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

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## 5. “A Slaughterhouse of Men”

### *Chronicling Local Justice Under the Duke of Alba (1567–1572)*

In the first weeks of January 1568, long lists of names were publicly proclaimed in front of aldermen's houses all over the Low Countries. The names were those of people who were summoned to court by the Duke of Alba. After arriving in the Low Countries in August 1567, in the company of roughly ten thousand soldiers, Alba had established an exceptional tribunal to oversee the punishment of those responsible for the image-breaking and meltdown of justice that had taken place in previous years: the Council of Troubles.<sup>842</sup> The council had taken over the investigations conducted by local commissioners appointed by Margaret of Parma during the summer of 1567. These commissioners had inquired with local authorities as to who had been involved in the troubles and made reports for the central council. Based on these reports, the Council of Troubles made summons lists, which were sent back to the local courts and published there.

The summonses of January and February 1568 hit the local communities of the Low Countries like an earthquake. The lists were read out in public, pasted onto city gates and other public visible surfaces, and copied word for word by chroniclers all over the Low Countries. Ghent chronicler Marcus van Vaernewijck recorded that there were among them many “good, wealthy and respectable men, which was a compassionate thing to hear and not deserved”.<sup>843</sup> Fellow Ghent chronicler Philip van Campene, who had continued the chronicle of his brother Cornelis after the latter's death in November 1567, was personally affected by the summonses: another brother, Jan van Campene, was one of them.<sup>844</sup> Before long, chroniclers started listing even more names: This time, they listed all the people who were executed for their role in the troubles. Chroniclers

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<sup>842</sup> Guido Marnef and Hugo De Schepper, “Raad van Beroerten (1567-1576),” in *De centrale overheidsinstellingen van de Habsburgse Nederlanden: 1482-1795*, ed. Erik Aerts, Studia / Algemeen Rijksarchief en Rijksarchief in de Provinciën 55 (Brussel: Algemeen rijksarchief, 1994); Alphonse L. E. Verheyden, *Le Conseil des Troubles* (Flavion Le Phare, 1981).

<sup>843</sup> Vaernewijck, *Van die beroerlicke tijden*, III, 221. ‘ende waren vele, herde fijne, rijcke ende deghelicke mannen, dwelc een compasselic dijnghen was om hooren ende quaet verdient’.

<sup>844</sup> *Dagboek van Cornelis en Philip van Campene*, 96. *Antwerpsch chronykje*, 156–57.

were devastated by the executions. Around Easter 1568, Van Campene recorded in his diary that “this week has been a Passion Week for many. For some, physically; for others, because they are now widows and orphans. It is a time of suffering and depression for the bereaved, the friends, brothers, sisters, fathers, mothers; for all who mourn their loved ones.”<sup>845</sup> In June, Antwerp chronicler Godevaert van Haecht cynically remarked that what was usually the *wedemaent* (“grazing season”) was now the *weduwen en weesen maent* (“widows and orphans month”).<sup>846</sup> In October 1568, Marcus van Vaernewijck wrote wearily that “it seemed like the city of Ghent had become a slaughterhouse of men.”<sup>847</sup>

The period under the governorship of the Duke of Alba forms the absolute high point of executions recorded by chroniclers in the Low Countries. In particular, 1568 stands out: No fewer than 1034 of the 3877 executions included in Appendix 2 were recorded in this year.<sup>848</sup> At first glance, then, the chronicles seem to confirm the traditional negative reputation of the duke and his “Blood Council.” Alba has consistently appeared as one of the key protagonists in Dutch Revolt historiography and was long regarded as the personification of the “Spanish tyranny” that sought to curtail the Low Countries’ political and religious freedom.<sup>849</sup> Over the past few decades, however, historians have convincingly debunked this myth in three ways. First, analysis of the many posters, pamphlets, and prints published during the Revolt has made clear that during his governorship, the duke became a central target for propaganda campaigns set up by opponents of his regime.<sup>850</sup> In particular, propagandists

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<sup>845</sup> *Dagboek van Cornelis en Philip van Campene*, 123. ‘Dese weke es gheweest voor menich meynsche de passieweke, deen in zijnen lichame, ende andere vele weduwen ende weesen; metgaders zijn ooc in lijden ende drucke gheweest de naer bestaende vrienden, als broeders, zusters, vaders, moeders ende dierghelijcke, elck om zijnen vriendt treurende’.

<sup>846</sup> Godevaert van Haecht, *Kroniek over de troebelen: van 1565 tot 1574 te Antwerpen en elders*, 2 vols., ed. Rob van Roosbroeck II (Antwerp: De Sikkel, 1930), 26. ‘Die genoemt wordt de wedemaent openbaerlyck/ Wat nou der weduwen en weesen maent claelijck’.

<sup>847</sup> Vaernewijck, *Van die beroerlicke tijden*, IV, 282. ‘Zoo dattet scheen, dat die stadt van Ghendt gheworden was een slachhuus der meinschen’.

<sup>848</sup> See Appendix 2.

<sup>849</sup> van Nierop, “De troon van Alva. Over de interpretatie van de Nederlandse Opstand.”

<sup>850</sup> Luna, *Een ondraaglijk juk: Nederlandse beeldvorming van Spanje en de Spanjaarden ten tijde van de Opstand (1566-1609)*; Horst, *De opstand in zwart-wit: propagandaprenten uit de Nederlandse opstand 1566-1584*; Andrew Sawyer, “The

around William of Orange depicted Spanish culture as exceptionally intolerant, cruel, and bloodthirsty and drew heavily on the longer-standing myth of the Black Legend and the Inquisition.<sup>851</sup> Moreover, the central government itself had a hand in Alba's negative image. As Monica Stensland has argued, Alba's punitive mission was part of a "good cop–bad cop" communication strategy employed by the Habsburg monarchy.<sup>852</sup> From the beginning, Alba's intervention was coupled with a strategy of pardoning intended to reconcile Philip II with his subjects. Alba voluntarily played the role of bogeyman, sacrificing his reputation in service of his king, who would emerge as the merciful savior of the Low Countries after Alba's punishment phase was over. Later governors, especially Alexander Farnese (who would be governor of the Low Countries from 1578 to 1592), were happy to use Alba's negative image to their advantage, contrasting their own clemency and leniency with his reign of terror.<sup>853</sup>

Second, increasing scholarly interest in the life and career of Alba himself has revealed much about his important role in the complex geopolitical dynamics of the composite Habsburg monarchy.<sup>854</sup> In this revisionist account, Alba emerges as a competent and trusted general who not only encountered resistance in the Low Countries but was also entangled in conflicts between political factions at the Habsburg court in Madrid. Third, by analyzing the most notable and spectacular punishments ordered by the Council of Troubles—the executions of the Counts of Egmont and Horne—Peter Arnade has emphasized the highly symbolic meaning of these events, bringing nuance to the image of

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Tyranny of Alva: The Creation and Development of a Dutch Patriotic Image," *De Zeventiende Eeuw* 19 (2003).

<sup>851</sup> Duke, "A Legend in the Making"; K. W. Swart, "The Black Legend during the Eighty Years War," in *Britain and the Netherlands*, ed. J. S. Bromley and E. H. Kossmann (Dordrecht: Springer Netherlands, 1975); Thomas, "De mythe van de Spaanse inquisitie in de Nederlanden van de zestiende eeuw"; Duke, "Posters, Pamphlets and Prints."

<sup>852</sup> Stensland, *Habsburg Communication in the Dutch Revolt*, 27–33; Judith Pollmann and Monica Stensland, "Alba's Reputation in the Early Modern Low Countries," in Ebben; Lacy-Bruijn; van Hövell tot Westerflier, *Alba*, 319–20.

<sup>853</sup> Stensland, *Habsburg Communication in the Dutch Revolt*, 97–98.

<sup>854</sup> Maurits A. Ebben, Margriet Lacy-Bruijn and Rolof van Hövell tot Westerflier, eds., *Alba: General and servant to the crown*, Protagonists of History in International Perspective 3 (Rotterdam: Karwansaray Publishers, 2013); Judith Pollmann, "Internationalisering en de Nederlandse Opstand," *BMGN - Low Countries Historical Review*, 2015.

Alba's governorship as a mindless bloodbath.<sup>855</sup> Although these interpretations have done much to debunk the myth of the tyranny of Alba, however, scholarly focus remains on high-profile, spectacular cases such as the executions mentioned above, without much attention to local dynamics of punishment.

At the same time, there is still no clear consensus regarding the activities of the Council of Troubles and the scope of its prosecutions. As mentioned in Chapter One, in the 1960s, historian Alphonse Verheyden attempted to grasp the scale of repression under Alba based on the archival records of the council. Verheyden counted 8,586 summonses, 12,203 condemnations, and 1,105 sentences.<sup>856</sup> Although these are large figures, Verheyden's work made clear that the total number of executions had been significantly overestimated.<sup>857</sup> Shortly after the publication of Verheyden's list, however, several historians pointed out serious problems with his handling of the archival sources.<sup>858</sup> Verheyden had based his number of 12,203 "condemned" on counting the names on the summons lists and the accounts of confiscated goods, but not all the people found on these lists were actually condemned. Only for 1,105 cases did Verheyden find a sentence (by far the most of which were death sentences), which led M. Dierickxs to argue that these might, indeed, have been the *only* sentences pronounced by the Council. Moreover, around three thousand names from the summons lists do not

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<sup>855</sup> Arnade, *Beggars, Iconoclasts and Civic Patriots*, 181–91. See also Hugo De Schepper, "Justicia, gracia y policía en Flandes bajo el duque de Alba (1567-1573)," in *Fernando Álvarez de Toledo: Actas Congreso V Centenario del Nacimiento del III Duque de Alba, Piedrahíta, El Barco de Ávila y Alba de Tormes (22 a 26 de octubre de 2007)*, ed. Gregorio Del Ser Quijano ([Ávila], [Salamanca]: Institución Gran Duque de Alba; Diputación de Salamanca, 2008), 462–67.

<sup>856</sup> Verheyden, *Le Conseil des troubles*.

<sup>857</sup> Louis P. Gachard, "Sur le nombre des executions faites aux Pays-Bas par ordre du Duc D'Albe," in *Études et notices historiques concernant l'histoire des Pays-Bas*, ed. Louis P. Gachard 2 (F. Hayez, 1890), 366–68. According to Gachard, contemporary estimates were around 18,000 executions (in propaganda, however, the numbers were much higher). Gachard himself thought the number of executions would be somewhere between 6000 and 8000.

<sup>858</sup> Dierickx, "De lijst der veroordeelden door de Raad van Beroerten"; Woltjer, "De vonnissen van de Raad van Beroerten"; Scheerder, "Les condamnés du Conseil des Troubles"; Aline Goossens, *Les inquisitions modernes dans les Pays-Bas méridionaux 1520-1633*, 2 vols. 2: *Les victimes* (Brussels: Editions de l'Université de Bruxelles, 1998), 118–21. Aline Goossens argued for the Southern provinces that Verheyden's list might even have to be adjusted to a higher number, but she does not provide a new estimate. See also Marnef and De Schepper, "Raad van Beroerten (1567-1576)," 475–76.

appear at all in the confiscation records: These individuals were probably acquitted. The remaining eight thousand or so cases ended in banishment in absentia and confiscations.<sup>859</sup> More important, however, is the often-overlooked fact that Verheyden's list contained *all* those people whose property was confiscated for crimes related to *lèse-majesté* in the aftermath of iconoclasm—not only those sentenced by the Council of Troubles. Consequently, Verheyden counted even people who had already been executed before the council's creation, as their confiscated property was subsequently transferred to the council. Examples include Jehan Bergemont from Antwerp and Pieter Backereeuw from Oudenaarde, whose executions took place in October 1566 and June 1567, respectively, and were discussed in the previous chapter.

Several detailed case studies based on local juridical archives have made clear that the Council of Troubles did not take over the work of the local courts but primarily supervised them in that work. For Antwerp, Guido Marnef has shown that in the period 1567–1576, 808 people were prosecuted for crimes related to *lèse-majesté*. Only 296 of those cases were handled by the Council of Troubles—the others fell under the jurisdiction of the Antwerp aldermen's bench and other law courts. A total of 159 of the 808 cases related to *lèse-majesté* ended in execution. Those condemned to death were sentenced on the authority of the Antwerp *vierschaar*; the Council of Troubles only pronounced in absentia banishments.<sup>860</sup> For Nijmegen, Maarten Hageman concluded that none of those summoned by the Council of Troubles actually appeared in court, and the council only handed down banishments in absentia, based on the reports of local commissioners who had been sent out to investigate already under Parma. Interestingly, according to Hageman, *only* those who had already left the city were summoned. This led him to hypothesize that the reports of local investigators purposely listed only the names of people the investigators knew were already absent.<sup>861</sup>

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<sup>859</sup> Some other issues further complicate the use of the list. Verheyden's method of adding the names in the confiscation lists to the names from the summons led to many doubles under different spellings. Verheyden also mentions only one source for each name, instead of listing all sources in which the respective name can be found, and he lists many names with the wrong locality.

<sup>860</sup> Marnef, *Antwerpen in de tijd van de Reformatie*, 164–68.

<sup>861</sup> Hageman, *Het kwade exempel van Gelre*, 293.

To understand the impact of executions carried out under Alba's regime and the outrage they caused, we thus need to look beyond the caricatured image of the tyrannical duke and include local dynamics in our analysis. This chapter does so by analyzing the hundreds of execution descriptions in chronicles written in this period. These descriptions show that under Alba, chroniclers continued to experience what they perceived as a crisis of justice mainly on the local level. Certainly, the summonses and executions under the supervision of the Council of Troubles of those who had been involved in iconoclasm were experienced as unjust and a transgression of local privileges. The focus on the role of the Duke of Alba, however, has obscured the fact that by far the majority of executions continued to be organized by local courts. Moreover, the installation of the Council of Troubles was only one of several measures taken to restore order. The main goal, indeed, was to render local systems of justice operational again—not to replace them. If 1566 and 1567 had been characterized mostly by government inertia, the arrival of Alba and the Army of Flanders meant that local authorities were now supported in reinforcing their authority by an unprecedented level of power. Consequently, in the first months after Alba's arrival, chroniclers mostly concentrated on the often-violent confrontations between spectators and soldiers guarding the executions carried out by urban governments.

From the beginning of 1568, the main wave of executions got underway. The descriptions of these executions in chronicles reflect the paradoxical experience of capital punishment in this period. On the one hand, the enormous impact of the executions carried out becomes clear from the extreme thoroughness of the chronicles that address them. There is considerable overlap between the cities where the most chronicling activity took place and the cities where the most executions were carried out. These latter were considered by the government as "bad cities."<sup>862</sup> The list included, of course, the rebellious city of

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<sup>862</sup> Louis P. Gachard, ed., *Correspondance de Philippe II sur les affaires des Pays-Bas*, 5 vols. 2 (Brussels: Librairie ancienne et moderne, 1851); Publiée d'après les originaux conservés dans les Archives royales de Simancas, 634. The bad cities were in Brabant: 's Hertogenbosch, Lier, Maastricht, Limbourg. Flanders: Ghent, Bruges, Ypres, Oudenaarde, Bailleul, Kassel. Hainaut: Valenciennes, Tournai. Holland: Amsterdam, Delft, Utrecht, Leiden, Den Briel. Zeeland: Middelburg. Guelders: Nijmegen, Roermond, Venlo, Bommel. Overrijssel: Deventer. Friesland: Leeuwarden. Groningen. Mechelen. Antwerp was not identified in the list of the circular, but as the regent was residing there, it was not necessary to send the letter to the magistrate, but she probably informed them directly. It has little doubt that the city was regarded as a 'bad city'.

