeboden aan prof. mr. P.L. Nève*, ed. P. L. Nève, B. C. M. Jacobs and E. C. Coppens, Rechtshistorische reeks van het Gerard Noodt Instituut nr. 41 (Nijmegen: Gerard Noodt Instituut, 1998); Jean-Marie Cauchies and Hugo De Schepper, *Justice, grâce et législation: Genèse de l'Etat et moyens juridiques dans les Pays-Bas, 1200-1600*, Cahier / Centre de Recherches en Histoire du Droit et des Institutions 2 (Bruxelles: Fac. Univ. Saint-Louis, 1994); Violet Soen, *Geen pardon zonder Paus! Studie over de complementariteit van het koninklijk en pauselijk generaal pardon (570-1574) en over inquisiteur-generaal Michael Baius (1560-1576)*, Verhandelingen van de Koninklijke Vlaamse Academie van België voor Wetenschappen en Kunsten. Nieuwe reeks 14 (Brussel: Palais des Académies, 2007).

⁵⁰ Judith Pollmann, "Countering the Reformation in France and the Netherlands: Clerical Leadership and Catholic Violence 1560 –1585*," *Past & Present* 190, no. 1 (2006); Judith Pollmann, *Catholic Identity and the Revolt of the Netherlands, 1520-1635*, The past & present book series (Oxford, New York: Oxford University Press, 2011).

Moreover, capital punishment, torture, and violence were by no means the sole preserve of the Habsburg authorities. Over twenty years ago, Henk van Nierop convincingly showed that executions also formed part of the early regime of terror installed by the Orangist and Calvinist factions in rebel Holland and Zeeland.⁵¹ Consequently, the role of executions for heresy (and their contestation) should be studied within the broader judicial and political context of the time.

A study of the agency of execution spectators during the Dutch Revolt aligns with recent scholarly attention paid to how “common” people shaped and experienced the revolt, focusing on identity formation and memory practices.⁵² This approach has successfully challenged the long-standing nationalist grand narrative that presented the Eighty Years’ War as a glorious battle for (religious) freedom. In the more nuanced interpretation now achieved, the conflict is seen as a civil war in which various groups with different interests within the Low Countries opposed each other. Instead of being divided along clear-cut religious and political lines, most inhabitants were religiously and politically “in the middle,” and allegiances often shifted throughout the conflict.⁵³ Moreover, medievalists have emphasized that the cities of the Low Countries enjoyed a long history of “traditions of urban revolt,” both great and small.⁵⁴ Especially in the

⁵¹ Henk van Nierop, *Het verraad van het Noorderkwartier. Oorlog, terreur en recht in de Nederlandse Opstand* (Amsterdam: Bert Bakker, 1999).

⁵² Judith Pollmann and Erika Kuijpers, “Why Remember Terror? Memories of Violence in the Dutch Revolt,” in *Ireland: 1641: Contexts and reactions*, ed. Jane H. Ohlmeyer and Micheál Ó Siochrú, Studies in early modern Irish history (Baltimore, Maryland, Baltimore, Md.: Project Muse, 2013); Erika Kuijpers, “‘O, Lord, Save Us from Shame’: Narratives of Emotions in Convent Chronicles by Female Authors during the Dutch Revolt, 1566-1635,” in *Gender and Emotions in Medieval and Early Modern Europe: Destroying Order, Structuring Disorder*, ed. Susan Broomhall (Farnham Ashgate, 2015).

⁵³ Originally coined in Jan Juliaan Woltjer, *Friesland in hervormingstijd* (Leiden: Universitaire Pers, 1962).

⁵⁴ Marc Boone and Maarten Prak, “Rulers, Patricians and Burghers: The Great and the Little Traditions of Urban Revolt in the Low Countries,” in *A Miracle Mirrored: The Dutch Republic in European Perspective*, ed. Karel Davids and Jan Lucassen (Cambridge: Cambridge University Press, 1995).

highly urbanized regions of Flanders and Brabant, collective popular political action was traditionally part of the negotiation of power.⁵⁵

Despite this work, a broad analysis of executions during the Dutch Revolt from the perspective of execution audiences is still lacking, and we do not yet know how spectators might have influenced the practices of justice in their cities during this period. The aim of this study is to offer a new perspective on the contestation of executions in the Low Countries in the second half of the sixteenth century by focusing on the perspective of the spectators. This will not only contribute to our understanding of the outbreak and development of the Dutch Revolt but also challenge ideas on cultures of justice and the general relationship between state formation and public executions.

Chronicling Justice During the Dutch Revolt

How, then, can we explore the experience of execution spectators? Until now, executions have mostly been studied through either records of judicial administration (such as trial proceedings, sentences, records of hearings, or bailiff accounts) or martyrological accounts. Neither source type reveals much about the experience of the spectators—which is perhaps why the perceptions of these audiences remain under-studied. For the Low Countries, however, there is another type of source available. In the sixteenth century, a tradition emerged of local chronicling, a form of non-institutional chronological recordkeeping, usually explicitly urban or local in scope.⁵⁶ Chronicle writers recorded anything they deemed worthy of remembering; this makes their work difficult to define. On the one hand, many chronicles contain personal information about their

⁵⁵ P. Lantschner, "Revolts and the Political Order of Cities in the Late Middle Ages," *Past & Present* 225, no. 1 (2014); Jelle Haemers and Ben Eersels, eds., *Words and Deeds: Shaping Urban Politics from Below in Late Medieval Europe*, Studies in European urban history (1100-1800) 48 (Turnhout: Brepols, 2019); Hannah Serneels, "Making Space for Resistance: Low Countries the Spatiality of Popular Protest in the Late Medieval Southern," *Urban History*, 2021.