Valenciennes, along with the cities where the magistrates or governors had made concessions to the Protestants the year before, such as Antwerp, Amsterdam, Utrecht (governed by the Prince of Orange), Ghent, Ypres (governed by the Count of Egmont), and Tournai (governed by the Count of Horne). 's-Hertogenbosch, too, where the magistrate had been unable to prevent Van Bombergen from installing a Calvinist regime, was on the list. As we will see by comparing the executions recorded in chronicles with the information provided in juridical administrative documents and official records, many chroniclers meticulously listed *all* of the executions taking place in their cities.

On the other hand, the chronicles also reflect uncertainty and the complete disintegration of the execution narrative or “script” explored in the previous chapters. More and more often, differences emerge between authors on ideas of justice, guilt, or responsibility. Instead of a communal experience, the experience and perception of justice turned into a matter of personal opinion. As such, the ritual of capital punishment lost much of its meaning and failed to serve as a unifying event. Paradoxically, the less effective these executions were in creating a common narrative, the more attention chroniclers paid them. Unable to integrate these deaths into a larger story, chroniclers resorted to endlessly listing the names of those summoned, deprived of their goods, and executed. Increasingly, chroniclers looked for “providential” contingencies, such as miraculous weather events, to provide explanations. Moreover, the executions that many (Catholic) chroniclers still considered just—such as those for heresy—also became increasingly controversial, as the ways and methods of executing no longer aligned with spectators’ expectations. Several new measures taken during executions made it impossible for patients to confess and repent before their deaths, undermining the role of the execution as an opportunity for redemption and salvation. By 1570, the main wave of punishments was over, and a general pardon was proclaimed in the name of the king. By then, however, other unpopular policies introduced by the duke—mainly his plans to reorganize the tax system—had completely eroded support for his regime. It would not take long for a new grand narrative to emerge that integrated the executions into a story centered around the tyranny of the Duke of Alba, the cruelty of the Spanish soldiers, and the injustices of the “Blood Council.”



## The Restoration of Local Authority

For the inhabitants of the Low Countries, in the first months after Alba's arrival, the restoration of local authority drew more attention than the creation of the Council of Troubles. In the immediate term, Alba had brought with him an impressive army for this purpose, and his arrival was understood as a military mission. As a general, he had been sent "not to fight heretics but to fight rebels," restoring order in the face of rebellion and *lèse-majesté*.<sup>863</sup> Framing Alba's intervention as a purely secular matter of state allowed the Spanish king to also enlist mercenaries from the (Lutheran) German kingdoms.<sup>864</sup> As a result, Alba arrived with roughly ten thousand Italian and Spanish soldiers and a regiment of German soldiers led by the Count of Ladron. Together with some ten thousand Welsh and German soldiers already stationed in the Low Countries who had been recruited under Margaret of Parma, these troops would form the multinational Army of Flanders.<sup>865</sup> Despite its reputation, from the beginning of its formation, less than half of the Army of Flanders consisted of Spanish soldiers. This share would only decrease over time, as the army primarily recruited Netherlandish troops over the years that followed. To house this enormous standing army, garrisons were billeted in most towns in the Low Countries. In Antwerp, Alba started constructing a castle. Although he claimed that this fort was meant to keep the commercial metropolis free from billeting (which would damage trade), it soon turned into a symbol of oppression and authoritarian military rule.<sup>866</sup>

Now backed up by the military might of the Army of Flanders, local governments quickly ended the inertia that had characterized the previous years. Local magistrates soon began to carry out executions again. In Amsterdam, Hendrik van Biesten recorded hangings of iconoclasts taking place in September 1567 on the orders of the city magistrates.<sup>867</sup> Many of the patients had been

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<sup>863</sup> Soen, *Geen pardon zonder Paus!*, 153.

<sup>864</sup> Geoffrey Parker, *The Army of Flanders and the Spanish Road 1567-1659: The Logistics of Spanish Victory and Defeat in the Low Countries' Wars*, Cambridge Studies in Early Modern History (Cambridge: Cambridge University Press, 1972).

<sup>865</sup> Parker, *The Army of Flanders and the Spanish Road 1567-1659*, 22–23.

<sup>866</sup> Janssens, "The Duke of Alba: Governor of the Netherlands in Times of War," 95–96.

<sup>867</sup> "Vervolg der anteykeningen van Broer Hendrik van Biesten," 424.

imprisoned for some months. In Antwerp, too, Van Haecht recorded the hanging of iconoclasts at the end of September 1567.<sup>868</sup>

Although Margaret of Parma had done her best to restore order after the ruin of 1566, the wave of violence was still not fully under control. After the final blow of the Battle of Oosterweel in March 1567, rebel troops had regrouped by the end of the year in West Flanders under Jan Camerlynck, a former weaver from Hondschoote.<sup>869</sup> Soon, they became known as the *bosgeuzen*, named for their guerilla-like techniques of attacking from their hiding places in the Flanders forests.<sup>870</sup> Chroniclers reported extensively on their activities. In December 1567, Van Vaernewijck mentioned rumors about how the *bosgeuzen* attacked priests, cutting off their noses, ears, and genitals.<sup>871</sup> In Antwerp, Van Haecht had heard that the “*wilde geusen*” were eight thousand strong, hiding in the forest.<sup>872</sup> In Ypres, Augustijn van Hernighem described how a priest from Oudkercke, after being robbed and having an ear cut off, was killed at the end of December by being completely dismembered.<sup>873</sup> In January, this news reached Van Vaernewijck, who reported in horror how the *bosgeuzen* “cut off his ear together with a large part of skin from his head, like one cuts off pigs’ ears,” as well as every single one of his fingers. He added how they “ripped open his belly and his body and pulled out his heart.”<sup>874</sup> Again in January, Van Hernighem and other chroniclers mentioned that the gang had assaulted three priests from Renighels, cut off their ears and noses, and murdered them.<sup>875</sup> These rites of violence seemed to parody judicial violence, as the cutting out of tongues or other body parts was a common punishment for blasphemy. They also mocked Catholic practices: Van Campene mentioned that when cutting off the genitals of one of the priests, the

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<sup>868</sup> Haecht, *Kroniek over de troebelen*, I, 236.

<sup>869</sup> M. Backhouse, *Beeldenstorm en bosgeuzen in het westkwartier (1566-1568): Bijdrage tot de geschiedenis van de godsdiensttroebelen der Zuidelijke Nederlanden in de XVIe eeuw* (Kortrijk: Koninklijke Geschied- en Oudheidkundige Kring, 1971).

<sup>870</sup> The literal translation of *bosgeuzen* is “forest beggars”, referring to *geuzen* who operated from the forest.

<sup>871</sup> Vaernewyck, *Van die beroerlicke tijden*, III, 188–189.

<sup>872</sup> Haecht, *Kroniek over de troebelen*, II, 6.

<sup>873</sup> Hernighem, *Eerste bouck*, 57.

<sup>874</sup> Vaernewyck, *Van die beroerlicke tijden*, III, 199–202. ‘want zij hebben zijn ander hoore met een groot ront stick vleesch van sijnen hoofde ghesneden, ghelijc men die veerckenshooren afsnijt, hebben ooc alle zijn vingheren ende dumen tot in deerste let afghesneden’.

<sup>875</sup> Hernighem, *Eerste bouck*, 58; Vaernewyck, *Van die beroerlicke tijden*, III 233.

killers were reported to have said that “he didn’t use it anyway, since priests are forbidden to marry.”<sup>876</sup> Violent gangs posed a threat to the laity as well. In Chapter Three, we saw how in Ghent and Antwerp, spectacular executions of *straatschenders* (armed robbers) drew much of the chroniclers’ attention in the months preceding the Iconoclast Fury. Now, again, similar gangs roamed the countryside, reportedly robbing and killing innocent farmers or travelers on the roads.<sup>877</sup>

Although chroniclers were relieved that the local system of justice again had enough power to counter such threats, the newly stationed soldiers who now guarded executions caused many problems. In normal times, there was not much need to guard public executions: The hangman and his assistants would be enough to carry out justice in an orderly fashion. The disrupted heresy executions of the 1550s and 1560s, however, had led many urban governments to rely on the civic militia to guard these events. When well-established burghers began to appear on the scaffold, the civic militia could no longer be counted on. At first, regiments led by members of the nobility had stepped in to oversee problematic executions. Now, however, foreign mercenaries guarded the scaffold. The relationship between the Army of Flanders and the inhabitants of the Low Countries was problematic from the outset. Before the soldiers even arrived, rumors of their destruction of the countryside reached Marcus van Vaernewijck in Ghent.<sup>878</sup> Van Campene predicted what was to come when he wrote, “I think they will bring distressed times in the land, although we have well deserved it.”<sup>879</sup> In Brussels, reported Van Haecht, the Spanish regiment clashed with the civic militia immediately after its arrival at the end of August 1567, and two burghers were killed.<sup>880</sup> In Tournai, Nicolas Soldoyer similarly recorded how tensions led to violent confrontations between stationed soldiers and the civic militia, with several dead and many wounded on both sides.<sup>881</sup>

Perhaps warned of the problematic audience interventions of the preceding years, royal officers were taking no risks with execution spectators,

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<sup>876</sup> *Dagboek van Cornelis en Philip van Campene*, 111.

<sup>877</sup> *Dagboek van Cornelis en Philip van Campene*, 103–4.

<sup>878</sup> Vaernewijck, *Van die beroerlicke tijden*, II, 346.

<sup>879</sup> *Dagboek van Cornelis en Philip van Campene*, 67. ‘Ick duchte datse ons een benauden tijt in tlandt bringhen sullen, niettemin wij hebben wel verdient’.

<sup>880</sup> Haecht, *Kroniek over de troebelen*, I, 232.

<sup>881</sup> *Mémoires de Pasquier de le Barre et de Nicolas Soldoyer*, II, 276.

whom they considered to be “*toutes luteranos*.”<sup>882</sup> In Ghent, a confrontation between the Spanish garrison and an execution audience turned into a bloodbath on September 26.<sup>883</sup> Only moments after the gathered crowd had prayed a paternoster for the soul of the patient, unrest arose among the spectators, after which the soldiers drew their swords. Van Vaernewijck described vividly how the spectators feared for their lives, running for the edges of the market square, leaving behind their “coats, hoods, caps, and hats,” pushing over market stalls, pursued by the soldiers like “headless chickens.”<sup>884</sup> Several were killed, and many were wounded. After the event was over, recorded Van Vaernewijck, no one understood what exactly had happened or why. He listed no fewer than six explanations for the commotion that were circulating among the people of Ghent. The tensions in the city culminated in December during the execution of several iconoclasts who had been sentenced by the Ghent aldermen’s bench.<sup>885</sup> They had been arrested shortly after the Iconoclast Fury and had been in prison for almost a year and a half. Again, unrest arose among the spectators, who were—according to Van Vaernewijck—still anxious after the previous bloodbath. This time it was even worse. The soldiers attacked the unarmed crowd with their swords, and people had nowhere to go. Van Vaernewijck, who barely escaped with his life, saw his fellow citizens wounded and killed around him. Harrowed, he described how, in the middle of the massacre, “a big dog was licking their blood, but no one had the courage to chase the dog away from the dead.”<sup>886</sup>

Army commanders, too, saw that the unruliness of the soldiers did more harm than good. According to Van Vaernewijck, after hearing about the debacle in Ghent, Alba was “very much ashamed” of the behavior of his soldiers, which made him look as if “he was the leader of a band of robbers and murderers.”<sup>887</sup>

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<sup>882</sup> Haecht, *Kroniek over de troebelen*, I, 236.

<sup>883</sup> *Dagboek van Cornelis en Philip van Campene*, 83.

<sup>884</sup> Vaernewyck, *Van die beroerlicke tijden*, III, 64–72.

<sup>885</sup> Vaernewyck, *Van die beroerlicke tijden*, III, 143–147; *Dagboek van Cornelis en Philip van Campene*, 90–91; Hernighem, *Eerste bouck*, 56; Weert, *Chronycke oft journal*, 44; *Antwerpsch chronykje*, 151.

<sup>886</sup> Vaernewyck, *Van die beroerlicke tijden*, III, 149. ‘ende eenen grooten hondt of dogghe stont zijn bloet en lecte, ende niemant en hadde zoo veel moete om den hondt vanden dooden te weeren.’

<sup>887</sup> Vaernewyck, *Van die beroerlicke tijden*, III, 177. ‘als of hij thoof ware van roovers ende moorders’.

Van Campene recorded that a special court was set up in Ghent in October to moderate conflicts between soldiers and burghers.<sup>888</sup> Moreover, strict disciplinary measures were taken. In November, the Ghent chronicler Van den Vivere described with astonishment the construction of “an instrument at the *Gravenkasteel*, above the gate, sticking out of the church, a wooden beam of around nine or ten feet long, with a pulley at its end with a cord in it.”<sup>889</sup> It soon became clear what the instrument was for; several chroniclers reported soldiers’ being tortured using this strappado. The soldiers who were held responsible for attacking the execution audience were hanged and quartered with much spectacle.<sup>890</sup> Their heads were then put on spikes on top of the gallows and left there on display. Unsurprisingly, Marcus van Vaernewijck was there, but he reported that “the people of the city did not feel like going there to watch but rather went home.”<sup>891</sup>

In addition to the violent clashes between soldiers and spectators during executions, conflicts arose between army commanders and urban governments about the extent of their jurisdiction. Van Campene recorded that when in Ghent the *maestro del campo* started to punish local burghers with the strappado in addition to his own soldiers, the inhabitants of the city were extremely upset.<sup>892</sup> Vaernewijck described in detail how “the arms of the patients were bound behind their backs with the cord attached to them, and the patients were pulled up into the air and then let down again to the earth up to three times.” According to the chronicler, it was so painful to watch that “it would hurt a stone,” and the people of Ghent could not bear to witness it.<sup>893</sup> In Antwerp, Van Haecht reported that burghers had even begun to use violence against soldiers to protect themselves,

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<sup>888</sup> *Dagboek van Cornelis en Philip van Campene*, 88.

<sup>889</sup> Vivere, *Chronijcke van Ghendt*, 256. ‘een jnstrument aen het graven casteel, boven de poorten, voor tkeercxken uuystekende een dweers haut ontrent neghen zo thien voeten lanck, up dende met een catrol daerjnne, ende eenen reep daerduere’.

<sup>890</sup> Vaernewyck, *Van die beroerlicke tijden*, III, 166–170; *Antwerpsch chronykje*, 152.