⁵⁶ Definitions of what exactly constitutes a chronicle differ, but in general historians adopt a broad perspective. In my definition I followed Judith Pollmann, "Archiving the Present and Chronicling for the Future in Early Modern Europe," *Past and Present* 230, suppl 11 (2016); Bram Caers, Lisa Demets and Tineke van Gassen, eds., *Urban History Writing in North-Western Europe (15th-16th Centuries)*, Studies in European urban history (1100-1800) vol. 47 (Turnhout: Brepols, 2019).

writers—births of children, promotions to civic office, and so forth—making them similar to diaries.⁵⁷ On the other hand, they usually focus more on information related to the communities in which their writers lived: Grain prices, the weather, and political events, such as the appointing of new magistrates. Moreover, they often also show characteristics of historiography, as some chroniclers included historical accounts leading up to their time of writing.⁵⁸ Although these records were usually not intended to be published, they often circulated in the local communities of their writers.⁵⁹

For a long time, historians have looked upon such chronicles with suspicion, lamenting their lack of accuracy and factual truth. In recent years, however, historians have increasingly turned to chronicles to study the contemporary experiences of ordinary people in the Low Countries during the Reformation and Dutch Revolt. Judith Pollmann was the first to systematically use them in her study of Catholic identity formation among laypeople during the revolt.⁶⁰ More recently, Rosanne Baars has followed Pollmann's example by basing her comparison of the news cultures of France and the Netherlands during the Wars of Religion on chronicles.⁶¹ Likewise, Marieke van Egeraat has used chronicles for her study of the perception of (natural) disasters in the sixteenth-century Low Countries.⁶² Other historians have consulted these sources more sporadically, such as Peter Arnade in his study of political culture during the

⁵⁷ For a recent historiographical overview of more personal or autobiographical forms of writing see Leonieke Vermeer, "Stretching the Archives. Ego-documents and Life Writing Research in the Netherlands: State of the Art," *BMGN - Low Countries Historical Review* 135, no. 1 (2020).

⁵⁸ Caers, Demets and van Gassen, *Urban History Writing in North-Western Europe (15th-16th Centuries)*.

⁵⁹ Wouter Jacobsz' diary is known to have circulated among the clergy of the Low Countries. Willem Jansz Verwer's diary was even used as evidence in a legal case when Verwer himself was called in as a witness. Marcus van Vaernewijck was already known in his own time as a writer, although he never published his chronicle. Augustijn van Hernighem, too, clearly had some sort of audience in mind, which he addressed multiple times in his chronicle, although his work was also never published.

⁶⁰ Pollmann, *Catholic Identity and the Revolt of the Netherlands, 1520-1635*.

⁶¹ Rosanne Baars, *Rumours of Revolt: Civil War and the Emergence of a Transnational News Culture in France and the Netherlands, 1561-1598*, Library of the written word vol. 88 (Leiden, Boston: Brill, 2021).

⁶² Marieke van Egeraat, "Zoo zij ghesindt waeren!: het nieuws en verklaringen van rampen in de zestiende-eeuwse Nederlanden" (PhD Thesis, Radboud University Nijmegen, 2023).

Dutch Revolt, Monica Stensland and Margarit Thøfner in their works on the perception of Habsburg communication and civic ceremony, and Femke Deen and Louise Vermeersch in analyzing public opinion in Amsterdam and Ghent during the Dutch Revolt.⁶³ Michal Bauwens also included a nuanced analysis of chronicles from Ghent in her recent study of the Catholic Restoration in that city between 1560 and 1600.⁶⁴

Only recently has the practice of chronicling itself become the focus of scholarly attention. Pioneered by Judith Pollmann and Erika Kuijpers, research into Dutch chronicle writing has taken off in earnest, mostly due to their ongoing research project, *Chronicling Novelty*, which includes an inventory, digitization, and transcription of chronicles from all over the Low Countries in the early modern period.⁶⁵ Pollmann has argued for an approach to chronicles as “collections of useful knowledge that were archived for deployment in the future and so as to be able to assess the significance and meaning of new events and developments.”⁶⁶ This treatment has been put into practice in the dissertations of project members Alie Lassche and Theo Dekker. Lassche has developed a computational approach to analyze the evolving information landscape of chroniclers, while Dekker has studied how chroniclers explained changes and adapted to new knowledge.⁶⁷ Drawing on these insights, this study uses chronicles to assess the impact and significance of changing execution practices