<sup>891</sup> Vaernewyck, *Van die beroerlicke tijden*, IV, 3–4. ‘maer tvolck vander stadt en hadde gheenen trock daer toe om te ghaen ziene, ende ghijnghen liever naer huus.’

<sup>892</sup> *Dagboek van Cornelis en Philip van Campene*, 105–6.

<sup>893</sup> Vaernewyck, *Van die beroerlicke tijden*, III, 267–269. ‘ende haer leden deerlic ghefortseert ghebonden zijnde an haer handen, die tgheheele lichaem draghen moesten achter overe, ende hemlien doende elc drijwaerf schocken tot bij der strate. Dit was zoo compasselic om zien, dattet eenen steen hadde moghen deeren. Die burghers vander stadt ghijnghen wech, ende en condent niet ghezien’.

calling on the commander to “do justice, or we will do it ourselves.”<sup>894</sup> On one occasion, in Antwerp, both Van Haecht and the author of the *Antwerpsch Chronyckje* recorded how execution spectators almost attacked the soldiers for overstepping their jurisdiction.<sup>895</sup> When the military commander of Antwerp’s German garrison wanted in June 1568 to execute three young burghers for entering the city past curfew, “the whole community was disturbed because of these innocent deaths.”<sup>896</sup> The patients had already been taken to the execution place when the mother and sister of one of the three started a riot. Van Haecht described how the guards “were trembling, fearing the burghers, who had picked up many stones and kept them close.”<sup>897</sup> Eventually, the patients were pardoned, relieving the threat of a violent confrontation between audience and soldiers.

### Alba’s Exemplary Punishment

From the beginning of 1568 onward, the attention of chroniclers would turn toward the activities of the newly established Council of Troubles. The council had been installed in the first weeks after Alba’s highly anticipated arrival.<sup>898</sup> It was established in the name of Philip II as an instrument for restoring order in the face of rebellion and *lèse-majesté*, and as such, it superseded the jurisdictions

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<sup>894</sup> Haecht, *Kroniek over de troebelen*, I, 236.

<sup>895</sup> Haecht, *Kroniek over de troebelen*, II, 28; *Antwerpsch chronyckje*, 168–69. See also Kronijk van Jan van Wesenbeke, PK#108 BE SA 175687, Felixarchief, 8–9.

<sup>896</sup> Haecht, *Kroniek over de troebelen*, II, 28. ‘dies de geheele borgerye beroert was om dese onschuldige doot.’

<sup>897</sup> Haecht, *Kroniek over de troebelen*, II, 28. ‘waerdoer een groot geloop quam. En elck riep om steenen en wapenen, als dat het gerucht en getier quam over al de stat: en daerduer so leyden de knechten hem weder van der leeren, en sloten hem in eenen rinck, want sy stonden en beefden, vreesende de borgeren, die vuel steenen geraept hadden en behielden die by haer. Maer niemant en wirp, so langhe sy niet weder op en clommen’.

<sup>898</sup> Ghent chronicler Philip van Campene recorded how two members of the Council of Flanders left Ghent to take seat in ‘a new Council, residing in Brussels’. Being a member of the Council of Flanders himself, Philip was well informed about the changes in the juridical landscape of the Low Countries. See *Dagboek van Cornelis en Philip van Campene*, 83. Still, other chroniclers were aware of the creation of this new Council as well. In Antwerp, the Lutheran Godevaert van Haecht writes how ‘twelve new councilors were chosen, who were called “the Troubles’ council”, but it was quickly changed by the people, and they were called ‘lords of the Blood Council’. See Haecht, *Kroniek over de troebelen*, I, 299–300.

of the local courts.<sup>899</sup> On September 20, its first session took place, and the councilors were sworn in. The chair was Alba himself. The two vice-chairs were Charles de Berlaymont (1510–1578) and Philip of Noircarmes (1530–1574), both members of noble families of the Low Countries who had been advisors to Margaret of Parma and sat on the Council of State. Most of the councilors, prosecutors, secretaries, and advocates were recruited from existing juridical institutions, such as the Great Council of Mechelen, or the provincial councils.<sup>900</sup> Only two members, appointed by Alba, came from outside these institutions: the Spanish jurist Juan de Vargas and the Flemish-born jurist (of Spanish descent) Luis del Rio. The structure of the council consisted of two chambers, of which one was responsible for the juridical files and the other for confiscations.

Alba held the nobility primarily responsible for the troubles of the previous years. Countless letters and reports from local informants had convinced the king of the negligence of the governors who had made far-reaching concessions to the Protestants.<sup>901</sup> On September 9, 1567, only days after arriving, Alba arrested the Counts of Egmont and Horne.<sup>902</sup> Chroniclers were shocked by the arrest of such high-ranking nobles: Egmont in particular, wrote Van Vaernewijck, was “esteemed, honored, and regarded as a king in Flanders.”<sup>903</sup> As members of the prestigious Order of the Golden Fleece, the two had the legal right to be tried by their peers (other members of the nobility). As they were charged with *lèse-majesté*, however, the severity of the crime outweighed all their privileges.<sup>904</sup> Adding to the shock, they had remained loyal to the king during the troubles—unlike, for example, William of Orange, who had refused to pledge a renewed oath of loyalty in March 1567 and fled the country.<sup>905</sup> Nonetheless, chroniclers also recorded rumors of corruption, especially on the part of Egmont, who, according to Van Campene, “had accepted goods and money both from the side of the Catholics and from the Protestants, as has been

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<sup>899</sup> Marnef and De Schepper, “Raad van Beroerten (1567-1576),” 472.

<sup>900</sup> For a list of employers of the Council see Verheyden, *Le Conseil des troubles*, 3–13.

<sup>901</sup> Soen, *Vredehandel*, 83.

<sup>902</sup> *Dagboek van Cornelis en Philip van Campene*, 72.

<sup>903</sup> Vaernewyck, *Van die beroerlicke tijden*, III, 220. ‘als een Coninc in Vlaenderen gheacht, gheëert ende ghezien was’.

<sup>904</sup> Arnade, *Beggars, Iconoclasts and Civic Patriots*, 181–83.

<sup>905</sup> Soen, *Vredehandel*, 74–75.

understood later.”<sup>906</sup> The Lutheran Van Haecht wrote that Egmont had betrayed the Protestants and the noble pact agreed with them after being bribed by Margaret of Parma.<sup>907</sup>

Rather than punishing all those responsible for the recent disorder, Alba's policy was centered around punishing a small number of high-profile instigators to shock and set an example for others. Time and again, the duke repeated in letters that he was not planning to shed blood unnecessarily and that “to bring peace to these lands does not mean having to behead people who took action because of the beliefs of others.”<sup>908</sup> The executions of nobility in June 1568 certainly had the intended shock effect, making an enormous impact on contemporaries.<sup>909</sup> On May 23, the rebel troops of Louis of Nassau (1538-1574), who had begun a military campaign with his brother William of Orange that spring, defeated the royal troops of Alba in the north of the Low Countries, near the small town of Heiligerlee, in Groningen. As repercussion, the Duke of Alba decided to move forward with the sentences of the Counts of Egmont and Horne and many other members of the nobility who had taken part in the armed resistance to the Crown, such as the brothers Batenburg, who had been captured

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<sup>906</sup> *Dagboek van Cornelis en Philip van Campene*, 72. ‘die ghenomen heeft goedt ende ghelt, van zoo wel over de ziede vander catholijcke, ende vande protestanten, zoo men naederhandt verstaen heeft, daer deure dat menich meinsche anden hals commen es’.

<sup>907</sup> Haecht, *Kroniek over de troebelen*, I, 112.

<sup>908</sup> Gustaaf Janssens, “The King is the Real Sovereign of this Countries’: Politics of Justice and Order from the Duke of Alba in the Netherlands, 1567–1571,” in *Early Modern Sovereignty: Theory and Practice of a Burgeoning Concept in the Netherlands*, ed. Erik de Bom, Randall C. Lesaffer and Werner Thomas, Legal history library vol.47 (Leiden, Boston: Brill, 2021), 228. Quote translated by Janssens. See also Henk van Nierop, “Le parti le plus faible doit toujours avoir tort’: Les procès politiques aux Pays-Bas, XVIe-XVIIe siècle,” in *Les procès politiques: (XIVe-XVIIe siècle)*, ed. Yves-Marie Bercé, Collection de l’École française de Rome 375 (École française de Rome, 2007), 462–468.

<sup>909</sup> Arnade, *Beggars, Iconoclasts and Civic Patriots*, 183–91. See also Herman van Nuffel, “De terechtstelling van Egmont en Hoorne en de weerslag ervan op hun tijdgenoten,” *Brabantse folklore* 175 (1967); T. Juste, *Le comte d’Egmont et le comte de Hornes (1522-1568) d’après des documents authentiques et inédits*, Les Pays-Bas au XVIe siècle (Bruxelles: Lacroix, Verboeckhoven, 1862); Rengienier C. Rittersma, *Mytho-Poetics at Work: A Study of the Figure of Egmont, the Dutch Revolt and its Influence in Europe*, Brill’s studies in intellectual history 266 (Leiden, Boston: Brill, 2018).



already in the spring of 1567. Their decapitations in June 1568 are, without doubt, the most recorded executions in the contemporary chronicles.<sup>910</sup>

On June 1, the first eighteen nobles were executed, and on June 2, three more followed. The most spectacular executions took place on June 5: the decapitations of the Counts of Egmont and Horne. The executions of the nobles were publicized widely. Engraver Frans Hogenberg published prints of the events, the first prints of contemporary executions to be published in the Low Countries (Figs. 5.1 and 5.2).<sup>911</sup> Chroniclers were quite unanimous in their reaction to these deaths, which caused “great sadness of the people.”<sup>912</sup> Brussels chronicler Jan de Pottre wrote that “there were many people who were crying when seeing this justice, and also those who didn’t see it, both our people and also the multitude of Spaniards.”<sup>913</sup> If chroniclers had been shocked in 1567 by the executions of upstanding burghers, the executions of the high nobility were all the more impressive: “Even the high lords and governors of the provinces of these Low Countries” were not out of reach of punishment. Eventually, all those nobles who had signed the petition offered to Margaret of Parma in 1566 for the moderation of anti-heresy legislation would be condemned to either death or banishment in absentia and their possessions confiscated.

Figure 5.1 Frans Hogenberg (attributed to), *La pesante Tyrannie, violente domination et horrible exécution du duc d’Albe au Païs-Bas*, 1568, engraving, 28 × 42 cm, Bibliothèque Nationale de France, Paris (photo: Bibliothèque Nationale de France).

Figure 5.2 Frans Hogenberg (attributed to), *Eyne Jammerliche Unnde Grawsame Execution im Nederlandt*, 1568, engraving, 50 × 100 cm, Bibliothèque Nationale de France, Paris (photo: Bibliothèque Nationale de France).

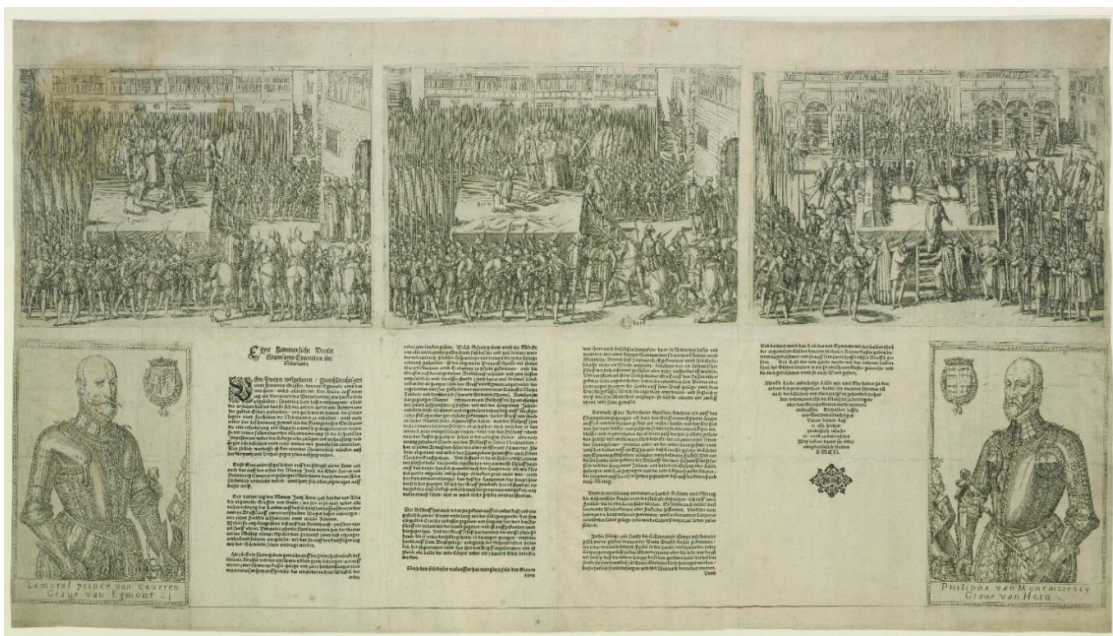
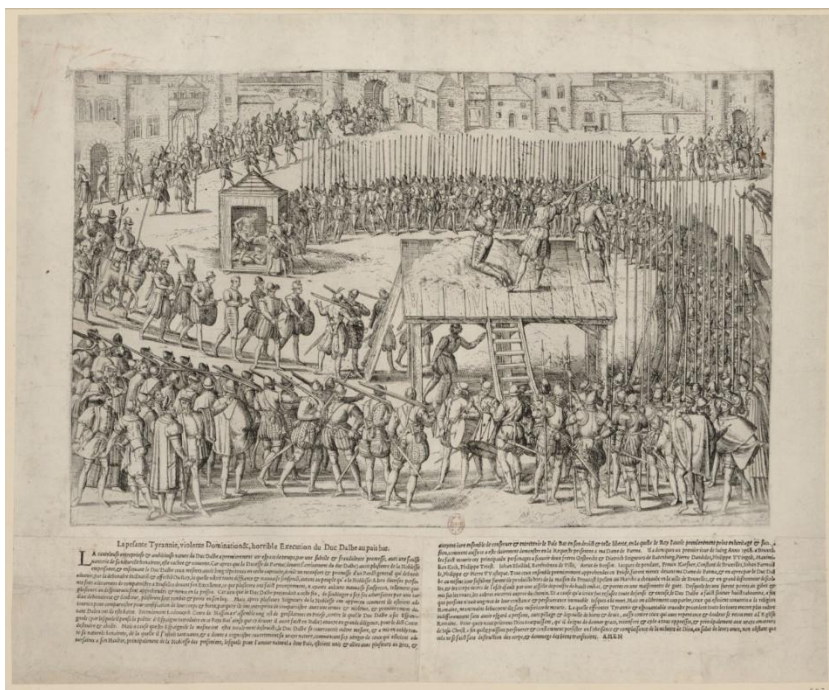
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<sup>910</sup> See for example: Haecht, *Kroniek over de troebelen*, II, 28; Brugmans, “Utrechtsche kroniek over 1566-1576,” 77; *Dagboek van Jan de Pottre*, 30; “Vervolg der anteykeningen van Broer Hendrik van Biesten,” 427–28; *Antwerpsch chronykje*, 167–68; “Tweede vervolg op de kronyk van Aelbertus Cuperinus,” in *Verzameling van kronijken betrekkelyk de stad en meyery van ’s-Hertogenbosch*, ed. Cornelis R. Hermans (’s-Hertogenbosch: Stokvis, 1846), 296; Luyten, *Kronijk uit het klooster Maria-Wijngaard*, 195–96; Hernighem, *Eerste bouck*, 64.