⁶³ Arnade, *Beggars, Iconoclasts and Civic Patriots*; Monica Stensland, *Habsburg Communication in the Dutch Revolt* (Amsterdam: Amsterdam University Press, 2012); Femke Deen, *Amsterdam 'Moorddam': Publiek debat en propaganda in Amsterdam tijdens de Nederlandse Opstand, 1566-1578* (Amsterdam: Amsterdam University Press, 2015); Louise Vermeersch, “Multimedia in de stad: Interacties tussen het geschreven, gedrukte en gesproken woord in de Gentse publieke sfeer (1550-1585)” (Unpublished doctoral thesis, University of Ghent, 2018); Margit Thøfner, *A Common Art: Urban Ceremonial in Antwerp and Brussels During and After the Dutch Revolt*, Studies in Netherlandish art and cultural history 7 (Zwolle: Waanders Publishers, 2007).

⁶⁴ Michal Bauwens, “Conflict, Community and Catholic Restoration: The Parish of St James in Ghent between 1560 and 1600” (Dissertation, Ghent University, 2020).

⁶⁵ <https://chroniclingnovelty.com/>

⁶⁶ Pollmann, “Archiving the Present and Chronicling for the Future in Early Modern Europe,” 234.

⁶⁷ Alie Lassche, “Information Dynamics in Low Countries’ Chronicles (1500-1860): A Computational Approach” (PhD Thesis, Leiden University, 2024); Theo Dekker, “Engaging With New Knowledge in Low Countries’ Chronicles (1500-1850)” (PhD Thesis, Leiden University, 2024).

in the second half of the sixteenth century. Although it has been noted that public executions were among the topics regularly discussed by chroniclers, there is, as yet, no systematic research on what these sources might reveal about the perception of justice. They can, therefore, provide valuable new insights into the experiences of execution spectators.

As such, at the core of this study lies a corpus of chronicles written roughly between 1520 and 1585 in which the authors describe executions that took place. Based on these chronicles, I mapped out the recording pattern of executions. To understand the relative impact of various executions on the spectators, I created a database in which I included descriptions of executions found in chronicles. This allowed me to analyze fluctuations in the attention paid to executions by the spectators and to compare this attention with execution practices as recorded in judicial administrative texts. Based on this collection of descriptions, I analyzed the “execution script” from the perspective of the audience to identify the norms and expectations spectators held about public punishment and its ritual staging. I subsequently compared this execution script reflected in chronicles with other normative or prescriptive sources related to capital punishment, ranging from *ars moriendi* literature on dying a “good death” and legal theory, laws, and ordinances to martyrologies, pamphlets, and newsprints related to executions.

Chronicles

The chronicles used in this study were selected from existing overviews of chronicles in databases such as *Chronicling Novelty*, DBNL (*Digitale Bibliotheek voor de Nederlandse Letteren*) and Dutch Revolt Leiden, to which were added further examples found in archives and literature.⁶⁸ This led to an initial corpus of around seventy-five chronicles written in the Low Countries between roughly 1520 and 1590. From this collection, I selected thirty-one to analyze more intensively (Appendix 1). I have chosen chronicles that focus on current events happening during the lifetime of the chronicle writer rather than the more historically focused chronicles that were also common in this period. This distinction is often vague, as several chronicle writers placed contemporary events (or periods perceived as times of crisis) within a longer history and opened

⁶⁸ <https://chroniclingnovelty.com/kronieken>; <https://www.dbnl.org>; <https://dutchrevolt.leiden.edu/dutch/kronieken>

their chronicles with historiographical overviews. Most executions described in the chronicles, however, happened during the lifetimes of the respective writers. For reasons of feasibility, I focused on edited and published sources and used archival sources where no edition was available. It was not within the scope of the project to analyze the original manuscripts in detail: I did, however, compare the editions with the original sources on some relevant occasions. Doing so sometimes yielded new information, such as the observation that Ypres chronicler Augustijn van Hernighem actually counted the executions he recorded in the margins of his manuscript, a fact left out of the edition made by Verheyden.⁶⁹ Although this resource was not yet available during the project, most of the (Dutch) chronicles can now be consulted online through the database of *Chronicling Novelty*.⁷⁰

Appendix 1 contains biographical notes on the principal chroniclers consulted for this study. Based on this information, it is possible to sketch a profile of the chroniclers (see also Table 9.1 in Appendix 1).⁷¹ Geographically, the sources span the entirety of the Low Countries. As chronicle writing was primarily an urban practice, the focus of the material is mainly on the larger cities in the most densely populated areas: Brabant, Flanders, and Holland. The more remote and rural provinces, however, such as Guelders, are also represented. Seven of the chronicles are written in French and the others in Dutch. Most chroniclers were men, with only two being women, both of them nuns writing in a convent context. Two of the chroniclers were Reformed, and one was a Lutheran, while all others were Catholics. Most chroniclers belonged to the urban middle class. The majority held some kind of public office (either paid or unpaid). The largest group of authors had a background in law or government (15). Some of those were, at some point in their careers, aldermen (5) and/or mayor (4), while others were clerks or auditors (2), lawyers (3), prosecutors (1), or substitute bailiffs (1). While most were active in local government, three were active in the provincial councils (Council of Namur, Court of Utrecht, and Council of Flanders). Another large group contained members of the secular or

⁶⁹ Augustijn van Hernighem, *Eerste bouck: van beschryfvinghe van alle gheschiedenisse (1562-1572)*, ed. A. L. E. Verheyden, Reeks van historische documenten no. 4 (Brussel: Vereniging voor de Geschiedenis van het Belgisch Protestantisme, 1978).

⁷⁰ <https://kronieken.transkribus.eu/>

⁷¹ For this profile sketch, I counted the brothers Cornelis and Philip van Campene as two separate authors: there are thus thirty-two chroniclers for thirty-one chronicles.

regular clergy (7), consisting of the previously mentioned nuns (2), chaplains (2), an orator (1), and a prior (1). Yet another group was made up of merchants or artisans (7). Two authors belonged to the nobility, and one author was a farmer. The profile of the chroniclers consulted for this study is consistent with the findings of other historical research into the backgrounds of chronicle writers. Pollmann and Kuijpers and their team, using a much larger sample of chroniclers, have highlighted that chroniclers often had public roles. These researchers connected the practice of chronicling to having a sense of responsibility for recording local affairs, characterizing the authors as “stakeholders” in their local communities.⁷²

Chronicle writers were execution spectators themselves, as they attended most executions they recorded. They can provide interesting information about their personal experience of capital punishment. As this profile sketch makes clear, these chronicles were, of course, not neutral. Chronicle writers often held a public office or were part of the political elite, and their perception may not have been representative of the audience experience as a whole. We also cannot be sure whether their observations of the response of other members of the audience were correct. However, it is precisely the subjective and contextual nature of chronicle writing that makes them so interesting. Precisely because of their public roles, chroniclers were particularly interested in public order, justice, and the responses to government policy by the public, and as such pay much attention to how audiences engaged with public executions. Moreover, modern notions of single authorship cannot properly be applied to these sources. Chronicles often circulated in communities and were copied, modified, and expanded according to the wishes of their owners; as a result, there was often a collective element in chronicle writing.⁷³ As such, using a substantial number of different chronicle writers, who together described many executions and the responses these evoked, can reveal not only the individual perceptions, experiences, and opinions of those authors but also the legal, ritual,

⁷² See the forthcoming publication of Erika Kuijpers et al., “Profiling Local Chroniclers in the Early Modern Low Countries,” *Urban History* (forthcoming). Many thanks to Judith Pollmann for granting me access to the article ahead of publication.

⁷³ The chronicles of Josse de Weert and Jan de Pottre, for example, were continued by their sons after their deaths. Other chronicles, such as the Antwerpsch Chronyckje, circulated within cities and were copied multiple times.

and emotion norms or regimes these executions were part of—or how they deviated from those norms.

The Execution Recording Pattern

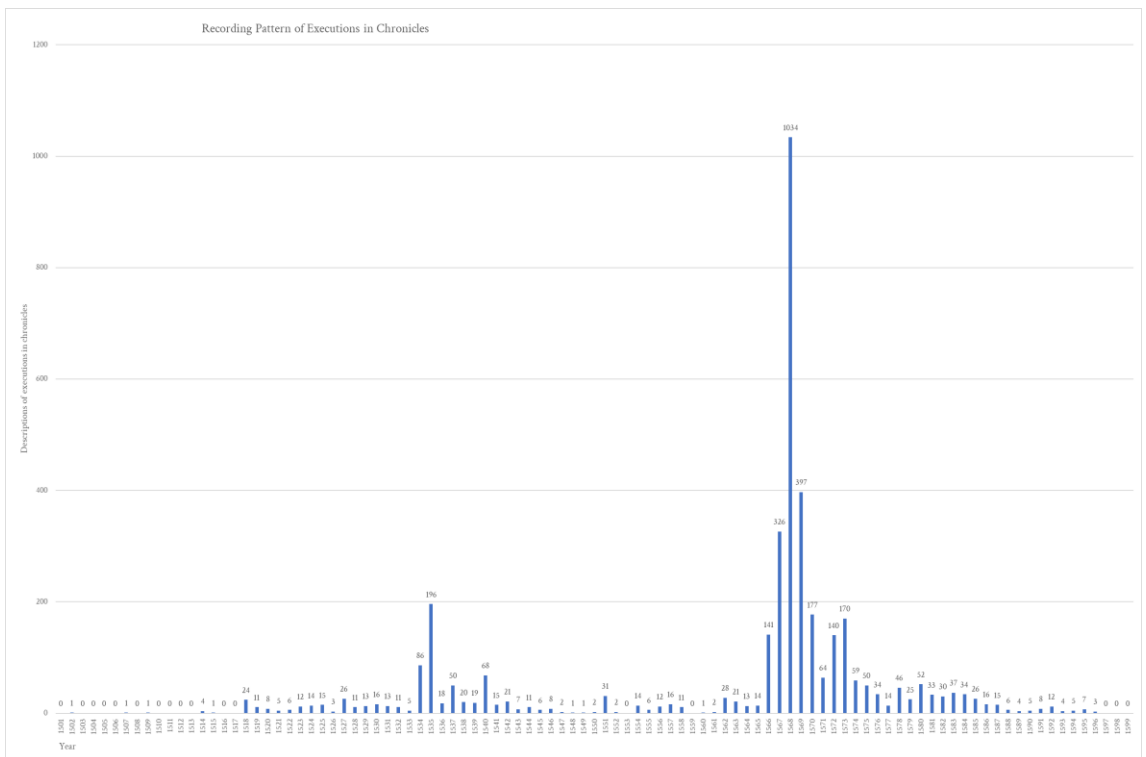
To better understand the changing impact and perception of execution practices, I created a database to map out the patterns of recording in chronicles (Appendix 2). The database covers the years between 1500 and 1600.⁷⁴ In some cases, authors followed the late medieval format of opening their chronicles with the mythical origins of their respective cities, so these chronicles also include events from before 1500. I did not include executions mentioned that took place before 1500, however, because the chroniclers could not have experienced these themselves.