<sup>911</sup> Casteels, “Death on Display.”

<sup>912</sup> Vaernewyck, *Van die beroerlicke tijden*, IV, 105–109. ‘met grooter droufheijt vanden volcke’.

<sup>913</sup> *Dagboek van Jan de Pottre*, 30. ‘Daer waeren menich mensche die doen weenden die de justicie saeghen ende oock diese niet en saeghen, als van onsen volck ende oock de meste menichte van Spannaert’.



## Summonses and Executions by the Council of Troubles

Apart from these high-profile executions of nobles, the engagement of the Council of Troubles with capital punishment was rather limited—although heavily contested. Local commissioners working for the council composed summons lists based on information provided by local courts and local eyewitness investigations, and these commissioners now had a fairly complete picture of who had been involved in iconoclasm, armed resistance, or heresy.<sup>914</sup> These lists were published in the first months of 1568, but only a small group of people actually responded to the summons and went to Brussels to appear before the council. The outcome was not to their advantage: De Pottre records that they “were hanged and decapitated as church-breakers.”<sup>915</sup> In Ghent, chroniclers reported on the Ghent burghers who were executed outside of Brussels, near the *Vlaamse Poort*, at the *Koekelberg*. A frustrated Philip van Campene wrote that many had “persuaded their loved ones to appear in court for the Duke of Alba, hoping they would receive grace before the rigor of the law, but alas!”<sup>916</sup> As we saw in Chapter One, pardoning was a cornerstone of the system of justice, and the withholding of pardons went against the legal expectations of chroniclers. According to Van Campene, only those who had been indirectly involved with iconoclasm dared to appear in court, expecting a mild punishment, but they were executed instead, “notwithstanding that they showed penance, had appeared before the council, confessed, and took the holy sacrament.”<sup>917</sup> At the same time, Van Campene complained, those who were actually guilty and had done the greatest damage to the country had fled abroad.<sup>918</sup> The policy was

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<sup>914</sup> The Council targeted roughly four groups: the Calvinist ministers, members of the Reformed consistories, rebels who had taken up arms against the King, and Iconoclasts. See Verheyden, *Le Conseil des troubles*.

<sup>915</sup> *Dagboek van Jan de Pottre*, 28. ‘Den Ilden april storven hier buyten Brussel x mannen wt Vlaenderen, die hier huer mainden te coemen verantwoerden, ende storven buyten de Vlaemsche Poerte, v ghehanghen ende v onthalt als kerckbrekers ende die dinst in huerlien nu 1 kercke ghehadt hadde, daer af iii van Gent waren’.

<sup>916</sup> *Dagboek van Cornelis en Philip van Campene*, 122–23. ‘hopende dat hemlieden gratie voor riguer van rechte zoude ghebuerdt hebben, maer eylacen! dat claghelic es’.

<sup>917</sup> *Dagboek van Cornelis en Philip van Campene*, 121. ‘nyet jeghenstaende dat zij peniteerden ende hemlieden wederomme hadden ghekeert met biechten ende tnutten vanden helegghen sacramente des aultaers’.

<sup>918</sup> *Dagboek van Cornelis en Philip van Campene*, 122–123; 144.

incomprehensible and seemed highly unjust, as innocent people were punished while those actually considered responsible were often not caught.

The fact that these Ghent burghers were tried before the central court in Brussels, instead of the local aldermen's bench, was also considered a transgression of legal norms. Equally problematic was the behavior of several officers related to the regime. The provost Jan Spelleken, in particular, repeatedly overstepped his jurisdiction. He had been responsible for the conducting of the executions of the Ghent burghers in Brussels.<sup>919</sup> Spelleken had been appointed by Parma in the first months of 1567, probably to take action against the Reformed troops that attempted to come to the aid of the besieged Valenciennes.<sup>920</sup> One of the first executions for which Spelleken was responsible already led to public outcry: in February 1567 he had hanged a Reformed preacher near Mechelen. When Alba became governor, Spelleken soon came to be one of his most trusted officers. According to Van Haecht, in October 1567, Spelleken had hanged three iconoclasts outside the city gate of Antwerp so that Alba would see it when he arrived in the city later that day.<sup>921</sup> Soon, however, Spelleken came into conflict with local authorities. The anonymous author of the *Antwerpsch Chronyckje* mentions a jurisdictional disagreement in February 1568 when Spelleken tried to arrest eight burghers of Antwerp, taking them from their beds in the middle of the night. The magistrates immediately sent a complaint to the Duke of Alba, who then informed Spelleken "that they would bring the prisoners to the general prison and prosecute them according to the city's laws in the *vierschaaer*."<sup>922</sup> Van Haecht similarly remarks that Spelleken "was only allowed to capture people in the countryside or in the villages, but not in the cities."<sup>923</sup> According to Van Haecht, however, the local magistrates did little to resist his transgressions of these rules: "The lords are all infected with love for the papists and the Spaniards

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<sup>919</sup> Alphonse L. E. Verheyden, *Vilvoorde. internationaal repressiecentrum en brandpunt van het zestiende-eeuws protestantisme* (Vilvoorde: Gallet, 1972).

<sup>920</sup> J. B. Blaes, ed., *Mémoires anonymes sur les troubles des Pays-Bas, 1565-1580*, 5 vols. (Brussels, 1859-66), 25-26; *Antwerpsch chronyckje*, 105.

<sup>921</sup> Haecht, *Kroniek over de troebelen*, I, 238.

<sup>922</sup> *Antwerpsch chronyckje*, 154. 'doen heeft den Hertoch bevolen de Rode Roeden, dat sy de gevangenen op den gemeynen steen brengen soudén ende met de stadt rechten van Antwerpen ter Vierscharen bedinghen'.

<sup>923</sup> Haecht, *Kroniek over de troebelen*, II, 10. 'die niet en behoort dan op 't velt oft in dorpen te vanghen, maer in geen stede'.

and do not consider the rights and privileges of these lands, because the Duke of Alba tramples upon these."<sup>924</sup>

In the prison used by the Council of Troubles, the ducal prison of Brabant in Vilvoorde, north of Brussels, Spelleken carried out at least twelve executions, mostly of prominent burghers whose executions would likely lead to riots if they took place locally.<sup>925</sup> Among them was chronicler Pasquier de le Barre, who, as we have seen, had been responsible for keeping public order during iconoclasm in Tournai, a task in which he was considered to have failed. He was also suspected of heretical beliefs and was arrested in 1568. On December 29, 1568, he was decapitated for his role in the Troubles.<sup>926</sup> In September 1568, the same fate had befallen the influential mayor of Antwerp, Antoon van Stralen, which caused indignation throughout the Low Countries.<sup>927</sup> Van Haecht was outraged by the execution: Van Stralen had been a "loyal vassal for his fatherland and the common welfare" and had died only because "he was not bloodthirsty enough to kill people for the ridiculous reason of religion."<sup>928</sup> An Antwerp delegation had attempted to request permission to try and sentence the mayor themselves, but to no avail. Although chroniclers paid much attention to these jurisdictional transgressions, in total, it seems that only around twenty-four people who had heeded the summonses were executed in Brussels after coming forward.<sup>929</sup> After this first wave of executions, it seems that few people came forward anymore.

If suspects did not appear in court after three summonses, the procedure followed by the Council of Troubles was sentencing to banishment in absentia and the confiscation of property.<sup>930</sup> Consequently, the greater part of the council's activities involved the collecting of confiscated property for the Crown. Already during the earlier heresy prosecutions, confiscation of property had been one of

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<sup>924</sup> Haecht, *Kroniek over de troebelen*, II, 10. 'Maer de heeren waeren almeest besmet met liefde tot de papen en tot de Spaengarden, niet acht hebbende op de rechten en de privilegien van den lande, want Ducdave terdet sulcx met voeten'.

<sup>925</sup> Verheyden, *Vilvoorde*, 75.

<sup>926</sup> *Mémoires de Pasquier de le Barre et de Nicolas Soldoyer*, I, XXX.

<sup>927</sup> Weert, *Chronycke oft journal*, 54–55.

<sup>928</sup> Haecht, *Kroniek over de troebelen*, II, 44. 'In somma dese syn getrouwe vasallen geweest voer haer vaderlandt ende gemeyne welvaert ende syn niet bloetgierich geweest om de onnoosele van saecken den geloove aengaende, te dooden'.

<sup>929</sup> Based on the numbers given in chronicles and Verheyden, *Vilvoorde*, 75–76.

<sup>930</sup> Marnef and De Schepper, "Raad van Beroerten (1567-1576)," 472.

the most contentious components of punishment, as many local courts had privileges that protected their burghers against having their goods confiscated. This made all the difference to their heirs.<sup>931</sup> In December 1567, describing the execution of four iconoclasts in Ghent, Van Vaernewijck recorded that the patients were sentenced “to be hanged with the rope on the Corn Market, and all their property was confiscated, except of those two who were from Ghent.”<sup>932</sup> Under the system of confiscations set up under Alba, however, these privileges were abolished completely. Shortly after creating the Council of Troubles, Alba began to organize this large-scale system. On November 1, 1567, he appointed a central collector.<sup>933</sup> This central collector oversaw the activities of dozens of local collectors: At the end of 1567 and throughout 1568, Alba appointed no fewer than 144 such collectors.<sup>934</sup> Some even worked exclusively on managing the confiscated estates of the executed or exiled nobility. They were responsible for auctioning confiscated property and collecting the yields, which they transferred to the central collector, but their main task was the management of confiscated realty: The renting out of houses and collecting of lease contracts.

### Chronicling Local Justice

By far the most executions under the regime of the Duke of Alba continued to be conducted by local governments. Around the same time as the publication of the summons lists in the first months of 1568, local authorities carried out simultaneous large-scale raids in the major cities of the Low Countries. On the night of Shrove Tuesday—the last day of Carnival and the beginning of Lent—the local bailiffs and their assistants burst into hundreds of houses, seizing suspects from their beds and taking them prisoner.<sup>935</sup> Time and again, chroniclers emphasized the “heavy hearts” of other inhabitants of the Low Countries or the

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<sup>931</sup> Duke, “Salvation by Coercion,” 165–67.

<sup>932</sup> Vaernewyck, *Van die beroerlicke tijden*, III, 144. ‘Aldus dan, haerlier vonnesse sprack, als dat zij gherecht zouden werden metter coorde, op den Coorenaert, ende al haer ghooeden gheconfisquiert, uutghenomen vande twee die van Ghendt waren’.

<sup>933</sup> Marnef and De Schepper, “Raad van Beroerten (1567-1576),” 470–71.

<sup>934</sup> An overview of employers of the Council of Troubles in Verheyden, *Le Conseil des troubles*, 3–13.

<sup>935</sup> Shrove Tuesday 1568 was on March 2. *Antwerpsch chronykje*, 158. Vaernewyck, *Van die beroerlicke tijden*, III, 270. Haecht, *Kroniek over de troebelen*, II, 14.

“great sadness,” as everyone knew someone affected by the arrests.<sup>936</sup> Nonetheless, many escaped in time. A nun from 's-Hertogenbosch remarked in her chronicle that “on the second day of Lent, *geuzen* were captured again. But they had secretly been warned, so they ran away the night before in great numbers, so not many *geuzen* were caught.”<sup>937</sup> In the following days, Van Vaernewijck recorded that the inhabitants of Ghent were anxiously anticipating the beginning of the executions.<sup>938</sup>

The wait was not long. The author of the *Antwerpsch Chronyckje* wrote that “at the beginning of April, before Easter, in many cities of Flanders, Holland, Zeeland, and Brabant, as in Valenciennes, Ypres, Ghent, Brussels, Mechelen, Antwerp, etc., they did great justice over the rebellious Calvinists and image-breakers.”<sup>939</sup> The role of the Council of Troubles in these trials was to oversee the sentencing by local courts, as the latter were required to send a copy of their sentences to the council for approval. By April 1568, however, Alba decided to limit even the coordinating activities of the Council of Troubles to those cases not covered already by the placards—all other crimes were to be tried by the local courts independently, including crimes of *lèse-majesté* such as heresy and sedition.<sup>940</sup>

We can see this reflected in the work of early modern historian Jacob Marcus, who in 1735 published part of the corpus of sentences and summonses related to the Troubles.<sup>941</sup> Although Marcus' work is limited to the cities in the northern Netherlands (as he based it on the administrative records of the Holland

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<sup>936</sup> Vaernewijck, *Van die beroerlicke tijden*, III, 271. ‘Hoe menich bedruet herte dat daer af in Ghendt was’.

<sup>937</sup> *Kroniek eener kloosterzuster*, 18. ‘Mer het was hem al heymelijck te kennen gegeven, soe dat se des avons al waren gaen lopen met groten hopen, soe dat se niet voel Gosen en cregen’.

<sup>938</sup> Vaernewijck, *Van die beroerlicke tijden*, III, 300.

<sup>939</sup> *Antwerpsch chronyckje*, 160. ‘In 't beghinsel van Apriel voor Paesschen, heeft men in veel Steden van Vlaenderen, Hollant, Zeelant, ende Brabant, als te Valencyn, Yperen, Ghent, Brussel, Mechelen, Antwerpen &c. groote Justitie gedaen over de oproerighe Calvinisten, Beeltstormers’.

<sup>940</sup> Arnade, *Beggars, Iconoclasts and Civic Patriots*, 182.

<sup>941</sup> J. Marcus, *Sententien en indagingen: van den Hertog van Alba, uitgesproken en geslagen in zynen Bloedtraedt: Mitsgaders die van byzondere steden, tegen verscheide zo edellieden als voornaeme burgers en inwoonders van Hollandt, Zeelandt en andere provincien, van den jaere 1567 tot 1572. Mitsgaders een aenhangsel van authentieke stukken...* (Hendrik Vieroot, 1735).

audit chamber), it still gives a clear idea of the proportion of death sentences pronounced by the Council of Troubles proper and by other councils, as Marcus clearly distinguished between the two (in contrast to Verheyden). According to Marcus' work, the Council of Troubles sentenced only 7 people to death, compared with 1,745 banishments in absentia. The local authorities were responsible for 111 cases of capital punishment and only 77 banishments.<sup>942</sup> As mentioned above, these local sentences nonetheless ended up in the administration of the Council of Troubles, as the possessions of the condemned were confiscated by the Crown, a matter handled by the council.

The enormous impact of these local executions becomes clear when we look more closely at the numerical weight of executions recorded in this period. As mentioned above, the years around 1568 account for by far the highest number of recorded executions across the entire period of this dissertation (see Appendix 2). There was an enormous peak in 1568 (1,034) and lower numbers, though still above average, in 1567 (326) and 1569 (397). Table 5.1 provides an overview of the numbers of executions recorded by chroniclers compared with the numbers found by historians in the administrative records in the principal "bad cities"—the cities where Calvinists had taken over in 1566 or where the local authorities had granted privileges to the Protestants. It is striking how thorough chroniclers were in describing the deaths of their fellow burghers.

Table 5.1 shows that for these years, many chroniclers recorded *all* executions taking place in their cities and often reported even more executions than can be found in judicial administrative records. Godevaert van Haecht recorded forty-eight executions taking place in Antwerp, or of Antwerp burghers, in the years 1568–1569. The anonymous chronicler of the *Antwerpsch Chronyckje* recorded seventy-three—he included more executions of soldiers than Van Haecht did. Both recorded all forty-three death sentences counted by Guido Marnef for reasons of religion or rebellion based on judicial administrative records.<sup>943</sup> Only six of these death sentences were passed by the Council of Troubles, one of them being Mayor Antoon van Stralen, mentioned

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<sup>942</sup> Marcus, *Sententien en indagingen*, 485–490.

<sup>943</sup> Marnef, "Antwerpen in Reformatietijd. Ondergronds Protestantisme in een internationale handelsmetropool, 1550-1577", See the appendix for an overview of all prosecuted heretics in Antwerp from 1550 to 1577.



above.<sup>944</sup> All the other executions carried out in the period followed sentences passed by the Antwerp *vietschaar*. By far the majority of these sentences, twenty-seven, were for religious crimes. Most other condemned individuals had been present at one of the armed battles, particularly that at Oosterweel. Local chroniclers in 's-Hertogenbosch recorded thirteen executions carried out there.<sup>945</sup> H. van Alfen, editor of one of the local chronicles from 's-Hertogenbosch, concluded that the number of executions in the chronicle corresponded to that recorded by the judicial administration.<sup>946</sup>

City	Chronicle	Recorded in chronicles	Recorded in judicial administrative records
Antwerp	Godevaert van Haecht	48 (1568–1569)	43 (1568–1569)
	<i>Antwerpsch Chronyckje</i>	73	
's-Hertogenbosch	Anonymous Nun / Cuperinus	13	13
Ghent	Marcus van Vaernewijck	85 (1567–1568)	50
Ypres	Augustijn van Hernighem	68	-
Utrecht	Anonymous	43	30
Amsterdam	Hendrik van Biesten	24	24
Tournai	Nicolas Soldoyer	172	ca. 191
Valenciennes	Joachim Goyemans / Jean Laloux	125	122

Table 5.1 The execution recording pattern in chronicles under Alba's regime, ca. 1568-1570.

<sup>944</sup> Three others had been captured in Borgerhout by the provost Spelleken, while attending a Calvinist meeting. The fifth had been an innkeeper, an important figure in the Calvinist network in the rebel cities Valenciennes and Tournai. The sixth convict managed to escape from prison before he was executed.

<sup>945</sup> *Kroniek eener kloosterzuster*, 21–22; “Tweede vervolg op de kronyk van Aelbertus Cuperinus,” 296–303.

<sup>946</sup> *Kroniek eener kloosterzuster*, 100.

Marcus van Vaernewijck listed sixty-five executions taking place in Ghent from September 1566 to November 1568. He also recorded eight executions of soldiers in the fall of 1567 and twelve executions of Ghent burghers that took place elsewhere (most notably those in Brussels). Van Vaernewijck was not able to continue his chronicle after November 1568, most likely due to disease. Both he and the other Ghent chroniclers mentioned the plague that raged through the city from the end of September onward—Van Campene even connected it to a “bloody sign” that could be seen in the night sky.<sup>947</sup> Van Vaernewijck passed away on February 20, 1569, aged fifty-one, and on March 3, fellow chronicler Van Campene reported his funeral service.<sup>948</sup> Although his untimely death makes a more complete comparison with the executions carried out until 1570 impossible, it is clear that Van Vaernewijck was very thorough, recording all executions that took place. According to Joseph Scheerder, around fifty people were executed in Ghent for crimes related to the Troubles.<sup>949</sup>

In Ypres, Augustijn Van Hernighem recorded sixty-eight executions for the period 1568–1569. This forms the most densely described period of executions in his chronicle, far above the average of 8.5 recorded executions per year. Comparing the executions recorded by Van Hernighem with the list that Verheyden based on the official sources shows that the latter is lacking some crucial information. Although the people whose executions Van Hernighem describes are included in Verheyden’s list, their sentences are not, and they are not, therefore, counted among the roughly eleven hundred death sentences. So far, Ypres is the only city where I have found multiple people not listed as “executed” in Verheyden’s work who were, in fact, executed. In Flanders, the provost Jan de Visch—and, from October 1568 onward, his successor, Gheleyn Everaert—were responsible for executing those who had participated in the troubles, together with the aldermen’s benches.<sup>950</sup> These provosts were appointed by the sovereign bailiff of Flanders. For reasons that remain unclear,

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<sup>947</sup> *Dagboek van Cornelis en Philip van Campene*, 184. ‘Ooc hebben nu onlanx bloedeghe teekenen ghesien gheweest snachts inde hemellucht’.

<sup>948</sup> *Dagboek van Cornelis en Philip van Campene*, 212.

<sup>949</sup> Scheerder, *De Beeldenstorm*, 23.

<sup>950</sup> M. Backhouse, “Dokumenten betreffende de godsdiensttroebelen in het Westkwartier Jan Camerlynck en tien zijner gezellen voor de Ieperse vierschaar (1568–1569),” *Bulletin de la Commission royale d’histoire. Académie royale de Belgique* 138, no. 1 (1972).

the authorities apparently failed to include the sentences in their reporting to the central collector of the confiscations.

The anonymous chronicler from Utrecht listed forty-three executions in the period from May 15 1567, when a government garrison had recently been stationed there by Parma, to mid-1570, when the Duke of Alba proclaimed the general pardon. Many of the executed individuals were rebels who had joined the forces of the infamous *geuzen* leader Hendrik van Brederode, who was Lord of Vianen, a small seignury close to Utrecht. He had taken part in the Battle of Oosterweel in March 1567, backed the occupation of 's-Hertogenbosch by Van Bombergen, and died in exile in Germany in February 1568. In Marcus' register, we can see that the Council of Troubles itself only banished people from Utrecht in *absentia*.<sup>951</sup> Local courts, such as the Council of Utrecht or the local commissaries, executed thirty people. For Amsterdam, Hendrik van Biesten listed twenty-four executions carried out in this period. Verheyden counted 242; historian Henk van Nierop listed 204 names of people sentenced for participating in the Troubles of 1566–1567.<sup>952</sup> Again, most of these were banished in *absentia*—twenty-four received the death penalty, meaning that Van Biesten recorded all of them. Only five of those cases were overseen by the Council of Troubles: The other nineteen sentences were passed by the Amsterdam council members.

Not only the thoroughness but the manner of chronicling executions in this period is striking. In previous decades, chroniclers had recorded executions mostly because something special or noteworthy had happened during the event or because it was especially edifying. Disturbances of the ritual, a patient who refused to repent, or a hangman who failed to decapitate the condemned in one blow would all be common reasons to memorialize an execution. Now, however, chronicles turned into logbooks of executions, including long lists of names without much detail about the executions themselves. Especially in the cities where the most executions were conducted, chroniclers soon resorted to only recording names. Nicolas Soldoyer recorded a staggering 172 executions for the years 1568–1570. According to Verheyden, ninety-eight cases ended in capital punishment in Tournai, but recently, Nona de Grom has argued that this number should be adjusted. Based on sample research for her master's thesis, she

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<sup>951</sup> Marcus, *Sententien en indagingen*, 485–90.

<sup>952</sup> van Nierop, *Beeldenstorm en burgerlijk verzet in Amsterdam 1566-1567*, appendix 1; Deen, *Amsterdam 'Moorddam'*, 81.

estimated that a number around 191 would be more likely.<sup>953</sup> Given the thoroughness of Soldoyer, who kept extensive lists with the names of all those executed, it is highly likely that he indeed faithfully recorded the number of executions taking place in his hometown. In the other major Hainaut town, Valenciennes, the reality was little better. The chronicle compiled by Pierre le Boucq based on the accounts of Joachim Goyemans and Jean Laloux listed 125 people executed there in the aftermath of the Troubles. Like in the account of Soldoyer, the executions were recorded as long lists of names, sorted by date. The chroniclers also listed the names of those summoned and deprived of their goods by the council. Historian Yves Junot listed 122 executions taking place in Valenciennes in the wake of the Troubles: Again, we see the accuracy and thoroughness of chronicling in this period.<sup>954</sup>

The heaviness of repression in Tournai and Valenciennes was shocking to contemporaries all over the Low Countries. Lille chronicler Mahieu Manteau, for example, listed almost all the executions carried out in Valenciennes.<sup>955</sup> In Manteau's own hometown, few people were executed, as Lille was one of the "good" cities that had prevented iconoclasm from taking place. Valenciennes and Tournai, as we have seen, were major centers of rebellion in 1566, when Calvinists took over the city governments completely, and were brought back under the control of the central government in March 1567. Consequently, it is not surprising that these cities formed a focus of repression in the period following the Troubles. Some of the other cities listed above, however, had not done much better in the eyes of the government. 's-Hertogenbosch, for example, where the city magistrate had done little to prevent Van Bombergen from taking over and even reimbursed his expenses when he was forced to leave after a month, only saw thirteen of its burghers executed. The high numbers of executions in Hainaut, then, might also be ascribed to local circumstances. The governor and chair of the Council of Hainaut was Philip de Noircarmes, who had successfully defeated the rebellious Calvinists in Valenciennes in the spring of

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<sup>953</sup> Nona de Grom, "Het Wonderjaar 1566 in Doornik en het Doornikse: De sociale achtergrond van de veroordeelden door de Raad van Beroerten" (Unpublished Bachelor's Thesis, 2015), 102–3.

<sup>954</sup> Junot, *Les bourgeois de Valenciennes: Anatomie d'une élite dans la ville (1500-1630)*, unpaginated, Chapter *La douloureuse restauration de l'autorité espagnole et catholique (1567-1615)*, paragraph 28.

<sup>955</sup> "Chronique de Mahieu Manteau," 38.

1567. Noircarmes was a member of the Council of Troubles and a loyal advisor to Alba. Violet Soen has argued that Noircarmes, despite his belligerent reputation, was also a proponent of a mild approach in appeasing the Troubles, but this is not visible in the numbers of executions carried out under his governance.<sup>956</sup> In the smaller cities where he was governor, too, executions peaked. Carole Payen, for example, showed that in the small town of Enghien, 35 people were executed out of 112 investigations, a relatively high number of executions for a town of only around 3,348 families.<sup>957</sup>

### **Madness and Miracles: Making Sense of Nonsensical Executions**

While chroniclers were exceptionally thorough in recording justice, their descriptions also reveal the disintegration of execution rituals and the lack of meaning of executions in this period, as they resorted to recording of mere lists of names, devoid of any further significance. At the same time, more often than before, chroniclers recorded different (and sometimes contrasting) interpretations of events during executions. Often, they recorded stories in which executions were meaningless or arbitrary and sought divine signs to offer an explanation. Most of these stories revolved around compassion, penance, and salvation: The main ingredients of dying a “good death” on the scaffold, which were now absent from the scene.

Several stories circulated that captured the feelings of senselessness and lawlessness surrounding executions in this period. Chronicler Willem Boonen from Leuven, for example, described how three deputies from the Brabantine city of Sint Pieters Leeuw were summoned by the Duke of Alba, who at that

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<sup>956</sup> Violet Soen, “Collaborators and Parvenus? Berlaymont and Noircarmes, Loyal Noblemen in the Dutch Revolt,” *Dutch Crossing* 35, no. 1 (2011): 20–38.

<sup>957</sup> Hageman counted for Nijmegen zero executions; Rooze-Stouthamer for Middelburg only one. For other smaller towns, we can base the numbers on several master’s theses: in Meetjesland: 163 banished/confiscated and 6 executed, see Ann Claeys, “De economische en sociale achtergrond van de veroordeelden van de Raad van Beroerten uit het Meetjesland” (Unpublished Master’s Thesis, University of Ghent, 2002). For Zaltbommel: three executions, see Roland van Geest, “De commissarissen van Alva: De werkwijze van de Raad van Beroerten in Zaltbommel (1567-1569)” (Unpublished Master’s Thesis, Leiden University). For Land van Aalst: 19 executions out of 157 condemnations, see Michel Igual-Pacheco, “Beeldenstormers in het Land van Aalst en hun sociale achtergrond” (Unpublished Master’s Thesis, University of Ghent, 1993).

moment was visiting Leuven.<sup>958</sup> They were to answer for having provided food for a rebel army that had threatened to raid the city. According to Boonen, Alba immediately sentenced the deputies—two mayors and the secretary of the city—to death. This verdict triggered loud protests from the comforters sent to assist them before their deaths, who emphasized that “these were people of the good faith and of good life.” As an act of “mercy,” the governor then declared that at least one of them had to hang, and dice were rolled to decide who it was to be. Boonen wrote that “this unfortunate and unjust fate has fallen upon Jan van Eertrijck, mayor, who was hanged unjustly on a tree, being innocent and not deserving of death.”<sup>959</sup> The story was also recorded by Antwerp chronicler Van Haecht.<sup>960</sup> A similar story was recorded by Van Vaernewijck: A farmer and his son were captured in September 1568 after trying to get their cattle to safety because of an approaching army. They were about to be hanged, but their friends and family pleaded their innocence. In the end, only one was granted a pardon, and father and son had to draw straws to decide who would live and who would hang. Van Vaernewijck recorded how “the father had to pay with his throat, which was a pitiful event and of little mercy.”<sup>961</sup> Likewise, Van Vaernewijck described how, in 1568, some members of the Council of Flanders visited the prisons in Tournai and were so shocked by the appalling conditions in which prisoners were kept that they sent a request to the duke to pardon them. Instead, Alba decided to hasten their executions.<sup>962</sup>

More often, chroniclers reported on miraculous signs or events during executions. In August 1567, Van Vaernewijck recorded how seven *geuzen* who were to be executed all refused to confess before their deaths, except for one, who

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<sup>958</sup> Boonen, *Geschiedenis van Leuven*, 102–3. ‘Ende hen eenen bichtvadere gesonden zijnde, hebben hen ter dood bereijt, dwelcke bichtvadere hunne bichte gehoort hebbende, es terstont aenden hertoghe van Alve gegaen, hem verclaerende dat het waeren lieden van goede geloove ende van goeden leve, hem biddende de sententie te willen veranderen ende herroepen’.

<sup>959</sup> Boonen, *Geschiedenis van Leuven*, 102–3. ‘Ende es het ongeluckich ende onrechtveerdelijk lot gevallen opden voers. Jan van Eertrijck, borgemeester, die dijen volgende aenden selven boom aldaer, met leersens ende sporen, onrechtveerdelijk gehangen wert, de doot onschuldich wesende, xxix octobris 1568’.

<sup>960</sup> Haecht, *Kroniek over de troebelen*, II, 54.