The database consists solely of *executions*, that is to say, instances of individuals' being put to death after being sentenced by a court following a legal procedure. I included posthumous executions, as in the early modern legal understanding, these were executions in their own right. The database excludes extralegal deaths such as murders, lynchings, or deaths occurring in a war context. It also excludes mass killings in the aftermath of sieges, as people were killed in such cases not following the decision of a criminal court but in the context of warfare. In the case of the siege of Haarlem, for example, I included the executions recorded by the chronicler Willem Janszoon Verwer that were conducted within the city walls by the mutinying soldiers then in control of the city, but I omitted the roughly fifteen hundred deaths Verwer recorded of rebel soldiers after the Army of Flanders took over. It is important to emphasize, however, that it is not always clear where to draw the line between “execution” and “murder,” especially in the chaotic period between 1572 and 1585. For example, although I counted the martyrs of Gorcum (as they were sentenced to

⁷⁴ As the second half of the sixteenth century was a transition period regarding the date of the start of the new year, chroniclers followed diverging methods. Some of them – especially the older chronicles – started the new year at Easter, but others followed the ‘new style’, starting the year on 1 January. In 1576, Philip II issued an ordinance that the administrative new year should start on 1 January henceforth. For reasons of clarity, I chose to follow the ‘new style’ (unless specified otherwise), starting the new year on 1 January. Philip van Campene recorded the proclamation that defined the start of the new year on 1 January this event in his chronicle and includes a reflection on the practical benefits of starting the year at 1 January. Philips de Kempenare, *Vlaemsche Kronijk of Dagregister: van al het gene gedenkwaardig voorgevallen is binnen de Stad Gent sedert 15. July 1566 tot 15. Juny 1585*, ed. Filips M. Blommaert (Brussel, 1839), 151.

death by an ad hoc rebel court), I excluded the martyrs of Roermond (as these were murdered by rebel soldiers sacking their convent). Sometimes, it is simply not clear whether hangings were to be considered executions or war deaths. In these cases, I sought to decide whether to include these deaths as executions based on their context. I also excluded executions mentioned by chroniclers as rumors about the veracity of which the chronicler was unsure.

The resulting database of recorded executions is emphatically *not* an indication of the total number of individual executions carried out in this period. It is rather an indication of variations in how much attention chroniclers had for executions throughout this period. Many executions were, for example, described by multiple chroniclers, as many recorded executions both in their hometowns and in other cities. Moreover, it is not always clear how many people were executed in a given case. If a chronicler specified how many people were executed, I counted the recorded number. In some cases, however, a chronicler only mentioned that “justice was carried out” without mentioning how many people were executed. I counted those cases as one execution each.



Graph 0.1. The Execution Recording Pattern in Chronicles, 1500-1599 (see for an enlarged version Appendix 2).

The database includes a total of 3,877 recorded executions. The attention paid by various chronicle writers to executions is uneven. Some chroniclers were fixated on them, such as the Ypres chronicler Augustijn van Hernighem, who began his chronicle with the explicit goal of recording instances of capital punishment. He counted no less than 287 executions in his chronicle, which he kept over a period of almost thirty years.⁷⁵ Godevaert van Haecht (488), Cornelis and Philip van Campene (444), the *Antwerpsch Chronyckje* (386), and Marcus van Vaernewijck (271) also stand out. Others were less focused on capital punishment. The Brussels merchant Jan de Pottre, for example, described only sixty executions in the chronicle he kept for over fifty years, stating at one point simply that “the executions were too many to describe.” These differences can partly be explained by the fact that chronicles also varied greatly in length, ranging for example from the seven large volumes written by Augustijn van Hernighem to the chronicle of Jacobus Epinoy, which only counted ca. 35 pages. This, of course, also influenced the number of executions recorded in the chronicle.

Despite these individual differences, there are some clear peaks in the interest chroniclers had in executions (Graph 0.1). There is a huge upsurge of recorded executions in the years 1568 (1034), 1569 (397), and 1567 (326), the years under the regime of the Duke of Alba. A smaller peak is visible in the years 1535 (196) and 1534 (86), the period of the Anabaptist uprisings. After ca. 1575, the number of recorded executions declines, and by the end of the sixteenth century, the numbers are again low. The higher number of executions described for the years 1566–1569 is related to the fact that during those years, more chronicles were written overall. In that light, it makes sense that more executions were recorded. Nonetheless, the increase in chronicling activity and the increase in the chronicling of executions were two related processes that reinforced each other. Many people began chronicling at this time because of a perceived sense of crisis that was itself caused by—among other things—the many problematic executions taking place. The high number of recorded executions and the high number of written chronicles thus represent two sides of the same coin. The increase in chronicling alone cannot explain the sudden increase in the meticulous recording of executions in this period.

⁷⁵ The executions are numbered 1-287. For the database, however, only 281 descriptions are considered, as book 3 was lost.

To analyze whether trends and fluctuations in the execution recording pattern correlate with the fluctuations in execution practices recorded in administrative sources, I compared the number of executions described in chronicles with the number of executions recorded in judicial administrative documents. Data for the Low Countries as a whole were not available, so I conducted a meta-analysis of local studies on long-term execution trends, making use of data I found in the literature regarding local contexts. In some cases, transcriptions of local sentence books were available, meaning that I could easily count the instances of capital punishment myself. This allowed me to estimate the accuracy of the chronicle writers' records and see to what extent the chroniclers' execution recording patterns deviated from the trends visible in administrative sources. As chronicle writers recorded many more executions in some periods than in others, while the administrative sources did not show an increase to the same extent, this comparison gives an indication of the executions' impact on the spectators. Moreover, certain types of executions—those carried out for certain crimes or with certain methods—were more frequently mentioned in some periods than in others. For example, the execution method of quartering was used only rarely across this period, but when it was used, many chronicle writers described it, in contrast to the “regular” execution method of hanging, which was so common that it was described much less often.

In some cases, I compared the execution recording pattern with archival records of judicial administration. For Antwerp, I consulted the bailiff accounts found in the archive of the audit offices (*rekenkamers / chambres des comptes*) of Brabant in the National Archive in Brussels.⁷⁶ The bailiffs who were responsible for carrying out executions had to account for their expenses with the audit chambers, and many of these accounts have been preserved in their archives. A hangman's salary usually consisted of two components: an annual stipend from urban governments and a payment per transaction by the bailiff. For every execution the hangman carried out, there was compensation, and prices differed by the type of execution. Regular hangings were cheaper than more elaborate methods such as burning or breaking on the wheel. Moreover, the hangman was reimbursed for additional costs such as the purchase of

⁷⁶ Erik Aerts, *Geschiedenis en archief van de Rekenkamers* (Brussels: Algemeen rijksarchief, 1996); *Rekenkamers: schoutsrekeningen Antwerpen, 12906*, Algemeen Rijksarchief, Brussels.

firewood, the acquisition of linen sacks for drowning, or the transportation of bodies to the gallows field outside the city. These sources thus offer valuable information about Antwerp's execution practices.

The Execution Script

Based on the descriptions of executions found in the chronicles, I analyzed the perception of those executions by spectators. What aspects of executions drew the chroniclers' attention? What kind of information was considered important? Recurring elements included information on the condemned and their behavior on the scaffold, the crime, the method and ritual quality of the execution, the time of day, the exact location, and on whose orders the execution was conducted. I also searched for opinions or emotional responses expressed by the authors toward executions or justice in general. How and why did chronicle writers perceive a given execution as just or "good" or as unjust? To gain a better understanding of the norms of execution spectatorship in a more general sense, I focused specifically on how chroniclers constructed the role of the audience in their texts. Did they comment on the perceptions and behavior of the execution audience? If they did, did they describe its role as affirmative or defiant? I also compared narratives of the same execution, as many executions were described by more than one chronicler.

To understand the perceptions of execution spectators, I aimed to uncover what spectators' expectations were of an execution. This is what I call the "execution script." I analyzed this script by focusing on three components: the legal, the ritual, and the emotional. First, I considered the legal norms to which an execution had to adhere. For spectators, it was important that trial and punishment were carried out according to the law and that the right procedures were followed. Moreover, an execution had to adhere to the spectator's "sense of justice": Punishment had to be proportionate to the crime and its impact on the community. Second, related to this idea of "proportionate justice" were the ritual norms of execution, the conducting of which was regulated less by written laws or procedures than by ritual language. This included, for example, how the body of the condemned was treated, the ceremony surrounding the execution place, or the symbolic messages conveyed during executions.

Third, to better understand the emotional experience of execution spectators, or what I termed above the "emotional norm of execution

spectatorship”, I drew on insights from the history of emotions. In 2001, William Reddy defined the concept “emotional regime” to refer to the set of normative emotions and the official rituals, practices, and emotional expressions and thought (“emotives”) that were dominant in a specific context or time period.⁷⁷ In order to capture the emotional regime of execution spectatorship, I analyzed how chroniclers made use of emotives in their descriptions of executions. This included not only emotive language to describe an execution (for example the expression “*deerlijk*”, “pitiful”), or descriptions of how the chronicler “felt” when watching an execution (“*dat mij de tranen uutten ooghen spronghen*”, “I was moved to tears”), but also their descriptions of practices during witnessing an execution, drawing on Monique Scheer’s concept of emotions as an embodied practice.⁷⁸ Moreover, I paid attention to both the chronicler’s *own* emotional expression and the emotives used to describe other spectators or the audience in general. As we will see (especially in Chapter Two), the emotional experience of spectators was constructed through an interplay between the condemned, the authorities (as represented by the hangman), and the spectators themselves. The actions of these parties were interpreted within the emotional regime of compassion, which was strongly informed by religious (Christian) overtones that centered on Christ’s Passion, purgatory, and salvation.