<sup>961</sup> Vaernewyck, *Van die beroerlicke tijden*, IV, 249–250. ‘dwelc viel up den vader, eijlaes! die moestet metter kele betalen, dwelc een compasselic stick was van cleender baermerticheijt’.

<sup>962</sup> Vaernewyck, *Van die beroerlicke tijden*, IV, 237–238.

also wanted to receive the last sacrament. At first, the bailiff overseeing the execution did not allow this, but ultimately, he consented. During the hanging of this last patient, however, the rope on the gallows miraculously snapped and the patient survived. The bailiff, “seeing this great miracle,” then granted a pardon to the patient.<sup>963</sup> According to Van Vaernewijck, the rope was even sent to Margaret of Parma to prove the story, and the patient himself would also be sent for further investigation. For a Catholic chronicler like Van Vaernewijck, the story underscored the importance of confession and repentance before execution. Van Vaernewijck also recorded, however, that the Reformed community in Ghent made fun of the “miracle,” denying the connection of the rope’s failure with the last sacrament. They claimed that the bailiff had simply said, “Enough justice has been done here: God doesn’t want the people to be hanged anymore.”<sup>964</sup> Godevaert van Haecht, who, as a Lutheran, was less concerned with miracles, reported on the execution of former Antwerp mayor Antoon van Stralen that “after these good men were killed around noon, a very large and beautiful rainbow could be seen, and it was testified by all people that they had never seen anything like it.”<sup>965</sup> For Van Haecht, the rainbow served to underscore the great injustice that was being done to the country.<sup>966</sup>

Even the most fervent supporters of the regime mentioned providential signs. Nicolas Soldoyer was one of the few chroniclers who seemed to wholeheartedly support the executions being carried out in his city. For Soldoyer, Calvinists were the “satellites of Satan” and he was glad to see them punished.<sup>967</sup> The executions were needed “to repair the discord,” although, he admitted, they

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<sup>963</sup> Vaernewijck, *Van die beroerlicke tijden*, II, 315. ‘ziende dit groot mirakel’.

<sup>964</sup> Vaernewijck, *Van die beroerlicke tijden*, II, 315. ‘zegghende, dat den laetsten, die men hanghen zoude, viel vander ghalghe, mits dat strop brack, ende dat den baliu daerom zoude ghezeijt hebben: ‘es hier ghenouch justicie ghedaen: Godt en wilt niet dat men langher tvolck hanghen zal’.

<sup>965</sup> Haecht, *Kroniek over de troebelen*, II, 45. ‘Item also dese goede heeren ontrent den noene gedoyt werden, soo werdt er na den noen een so grooten en seer scoonen reghenboghe gesien, dat alle menschen getuychden, dat se noyt desgelycx gesien en hadden’.

<sup>966</sup> Historians of Reformation Germany have emphasized the continued popularity of omens, eschatology, and miraculous signs among Lutherans here, see Robin Bruce Barnes, *Astrology and Reformation* (New York: Oxford University Press, 2016), 177–80.

<sup>967</sup> *Mémoires de Pasquier de le Barre et de Nicolas Soldoyer*, II, 241 & 251. ‘les satellites de Satan’.

“caused terrible desolation to commerce.”<sup>968</sup> Still, even for Soldoyer, the enormous bloodshed might have felt as if the end of the world were approaching. On the night of September 26, 1568, he reported on seeing “miraculous signs in the sky”:

First, we saw large circles of fire with rays coming out of them, like suns drawing water to themselves; then we saw a black cloud, after which the sky became totally clear. After this had passed, we saw men on horseback fighting each other like skirmishing musketeers. We could see sparks of fire shining with terrible brightness upon the earth.<sup>969</sup>

A year later, Soldoyer reported again on “wondrous signs.” This time, “men in the clouds” were fighting each other on foot, after which a dark cloud covered them and “a beautiful cloud appeared, with a white cross in the middle.”<sup>970</sup> The description suggests that for Soldoyer, such signs pointed not to the injustice of the execution regime but to the terror caused by the “satellites of Satan”: In the end, however, God would prevail.<sup>971</sup>

Sometimes, miracles made such an impression that they were recorded long after they had happened. Chronicler Pieter Joossen described the executions

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<sup>968</sup> *Mémoires de Pasquier de le Barre et de Nicolas Soldoyer*, II, 308. ‘Cela faisoit des terribles désolations et dommages au commerce, mais il falloit faire ainsy pour réparer la sisanie’.

<sup>969</sup> *Mémoires de Pasquier de le Barre et de Nicolas Soldoyer*, II, 304. ‘On dit le samedy, 26 dudit mois de septembre 1568, des merveilleux signes au ciel depuis les sept heures du soir jusqu’à douze. Tantost on voyoit des grands cercles de feu avec des rayons qui en sortoient comme des soleils qui tiroient l’eau à eux, puis on voyoit une nue noire, après cela paroisoient des grandes clartez. Cela estant passé, on voyoit des hommes à cheval qui combattoient l’un contre l’autre, et on eut dit qu’il y avoit plusieurs mousque taires qui escarmouchoient l’un l’autre. On voyoit des estincelles de feu qui rendoient une clarté terrible sur la terre’.

<sup>970</sup> *Mémoires de Pasquier de le Barre et de Nicolas Soldoyer*, II, 345. ‘Le samedy, 10 dudit mois, depuis les dix heures du soir jusqu’à douze, on vit des signes merveilleux au ciel. On vit des hommes dans les nues s’escarmoucher l’un l’autre. Ils paroisoient estre à pied, puis on vit une nue obscure qui couvrit ces soldats ; après quoy parut une belle nue au milieu de laquelle il y avoit une croix blanche’.

<sup>971</sup> On the significance and emotional impact of seeing fire in the sky in Reformation Europe see Charles Zika in “Fire,” “Heavenly Portents and Divine Anger: The Emotional Intensity of Fire in the Sixteenth-Century Collection of Johann Jakob Wick,” ed. Grace Moore, special issue, *Occasion* 13 (2022): 49–63.



taking place after the troubles in Middelburg when he was still a child. He remembered vividly one story of a young suspect whose mother was tricked into asking him to come home, after which the bailiff arrested and hanged him. Joossen recalled how the body miraculously failed to disintegrate on the gallows field, remaining untouched by the birds, “which was held for a miracle.”<sup>972</sup> The story closely resembles that which circulated about the corpse of Robbert du Briel, executed for his role in the disrupted execution of Fabritius in 1564. Such stories provided signs of divine protection against the injustice inflicted on these bodies. Indeed, according to Joossen, “this piece of justice was condemned by everyone; even the Catholics regarded it as scandalous and were ashamed.”<sup>973</sup>

Especially interesting are the diverging accounts of the execution of four men in 's-Hertogenbosch in July 1568. Two of the men were hanged as iconoclasts; the others were decapitated for serving in the Calvinist army led by militant Calvinist Anton van Bombergen, who had temporarily taken control of the city in March 1567. All chroniclers agreed that the condemned had been citizens with good reputations. Van Vaernewijck, who heard about the execution from Ghent, reported that a “mighty crowd had gathered to see the *justitie* of such respectable, wealthy, and powerful men.”<sup>974</sup> According to a local chronicler, one of them especially, Michiel Rombouts, was an “old, respected, and beloved burgher, who had been deacon of the Reformed community.”<sup>975</sup> Once again, the executions of respected members of the community created unrest among the spectators.<sup>976</sup> Perhaps to prevent an uprising, the execution method to be used for Rombouts was kept secret until moments before the execution: by the sword (the honorable way) or by hanging (the shameful way). Because of this lack of information, however, the “boys and burghers” of the city rushed to the execution

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<sup>972</sup> *De kroniek van Pieter Joossen Altijt recht Hout*, 76–77. ‘Ende die van Wescappel seyden, datter noyt voghel an en quam noch den mensl) qualijck veranderen, hetwelck sy voor een wonder ofteeken hielden’.

<sup>973</sup> *De kroniek van Pieter Joossen Altijt recht Hout*, 77. ‘welck stick van justicie van yegelijck mispresen wert, selfs de Catelicke(n) achtent schandelijck ende schaemde(n)t haer selfs’.

<sup>974</sup> Vaernewyck, *Van die beroerlicke tijden*, IV, 208–209. ‘een machtich volck stont om dees justicie te ziene zoo treffelicke, rijcke ende machtighe mannen te zien steerven’.

<sup>975</sup> *De kroniek van het St.-Geertruijklooster te 's-Hertogenbosch*, 184. ‘oudt, aensienlijck ende wel bemint borger, ende geweest sijnde diaken van de gereformeerde gemijnte’.

<sup>976</sup> *Kroniek eener kloosterzuster*, 21.

scene, trying to get “close and near to the scaffold.”<sup>977</sup> This startled the gathered soldiers, a regiment of Germans that had been stationed in the city only recently.<sup>978</sup> The soldiers consequently started attacking the audience, throwing rocks, pushing, and hitting the gathered crowd.

So far, the surviving chronicle descriptions of the event provide roughly the same information. There are important differences, however, in their explanations of what happened next. Ghent chronicler Van Vaernewijck noted no fewer than twenty-six spectators killed and many more wounded and emphasized the cruelty and tyranny of the soldiers present.<sup>979</sup> He considered this execution to be even worse than the bloodbath that had taken place in Ghent a few months earlier. To Van Vaernewijck, it was the “work of the devil, who is a bloody beast and killer.” Two local chroniclers, however, recorded a more complex version of the story. They mentioned only one dead among the many wounded, a painter named Aert Anthonisz. Instead of the cruelty of the soldiers, moreover, they emphasized “a big storm of hail, wind, thunder, and lightning” that arose, which “spread around, but only above the city, and lasted for about half an hour. And before and after the execution it was very beautiful weather, without any clouds in the sky.”<sup>980</sup> Once again, miraculous weather proved a providential sign: God poured out his wrath over the city for the failed execution. Whereas one of the chroniclers left it at that, the other complicated the narrative even further. This author wrote that Aert Anthonisz “had spoken badly” to Michiel Rombouts, telling him that he “deserved his heretic’s death.” The chronicler then described how Rombouts, “climbing on the ladder, prayed to God to give a sign of his innocence to the people. Just as he was pushed from the

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<sup>977</sup> “Tweede vervolg op de kronyk van Aelbertus Cuperinus,” 296–97. ‘soe zyn die iongens ende borgers gelopen naer het stadthuys, om duen ende nae by het schavot te zyn’.

<sup>978</sup> *Kroniek eener kloosterzuster*, 37.

<sup>979</sup> Vaernewyck, *Van die beroerlicke tijden*, IV, 208–209. ‘zoo quamt bij sduvels toestoken, die een bloedighe beeste ende dootslagher es’.

<sup>980</sup> “Tweede vervolg op de kronyk van Aelbertus Cuperinus,” 296. ‘Zoe isser een groot onweder van wynt, hagel, donder en. blixem opgestaen, dat noeyt dyer gelycken meer gesien en was’; *De kroniek van het St.-Geertruiklooster te 's-Hertogenbosch*, 188. ‘Ende dat weer versprijde sigh maar alleenlijck over de stadt int ront ende duerde ontrent een half uer. Ende was het voor ende na de executie seer lieflijck weder sonder dat men eenige opgecomen wolcken aen de lucht saghen’.

ladder by the hangman, the bad weather arose.”<sup>981</sup> Thus, the miraculous weather was now a sign from God to prove Rombouts’ innocence, and Anthonisz’ death was well deserved, since he had doubted this. Interestingly, in the seventeenth-century manuscript of the chronicle, the passages about the miraculous weather and Anthonisz’ death were made illegible.

### Cruelty and Compassion

The many executions of established members of the community were considered particularly unjust by chroniclers. Even punishments with which chroniclers generally agreed, however, often became extremely problematic in this period. When, for example, in February 1568, several members of the violent gangs ravaging the Flanders countryside were executed, chroniclers showed much pity. Although Van Vaernewijck, for example, reported on the many terrible crimes of the patients—including theft, robbery, and murder—he nonetheless emphasized the youthful age of the convicts and the pitiful manner of their deaths. One of them, he wrote, “cried for God so compassionately that the tears sprang up in my eyes.”<sup>982</sup> According to Van Vaernewijck, “it was said that children should be only beaten, and not too harshly.”<sup>983</sup> Similarly, when Jan Camerlynck, the notorious leader of the feared *bosgeuzen*, was punished in Ypres on November 20, 1568, the description of his execution by Augustijn van Hernighem was excruciating:

He was led through Eel Street, and on the square before the Convent Gate, he was pinched in his chest with incandescent tongs, which made him scream in pain [...] He was led onto the scaffold while crying to God; the confessor was constantly urging him to be patient. He was tied to the stake with three chains, continuously crying and begging God for mercy, and a barrel with tar above his

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<sup>981</sup> *De kroniek van het St.-Geertruiklooster te 's-Hertogenbosch*, 188. ‘den voornoemde Michiel Rombouts comende van de Gevangenpoort qualijck toegesproocken soude hebben tegen hem sijde de doet als een ketter wel verdient hadde ende den voorschreve Michiel Rombouts climmende op de ladder badt hij dat Godt siet hem gelieffde een teecken soude geven van sijn ontschult voor het volck ende hij was naulijxs van den scherprichter afgestoten ofte het onweder quam op’.

<sup>982</sup> Vaernewyck, *Van die beroerlicke tijden*, III, 250–254. ‘die zoo compasselic riep up Godt, dat mij de tranen uuten ooghen spronghen’.

<sup>983</sup> Vaernewyck, *Van die beroerlicke tijden*, III, 256–258. ‘men zijde, dat men die kinders castijden zoude ende ooc niet te zeere’. See also *Dagboek van Cornelis en Philip van Campene*, 103–4.

head was put on fire, which was pitiful to see, and the fire was lit in the barrel and the tar began to drip on his body while it was burning. But the fire was close to him, so he was soon overcome by the fire and was then brought to justice.<sup>984</sup>

Van Hernighem and the other spectators undoubtedly agreed with the capital punishment of Camerlynck, who had been responsible for the torture, mutilation, and murder of clergy several months earlier. Indeed, there was much attention paid to his trial and execution: According to Van Hernighem, “so many people had gathered in front of the market hall that it was a miracle.”<sup>985</sup> His description of the execution, with its emphasis on the terrible details and “pitiful” spectacle, nonetheless makes clear that the level of physical pain inflicted made a serious impact.

The same outrage over the authorities’ lack of compassion was present during executions for heresy. As we have seen above, “regular” heresy prosecutions remained in the hands of the urban magistrates, who were ordered to continue following anti-heresy legislation as set out in the placards. Van Campene mentioned that the 1550 “Blood Placard” was now publicly proclaimed every six months as a reminder to both the inhabitants and the magistrates of the Low Countries.<sup>986</sup> There is little reason to believe that in the period after iconoclasm, Catholics were more opposed to heresy executions than they had previously been. If anything, for many chroniclers, iconoclasm had only confirmed the need for the execution of radical Calvinists: After all, in the eyes of many Catholics, it was they who were to blame for the state of the country. Chroniclers thus seem to have been relieved that heresy executions were being carried out as normal again—which meant in public. Describing the burning of

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<sup>984</sup> Hernighem, *Eerste bouck*, 72–73. ‘zo was hy gevoert duer de Aelstrate ende over de leet vóór de Cloesterpoorte, was hy met de gloeyende tanghe zyn boeseme ghene-pen, om dewelcke pynne hy zeer creesch [...]. Daerna gheleet op het schavodt zeer roupende tot God ende den bichvaer altyts hem vermanende tot patientie, zoo was hy ghebonden met drie ketens an de stake, altyts roupende ende God biddende ghenade, es hy met een becktonne boven zyn hooft met terre met een cleen vier ghebrandt, twelcke was een compassiuese zake om te anziene; ende het vier was in de tonne ghesteken ende beghonste al bernende te truppen op zyn lyf, maer het vier was hem naer, zoodat hy terstondt van den brant verwonnen was, daernaer gherecht’.

<sup>985</sup> Hernighem, *Eerste bouck*, 73. ‘Daer stonden vóór den Halle zoo menich mensche, dat wonder was’.

<sup>986</sup> *Dagboek van Cornelis en Philip van Campene*, 149.

several Anabaptists in Ghent in 1569, Van Campene remarked that “they used to decapitate such women in the *Gravensteen* with closed gates to prevent unrest among the community, but they don’t do so anymore, especially because justice now has the upper hand in these Netherlands.”<sup>987</sup> When four Anabaptists were burned in Antwerp in September 1567, the author of the *Antwerpsch Chronyckje* noted that “these were the first who were burned publicly after it had been ordered that they would be drowned in secret in *Het Steen*.” Moreover, the author apparently expected the policy to be somewhat more lenient from now on, as he added that punishment “was, however, mitigated by the king to the extent that no one would be killed for religion who agreed to convert.”<sup>988</sup>

The reality would prove very different. In Antwerp, especially, heresy executions proceeded with renewed intensity in 1568–1569. Much of this was due to the efforts of one local canon, the influential Franciscus Doncker. Guido Marnef has shown how this individual emerged as the foreman of Catholic restoration in the city.<sup>989</sup> Already before Alba arrived, Doncker had developed far-reaching plans to purge his city of all Reformed elements. In spring 1567, he had pressured Parma to replace the magistrates with a more dogmatic Catholic government, but to no avail. Under Alba, however, Doncker gained greater political power. He replaced many of the members of the urban government and organized strict supervision of the school system and book production, and under his influence, heresy prosecutions intensified.<sup>990</sup>

Not only did heresy prosecutions become ever more intense, but the execution methods used for heretics diverged entirely from the norm of compassion so important to spectators. Perhaps authorities believed that spectacular executions of Anabaptists—which, as we have seen, usually led to less

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<sup>987</sup> *Dagboek van Cornelis en Philip van Campene*, 240. ‘Men heeft hier voortijts gheuseert zodaneghe vrouwen te onthoofden in sGraven casteel met gheloke poorten, omme tghemeente niet te beroeren, maer heeft men nu tselve niet onderhouden [...] ende sonderlinghe want justitie nu de overhandt heeft in dese Nederlanden’.

<sup>988</sup> *Antwerpsch chronyckje*, 143. ‘Dit waren d’ eerste die, naer dat geordonneert was dat men se verdrincken soude, in ’t heymelyck op den Stenen en niet in ’t openbaer branden en soude: Maer het was met den Coninc soo verre gedisimuleert dat men niemant om het gelooff en soude gedoot hebben die hun bekeeren wilden’.

<sup>989</sup> Guido Marnef, “Een kanunnik in troebele tijden: Franciscus Doncker, voorman van de contrareformatische actie te Antwerpen (1566-1573),” in Cloet et al., *Geloven in het verleden*, 327–38.

<sup>990</sup> *Antwerpsch chronyckje*, 172.

public outcry than executions of members of the Reformed community—could muster support among the general audience. A comment made by Van Haecht seems to point in this direction: When a man was burned in Antwerp “for religion” in August 1568, the chronicler wrote that the magistrate pretended that this man was burned for Anabaptism, while he was actually a Calvinist.<sup>991</sup> This strategy would, however, misfire completely.

In Antwerp, Van Haecht wrote on April 27, 1569, that “a woman and a man were burned alive for their religion, and according to the custom of the land, we make the wood and fire abundant, but the Spanish soldiers in this city wanted to make the fire smaller and let the man roast.”<sup>992</sup> Similar cases of small fires were mentioned in Mechelen and Brussels.<sup>993</sup> Van Vaernewijck reported in shock that he had heard how in Tournai, the bodies of “those that died in their opinion without converting” were publicly dragged through the city to the gallows field, and how, “very scandalous and horrendous to see, the head and arms and legs were lying around, so pregnant women who saw it were so terrified that they miscarried.”<sup>994</sup>

Especially in Ghent, chroniclers were outraged. Van Campene described in 1568 how the hangman wanted to strangle several Anabaptists before their execution, “according to old custom,” but the Spanish *maestro del campo* overseeing the execution did not allow it, “considering that they persevered in their evil opinion, as became clear from their singing: That is why they were burned alive, crying and shrieking terribly.”<sup>995</sup> Van Vaernewijck described a similar situation during an execution in March 1568 and added that the soldiers did not allow the patients to pray before their deaths. One Spanish soldier began to hit the patients with a burning torch, “which the people did not like to see.”<sup>996</sup>

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<sup>991</sup> Haecht, *Kroniek over de troebelen*, II, 35; 173.

<sup>992</sup> Haecht, *Kroniek over de troebelen*, II, 86.

<sup>993</sup> Haecht, *Kroniek over de troebelen*, II, 26.

<sup>994</sup> Vaernewyck, *Van die beroerlicke tijden*, IV, 37.

<sup>995</sup> *Dagboek van Cornelis en Philip van Campene*, 118–21. ‘ende alzo de buel hemlieden waende te verworghen naer oude costume, en heeft maistre del campo tselve nyet willen ghedooghen, regardt nemende dat zij persevereerden in huerlieder quade opinien, tselve te kennen ghevende met ghesanghe: daeromme zijn zij levende verberrent, zeer jammerlick criesschende ende tierende.’

<sup>996</sup> Vaernewyck, *Van die beroerlicke tijden*, III, 310–312. ‘ende stacse ende smeeitse met eenen mutsaertstock, die hij in dhandt ghenomen hadde, dwelck tvolck niet gheerne en zach’.

The audience then expected the execution to be sped up by the igniting of gunpowder (as was usually done), but again, the guards did not allow it. Soldiers even started to make fun of the patients, who were screaming terribly. The same happened during yet another execution a month later. Van Vaernewijck criticized the soldiers' mockery of the patients and commented that "many thought that it would be more reasonable to have compassion and pity for these lost people."<sup>997</sup> In Antwerp, Van Haecht had also heard about this execution and added that one of the Spaniards screamed at one of the patients "as if he wanted to scratch open his face."<sup>998</sup> Even the city officials who organized the executions did not agree with the cruelty. Van Vaernewijck mentioned that for the next heresy execution, in May 1568, the city officers sought to deceive the *maestro del campo* to prevent the same from happening again. They brought wood to the scaffold to make it appear that the execution would be carried out by burning—according to the *maestro's* wishes—but it was, in fact, carried out by the sword.<sup>999</sup>

To make matters worse, Anabaptists condemned for religious crimes continued to use their executions to broadcast their deviant beliefs, despite the increasing cruelty meted out to them. They regularly interacted with spectators during their executions. In Ghent, Van Vaernewijck mentioned in May 1568 how some spectators comforted the Anabaptist at the stake.<sup>1000</sup> In Antwerp, chroniclers recorded a similar event during an execution in March 1569, when one spectator shouted "Brothers, fight piously!" after which the audience grew restless.<sup>1001</sup> In Amsterdam, too, Hendrik van Biesten recorded an execution for Anabaptism in 1569 where one of the spectators comforted the patient. This coreligionist, however, was caught and burned as well.<sup>1002</sup> In Tournai, Soldoyer repeatedly mentioned how one heretic executed in 1569 made a "theater play" out of his own execution, taking over the script.<sup>1003</sup> This led to much unrest among the spectators, and once again, soldiers attacked the audience.

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<sup>997</sup> Vaernewyck, *Van die beroerlicke tijden*, IV, 6. 'vele dochten, dat zij veel redelicker ghedaen hadden, dat zij metten verdoolden meinsche compassie ende medelijde ghehadt hadden'.

<sup>998</sup> Haecht, *Kroniek over de troebelen*, II, 17. 'als hadde hy hem willen het aensicht op crabben'.

<sup>999</sup> Vaernewyck, *Van die beroerlicke tijden*, IV, 94–98.

<sup>1000</sup> Vaernewyck, *Van die beroerlicke tijden*, IV, 93.

<sup>1001</sup> Haecht, *Kroniek over de troebelen*, II, 82.

<sup>1002</sup> "Vervolg der anteykeningen van Broer Hendrik van Biesten," 430–31.

<sup>1003</sup> *Mémoires de Pasquier de le Barre et de Nicolas Soldoyer*, II, 326.

To further rein in the risk of “contamination,” Alba introduced a new policy to prevent heretics from speaking to the audience. We saw in Chapter Three that mouth-blocking was already used during heresy executions in the early 1560s, but now, Alba ordered that heretics’ tongues be pierced with a tongue screw or their mouths sewn shut.<sup>1004</sup> Chroniclers paid much attention to this new practice.<sup>1005</sup> In Ghent, Van Campene wrote in 1570 that heretics’ mouths were now being closed, “which is also done in other cities.”<sup>1006</sup> For Protestant onlookers, this naturally led to much indignation. The Lutheran Van Haecht was clearly frustrated when street violators were not prevented from speaking, whereas those executed for religious crimes were: “Even if they had committed all the evils in the world, their mouths were not sewed, like they did with those that did justice to Christ.”<sup>1007</sup> Catholic spectators, however, seem also to have found this practice unnecessarily cruel, similar to the refusal to strangle heretics before they were burned. The author of the *Antwerpsch Chronyckje* wrote of how “their mouths were squeezed shut with iron screws so they could not sing or speak like the ones before them did, causing commotion, and they put a cloth for their mouths as well, which muzzle was very miserable to witness and had never been seen before in Antwerp.”<sup>1008</sup> Indeed, from the perspective of Catholic onlookers, the forced closing of the patients’ mouths prevented, in essence, the purpose of the execution. By closing the patients’ mouths, authorities denied them the opportunity to confess their sins, denounce their erroneous faith on the scaffold, and return to the Church, which in turn left open the path to salvation and reintegration into the Christian community.

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<sup>1004</sup> See for the letter to the Council of Flanders in which Alba orders this: Gachard, *Correspondance de Philippe II sur les affaires des Pays-Bas*, II, 687–688.

<sup>1005</sup> There are many examples of descriptions of this practice. See Hernighem, *Eerste bouck*, 70. Brugmans, “Utrechtsche kroniek over 1566-1576,” 94. *Kroniek eener kloosterzuster*, 24.

<sup>1006</sup> *Dagboek van Cornelis en Philip van Campene*, 188–89. ‘updat zij tghemeen volck met veel clappens nyet ontstichten en souden, waren huerlieder monden ghestopt, dwelck men ooc useert in andere steden over de wederdoopers (ghelijc de voorseyde gheexecuteerde waren) ende andere heretijcken’.

<sup>1007</sup> Haecht, *Kroniek over de troebelen*, II, 110.

<sup>1008</sup> *Antwerpsch chronyckje*, 188–89. ‘haeren mont wirt met yseren tanghen toegeneypt om dat sy niet meer singen ofspreken en soude gelyck de voorgaende, verweckende daer mede de quaetwillighe tot commotie, endedaerom dede men haer oock eenen doeck voor den mont, welcke muylbanden seer deerlyck was om t’ aenschouwen ende binnen Antwerpen nooit gesien’.



It is telling that Marcus van Vaernewijck included a lengthy reflection in his chronicle around this time about the executions of heretics and the necessity for compassion when attending such events. To be sure, Van Vaernewijck was convinced of the need to execute heretics. With an inventive line of reasoning, he even explained that it was *merciful* to execute heretics as quickly as possible—even if they were old and wealthy and of good reputation. Executing them at an early stage would prevent them from ruining their own chances of salvation even further by “contaminating” others.<sup>1009</sup> Nonetheless, he also listed no fewer than twenty reasons (“and there are many more”) why one still should feel “great compassion” for these poor lost souls.<sup>1010</sup> In Van Vaernewijck’s perception, heretics were not bad people but mainly misled by the devil. Moreover, the chronicler could understand how they came to be deceived, given the many “errors” within the Catholic Church and the fervor and “sweetness” of the Reformed ministers.

In Antwerp, chroniclers’ preoccupation with the salvation of heretics peaked in 1569 and 1570. Here, the influential canon Doncker installed a new policy of dragging the bodies of those who had died without taking the sacraments to the gallows field, where they were hanged. The erection of special gallows for this purpose drew much attention. Godevaert van Haecht noted that “these gallows were called ‘canon Doncker’s gallows’ by the common people.”<sup>1011</sup> Soon, Doncker’s policy spread beyond Antwerp. In a letter to the provincial courts sent at the end of May 1569, the Duke of Alba ordered them to follow the same policy in their jurisdictions.<sup>1012</sup> In Ghent, Van Campene described the ordinance’s publication in June and its putting into practice a few days later.<sup>1013</sup> Louise Deschryver has shown how in sixteenth-century Antwerp, dying rituals came to stand at the forefront of religious identity formation.<sup>1014</sup> Dying without observing the last rites—especially extreme unction—was a definitive sign of Calvinism, as the Reformed community did not believe in purgatory and needed

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<sup>1009</sup> Vaernewyck, *Van die beroerlicke tijden*, I, 120.

<sup>1010</sup> Vaernewyck, *Van die beroerlicke tijden*, IV, 26-27.

<sup>1011</sup> Haecht, *Kroniek over de troebelen*, II, 87. ‘Canonick Doncker dede met syn consorten een galghe maecken om die sonder bichte storven te hangen. Ende dese galghe werdt genoempt van 't gemeyn volck des canonicks Donckers galghe’.

<sup>1012</sup> Gachard, *Correspondance de Philippe II sur les affaires des Pays-Bas*, II, 676.

<sup>1013</sup> *Dagboek van Cornelis en Philip van Campene*, 227.