To contextualize the execution script, I looked not only at passages describing public executions but also at those related to ideas of justice more generally. To return to the example of Jan de Pottre, although he does not list every execution taking place, he complains multiple times about the lack of justice in his city, “because stealing is now no longer a sin, and they don’t do justice here anymore.” In this case, it is clear that the relative lack of execution narratives in De Pottre’s chronicle does not mean he was uninterested in practices of justice. By not focusing solely on the execution descriptions but considering the narrative structure of each chronicle, I was able to assess the relative importance of practices of justice for the author in question. In some cases, such as that of Augustijn van Hernighem, changing execution practices seemed to serve as the reason to start chronicling, while for others, they were merely one of many aspects of the crisis period in which they perceived

⁷⁷ Reddy, *The Navigation of Feeling*, 128–29.

⁷⁸ Scheer, “Are Emotions a Kind of Practice (And Is That What Makes Them Have a History)?.”

themselves to be living. Moreover, considering the chronicles in their entirety enabled me to analyze how chroniclers constructed causality regarding executions. Often, the texts imply causality by simply mentioning two seemingly unrelated events, for example, when chroniclers describe miraculous events that happened before, during, or after an execution.⁷⁹ Such events were perceived as signs of divine (in)justice, and the fact that an author chose to include them tells us something about their interpretation of the execution. When the Antwerp chronicler Godevaert van Haecht, for instance, emphasized seeing a large and exceptionally beautiful rainbow after the execution of the former Antwerp mayor Antoon Van Straalen in 1568, he implied that this rainbow was connected to the execution, which he considered unjust.

Finally, I compared the execution script reflected in the chronicles with other normative or prescriptive sources on executions. First, I considered the legal norms within which capital punishment was conducted. As we will see in Chapter One, most death sentences were based on local customary law. Although the central authorities did not so much change already existing legislation on capital punishment, they did, however, sometimes issue new placards or ordinances related to capital punishment. Furthermore, where it was relevant for understanding executions discussed by chroniclers, I consulted sources on the policy of the central government regarding capital punishment, such as government correspondence. I also considered sources on legal theory, such as the *Praxis Rerum Criminalium* by Joos de Damhoudere, published in 1554.⁸⁰

Second, I considered religious models for appropriate behavior in death. In the late medieval period, books on the so-called *ars moriendi* were popular. These books constituted manuals on how to die a good death. Although focused on the deathbed, these norms also translated into dying on the scaffold. In addition to these sources, I considered Protestant martyrologies, emerging from the 1550s onward in many parts of Europe where the Reformation was taking place, which provided an alternative script to the traditional *ars*

⁷⁹ See for Judith Pollmann, "The Spirit of the Belltower: Chronicling Urban Time in an Age of Revolution," in *Civic Continuities in an Age of Revolutionary Change, c.1750–1850*, ed. Judith Pollmann and Henk te Velde (Cham: Springer International Publishing, 2023).

⁸⁰ J. de Damhoudere, *Practycke ende handbouck in criminele zaeken: Verchiert met zommeghe schoone figuren en[de] beilde[n] ter materie dienende* (Antwerp: Steven Wouters; Ian Bathen, 1555).

moriendi.⁸¹ While the first editions of these martyrologies were mostly printed in the 1550s, new executions were often added to later editions. Therefore, I also took these later editions into consideration.

Alongside the religious execution narratives seen in martyrologies, I also took into account the political execution narratives I found in prints, pamphlets, and songs. The execution newsprint emerged during the Dutch Revolt and was made popular by the workshop of the famous publisher and engraver Frans Hogenberg: I considered the execution newsprints he published early in his career about the high-profile political executions of nobles in Brussels in 1568. Many political pamphlets, meanwhile, were printed during the Dutch Revolt, but not many focused explicitly on executions. As in the case of execution newsprints, only the most politically charged executions, such as those of the Counts of Egmont and Horne or Balthasar Gerards, were represented in these pamphlets. Therefore, I used political pamphlets only occasionally as a supplementary source.

Scope and Structure

This dissertation covers the years between 1520 and 1585, the period of the Reformation and the Revolt in the Low Countries, during which the ritual form of executions collapsed. Chapter One maps out the legal structure of the sixteenth-century Low Countries, which consisted of a patchwork of semi-independent seigneuries that were originally fiefs from the Holy Roman emperor and the king of France. From 1543, these seigneuries were united by the Habsburg emperor Charles V as the Seventeen Provinces and henceforth held special legal status within the Holy Roman Empire as the hereditary lands of

⁸¹ Adriaan Cornelis van Haemstede, *De Gheschiedenisse ende den doot der vromer Martelaren: die om het ghetuyghenisse des Evangeliums haer bloedt ghestort hebben, van den tijden Christi af, totten Jare M. D. Lix. toe* ([S.l.], 1559); Samuel Cramer and Frederik Pijper, *Het offer des Heeren: De oudste verzameling doopsgezinde martelaarsbrieven en offerliederen*, 10 vols., *Bibliotheca reformatoria neerlandica* 2 (The Hague: Nijhoff, 1904); Jean Crespin, *Le Livre des Martyrs* (Geneva: Crespin, Jean, 1554); Francisco de Enzinas, *Histoire de l'estat du Pais Bas, et de la religion d'Espagne* (1558); Francisco de Enzinas, *Mémoires de Francisco de Enzinas: Texte latin inédit, avec la traduction française du XVIe siècle en regard 1543-1545*, ed. Ch.-Al Campan and J. B. Blaes, *Société de l'histoire de Belgique. Collection de mémoires relatifs à l'histoire de Belgique* v. 13, 16 (Nendeln, Liechtenstein: Kraus Reprint, 1862-1863).

Charles V (1500-1558) and his son Philip II (1527-1598). By synthesizing the existing literature on legal practices within the Low Countries, Chapter One sketches the trends and developments that took place in the frequency of executions there in the late medieval and early modern periods. It shows that punishment became more public and visual in this period. This observation is further supported by an overview of the literature on changes across the period in legal procedures and norms.

The legal and procedural changes discussed in Chapter One should be seen in tandem with the experience of the spectators who attended the increasingly visual executions taking place at this time. Focusing on the first half of the sixteenth century, Chapter Two shows that religious views on suffering and punishment created a normative script for the condemned, spectators, and authorities alike, centered around salvation and compassion. With the onset of the Reformation, this script came to be challenged. Those dying as martyrs for religious crimes intentionally deviated from the expectations of spectators and authorities. The chapter nonetheless argues that in this period, the reaction of execution spectators to aspiring martyrs did not yet differ significantly from their response to other disruptions of the existing script: Heresy executions did not immediately lead to an execution crisis. This changed, however, following the rise of Calvinism, the major dissident religious movement in the Low Countries from the 1550s onward, which is the focus of Chapter Three. In dealing with this new threat, authorities drew on their earlier experiences from the persecution of Anabaptism in the 1530s; this time, however, heresy executions did not have the same redemptive and restorative effect. Why did these executions begin to create disruption, and what was the impact of the many alternative scripts appearing in the martyr books that started to circulate in this period? How did the authorities try to manage spectators' attention in response?

Chapter Four analyzes how local and central authorities attempted to restore order and peace after the violent rupture of the Iconoclast Fury in the summer of 1566. Both iconoclasm itself and the executions carried out for it shattered the urban peace, which led many chroniclers to begin writing in this period. As iconoclasm was rooted in the controversy surrounding the materiality and rituals of Catholicism, many chroniclers focused on the materiality and ritual meaning of public justice. How were the loss and restoration of local order experienced by chroniclers? By the spring of 1567, local authority had been largely restored and the temporary concessions made to Protestants after the

eruption of iconoclasm had been revoked. The answer to the troubles of 1566 from King Philip II, however, had yet to come. At the end of the summer of 1567, it arrived in the person of the Duke of Alba. Chapter Five turns to the period under the governance of Alba, who installed the Council of Troubles to oversee the punishment of iconoclasts. What was the role of local magistrates in the workings of the Council of Troubles, and how were local communities affected by this intervention? In 1572, the character of the conflict changed after rebels occupied the small coastal town of Den Briel, in Holland. Chapter Six analyzes the role of executions in the resulting war context. As the conflict escalated into a full-scale civil war, the lines between legitimate and illegitimate deaths became blurred—and thus contested. In many cities of the Low Countries, urban magistrates lost control of executions completely as rebels, Orangist commissioners, ad hoc law courts, or self-appointed committees took over. How did this influence chroniclers' perceptions of executions and justice?

After more than seventy years, the era of heresy executions in the Low Countries ended in 1597 with Anna Utenhoven's live burial for Anabaptism in Vilvoorde. By that point, executions for heresy had been in decline for at least two decades. The epilogue charts this decline and ends with a reflection on the similarities between heresy trials and a new type of execution, related to the same crime of *lèse-majesté divine*, that intensified in the 1580s and 1590s: witch trials. It seeks to explain why these were perceived differently by spectators and how this might, in turn, explain the development of different policies and practices. Finally, in the conclusion, the findings of this dissertation are situated within a broader historiographical framework. What can chronicles teach us about the execution script and the experience of justice for execution spectators? How does the inclusion of the spectators' perspective shed new light on the dynamics between authorities and audiences in the creation of executions? Finally, what are the broader implications of these conclusions for our understanding of the history of the Dutch Revolt, specifically, and the history of executions in general? By answering these questions, this dissertation sheds light on how the attention of execution spectators was a driving force behind the making of justice.