<sup>1014</sup> Deschryver, “Revolting Bodies,” 213–60.

no intercession for their souls. Doncker hoped that this extremely shameful and exemplary punishment would deter Calvinists from dying in this way. In his policy, the fate of those who had died a “bad death” on the scaffold was now extended to all who died without the sacraments.<sup>1015</sup> When the canon himself died in 1573, however, it was so unexpected that there was no time to administer the sacraments before his death. The anonymous author of the *Antwerpsch Chronyckje* mentioned how this led to great unrest among the Reformed community in Antwerp, who argued that his body should now be hanged from his own gallows.<sup>1016</sup>

### Reconciliation and Reform

From the beginning, Alba’s punishment mission—a task Alba himself believed would take five months at most—was meant to be followed by a process of reconciliation. After the duke had restored order, the king himself was to come to the Low Countries to reconcile with his subjects, to which end a general pardon (which was a royal privilege) was to be issued.<sup>1017</sup> Endless discussions in Madrid over who should and should not be included in the pardon, however, greatly delayed the process. Moreover, the king continued to postpone his planned journey to the Netherlands. In 1568, the military invasion by the Prince of Orange once again created an unstable and unsafe situation, and Alba wished the king to wait until he had pacified the region. The king, meanwhile, had many other problems aside from the situation in the Low Countries. In 1568, his only son and his wife both passed away, leaving him without any prospect of an heir. Moreover, war with the Ottoman Empire was once again on the brink of breaking out—which indeed happened in 1571. Thus, much of the king’s attention, not to mention resources, was directed away from the Low Countries. All of this made it unclear when the “right moment” for issuing the pardon would be.<sup>1018</sup>

Although the king never arrived, the pardon was finally proclaimed in 1570. Once again, gallows played an important symbolic role in government

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<sup>1015</sup> Van Haecht gives an example taking place in May 1569: Haecht, *Kroniek over de troebelen*, II, 126.

<sup>1016</sup> *Antwerpsch chronyckje*, 237.

<sup>1017</sup> Janssens, “The Duke of Alba: Governor of the Netherlands in Times of War,” 94–95.

<sup>1018</sup> Soen, “The Beeldenstorm and the Spanish Habsburg Response (1566–1570)”, 113–115.

communication.<sup>1019</sup> This time, chroniclers highlighted how gallows were removed. Van Campene, in Ghent, wrote that “the gallows on the *Veerleplaats*, the Friday Market and the Corn Market were removed; they had been erected there because of the former troubles, so now they are thrown down, since now the troubles are appeased.”<sup>1020</sup> In Amsterdam, chronicler Stoffel Janszoon noted that in 1571, the gallows in Dam Square were deconstructed, “which had been disputed for a long time.”<sup>1021</sup> Indeed, some chroniclers were convinced that the Troubles were now over: In Tournai, Nicolas Soldoyer ended his chronicle with the proclamation of the pardon.<sup>1022</sup>

Not everyone, however, was convinced by this peace strategy. There were so many exceptions—primarily Reformed ministers, rebel leaders, and image-breakers—that not many people would actually meet the conditions to be eligible for a pardon. Despite already noting down an extensive list of exceptions, Van Campene remarked that the complete catalog was “too long to write down here.” Indeed, Van Campene concluded, “few people are pleased with it.”<sup>1023</sup> Moreover, to obtain amnesty, people had to come forward and submit a request within two months of the proclamation of the pardon. Many remembered only too well how their friends and family had appeared before the Council of Troubles in 1568, expecting grace, only to receive execution. As a result, not many believed in the sincerity of the pardon. In many places in the Low Countries, then, the proclamation was met with silence or “murmuration” instead of joy.<sup>1024</sup> The cynical remarks of Lutheran chronicler Van Haecht, who witnessed the proclamation of the pardon in the presence of the Duke of Alba in Antwerp, are telling. Alba was seated on a wooden platform of which the stairs

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<sup>1019</sup> Soen, “The Beeldenstorm and the Spanish Habsburg Response (1566-1570)”, 115.

<sup>1020</sup> *Dagboek van Cornelis en Philip van Campene*, 277. ‘Den Vlen wierden de potentien, staende upde Veerle plaetse, Vriendachmaert ende Coornaert, gheweert, die ter causen vanden voorleden trouble upgherecht hebben gheweest, zodat nu de zelve afgheworpen zijn, overmidts dat nu den trouble gheassopieert es’.

<sup>1021</sup> Historische beschrijvinge der stadt van Amstelredamme, 1452-1566, 5059: handschriften, inv. nr. 59, Amsterdam City Archives, 243. ‘werde de galge op den dam affgebroocken daar lange om getwist hadden geweest’.

<sup>1022</sup> *Mémoires de Pasquier de le Barre et de Nicolas Soldoyer*, 364–65.

<sup>1023</sup> *Dagboek van Cornelis en Philip van Campene*, 270. ‘met meer andere artielen, die hier te lanc waren te verhalen’; ‘hoe wel letter lieden danof verblijdt zijn, regardt nemende upde persoonen, die vanden pardoene niet en vermoghen te gaederen’.

<sup>1024</sup> Soen, “The Beeldenstorm and the Spanish Habsburg Response (1566-1570)”, 115.

were decorated with red carpet, an effect Van Haecht described as “painted with blood, as the pardon will be too.”<sup>1025</sup> The platform was located in front of the town hall, in the same place where the gallows had been before. Indeed, new gallows were needed again in Antwerp soon afterward. Facing insurgencies among his soldiers, the commander of the regiment of the royal army in the city executed the instigators in August 1570. Van Haecht wrote that their bodies were hanged on “a new half-gallows, painted in red, made of the same wood of the platform on which the Duke of Alba was seated when the pardon was proclaimed on the market square.”<sup>1026</sup> He cynically added that Alba, seated on that platform “in great majesty,” probably had not expected his own soldiers to hang from gallows made from the same wood.

### *The Price of Punishment: Tax Reforms and Confiscations*

By the time the pardon was pronounced, the execution policy was far from the only governmental decision that had come to be considered problematic by chroniclers. Above all, the financial reforms announced in 1569 had antagonized many inhabitants and the local authorities of the Low Countries.<sup>1027</sup> The regime proposed the introduction of permanent taxes to make the system more efficient and less time-consuming. Moreover, they were needed to finance the Army of Flanders, which had so far been financed by taxes levied in Spain.<sup>1028</sup> For these taxes, the customary permission from the Estates would no longer be required. Unsurprisingly, these were up in arms. Especially the “Tenth penny”, a sales tax of 10 percent on retail, was unprecedented in the Low Countries and would be felt primarily by the many merchants and artisans in the important urban centers.

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<sup>1025</sup> Haecht, *Kroniek over de troebelen*, II, 129. “dats bloetverwe” seyden sommige en so sal 't perdon oock syn’.

<sup>1026</sup> Haecht, *Kroniek over de troebelen*, II, 132. ‘daer gehangen aen nieu half galghen, die root geverwet waeren van sperren, wesende deselve van den taneele daer Ducdalbe onder sat doen men het perdon op de groote merckt uytlasse, synde doen in grooter maesteyt sittende, luttel denckende dat men van 't selfde hout galgen maken soude’.

<sup>1027</sup> F. H. M. Grapperhaus, *Alva en de tiende penning*, 2e druk (Zutphen, Deventer: Walburg pers; Kluwer, 1984), 282–86; Janssens, “The Duke of Alba: Governor of the Netherlands in Times of War,” 104–7; De Schepper, “Justicia, gracia y policía en Flandes bajo el duque de Alba (1567-1573),” 467–69.

<sup>1028</sup> Grapperhaus, *Alva en de tiende penning*, 95–100.

This led to huge protests all over the Low Countries. In many places, merchants went on strike and closed their shops.<sup>1029</sup>

The population of the Low Countries felt badly off. Quartering soldiers had already caused substantial economic damage, as did the privateers which the Prince of Orange had licensed to attack the ships of Habsburg subjects.<sup>1030</sup> In 1570, the chronicler and merchant Jan de Pottre was utterly fed up with the garrison stationed in Brussels when he was forced to move because soldiers were occupying his home.<sup>1031</sup> As we have seen in the previous chapters, the economic situation had been precarious from as early as 1565, when extreme weather had caused failed harvests, leading to skyrocketing grain and fuel prices. This situation only worsened, causing enormous inflation and financial hardship, which were severely felt among the population of important commercial centers such as Antwerp and Amsterdam.

The proposed tax measures fueled the perception of many that the regime was centered around greed and was profiting financially from the inhabitants of the Low Countries. The many confiscations, public auctions, and empty houses only added to this feeling. Upon Alba's arrival, Hendrik van Biesten described how officers had immediately "inventoried the goods of the *geuzen* [...]. These were the first, so many of the *geuzen* left the city, as it was a warning for others who were suspects." In March 1568, the same chronicler recorded that "every day the goods are inventoried of the *geuzen* who have fled the city."<sup>1032</sup> In Antwerp, Van Haecht wrote that in March 1568, the Italian and Spanish merchants in the city did not hesitate to grant leases on the empty houses and buildings belonging to the imprisoned and exiled, "making them much hated by the community."<sup>1033</sup> In Ghent, Van Campene recorded the leasing of houses

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<sup>1029</sup> Haecht, *Kroniek over de troebelen*, II, 164.

<sup>1030</sup> A. Doedens and Jan Houter, *De Watergeuzen: Een vergeten geschiedenis, 1568-1575* (Zutphen: Walburg pers, 2018), 111–26. See Chapter Six.

<sup>1031</sup> *Dagboek van Jan de Pottre*, 34–35.

<sup>1032</sup> "Vervolg der anteykeningen van Broer Hendrik van Biesten," 424–25. 'Den xxv Augustus begon den Officier Pieter Petersz de geusen goeden te beschryven [...] dit waeren de Eerste waer deur datter veel van de geusen gingen vertrecken uit der stad, dit uit een waarschouwing voor andere die meede suspect waeren'; 'Item in de maand van Maart worde alle dagen de goeden bescreeven van de geusen die doen al uit Amstelredam waeren gevlucht'.

<sup>1033</sup> Haecht, *Kroniek over de troebelen*, II, 15. 'waer doersy in eenen grooten haet der gemeynten quamen, ende alle de sculdenaeren oft weeskinderen goeden'.

belonging to his fellow citizens “for much less than what they were worth,” recording the names of the houses and the exact prices for which they were rented out.<sup>1034</sup> In Valenciennes, chroniclers listed the names of people whose possessions were confiscated.<sup>1035</sup> Nonetheless, many people knew well in advance that punishment was pending and transferred their possessions to friends and family in time, leaving nothing for the authorities to confiscate.<sup>1036</sup>

Provost Spelleken, in particular, quickly gained a reputation for being greedy and corrupt. Several chroniclers mentioned how he would arrest innocent burghers and then negotiate their release for large sums of money under the pretense that it served as composition.<sup>1037</sup> As we saw in Chapter One, composition was still a current, albeit illegal, practice in the sixteenth century. In the view of the chroniclers, however, Spelleken’s behavior was a pretense for common theft. One chronicler in Utrecht mentioned that Spelleken left executed bodies lying on the scaffold on purpose until the friends and family of the deceased paid him for permission to bury their loved ones.<sup>1038</sup> In Antwerp, Van Haecht had also heard about the executions in Utrecht and recorded how “an elderly lady of ninety-two years old was decapitated [...]: This is how the officers, or tyrants, get their goods.”<sup>1039</sup> Eventually, even the Duke of Alba himself had enough of his officer. In February 1570, Spelleken was hanged in Brussels in front of the Coudenberg Palace, charged with corruption, the execution of innocent people, and the release of enemies of the Crown. Once again, a miraculous event during the execution circulated among chroniclers. The anonymous chronicler from Utrecht wrote that “as soon as the noose was put around his neck and he was pushed from the ladder, his face and his beard, which were ginger, turned

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<sup>1034</sup> *Dagboek van Cornelis en Philip van Campene*, 161–62.

<sup>1035</sup> *Histoire des troubles*, 28–29.

<sup>1036</sup> Initiated by Kuttner, mentioned in the previous chapter, the question was whether the *Beeldenstorm* was foremost a proletarian movement, signifying a class struggle and an uprising among the elites. Later historians have however nuanced this interpretation and have argued that people of all socioeconomic backgrounds were involved in the troubles. Still, the confiscation accounts are a problematic source to estimate the wealth of those prosecuted for Calvinism or Iconoclasm and nuances the findings of historians who have used these lists to investigate the socio-economic status of those involved in Iconoclasm and Calvinism.

<sup>1037</sup> Blaes, *Mémoires anonymes sur les troubles des Pays-Bas, 1565-1580*, 29.

<sup>1038</sup> Brugmans, “Utrechtsche kroniek over 1566-1576,” 82.

<sup>1039</sup> Haecht, *Kroniek over de troebelen*, II, 39.

pitch black, so he looked like he was the devil from hell.”<sup>1040</sup> Indeed, his remarkable death was mentioned by many chroniclers and clearly made a considerable impact. Frans Hogenberg published an execution print of his death shortly after (Fig. 5.3).



5.3 Frans Hogenberg, *Eine Execution vonn de Obersten Provaiß oder Rodtruten genand Spelle*, 1570, etching, 28.2 × 37.8 cm, Rijksmuseum, Amsterdam.

### Counterfeiting

Local governments dealt with the economic crisis in different ways. The worries around financial hardship are exemplified by another, perhaps unexpected, crime that suddenly became subject to much heavier prosecution in the years following iconoclasm: counterfeiting. Much more often than before, chroniclers mention

<sup>1040</sup> Brugmans, “Utrechtsche kroniek over 1566-1576,” 80–81. ‘soe haest als hem die stroppe om den hals gedaen ende aleer hy van de ledder gestoten woorden, sin aensichte ende zynen baert, die geheel geel was, soe peeckswaert gewoorden is, dat hy scheen die duvel van de helle te wesen’. This story is told by many chroniclers. See *Antwerpsch chronykie*, 202–3; Jan van Ryckenroy, *Kroniek der Stad Roermond van 1562 - 1638*, 94; Haecht, *Kroniek over de troebelen*, II, 123.

capital punishment for this crime.<sup>1041</sup> Systematic research into the frequency of executions for counterfeiting across the entirety of the Low Countries is lacking, but the increase in cases of counterfeiting in chronicles corresponds to the findings of historian Cor de Graaf.<sup>1042</sup> De Graaf inventoried the instances of counterfeiting for Holland, Zeeland, and Utrecht, based on the criminal administration in several towns and the Court of Holland, for the period 1300–1600: Half of the instances that he found date from the sixteenth century. Counterfeiting was regarded as a very serious offense. Coining was a royal prerogative, and as mentioned in Chapter One, under the influence of Roman legal thought and the emerging concept of *lèse-majesté*, counterfeiting was conceptualized as a form of treason against the king. Chroniclers even saw an overlap between heresy and counterfeiting as forms of *lèse-majesté*. Van Vaernewijck, for example, when describing an execution for heresy in 1568, wrote that the patient “died for forging the word of God, like a counterfeiter forges and corrupts the coin of the king.”<sup>1043</sup> Although the crime, as an instance of *lèse-majesté*, officially fell under the jurisdiction of the provincial courts, in practice, it continued to be prosecuted by the local courts.<sup>1044</sup>

In contrast to the executions of many burghers for iconoclasm in this period, executions for counterfeiting seem to have been supported by local communities. In particular, the prosecution and sentencing of an entire family of counterfeiters in Ghent, who up until then were thought to be a respected family of merchants, drew much attention. The community was clearly outraged that these people had been able to deceive their neighbors for so long.<sup>1045</sup> Although the form of execution used to punish counterfeiting was especially severe, none

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<sup>1041</sup> Around thirty in total, opposed to only three cases in the years before.

<sup>1042</sup> Cor de Graaf, “Den valscher den ketel (?): Bestrafingen van muntmisdrijven in Holland, Zeeland en Utrecht 1300-1600,” *Jaarboek voor Munt- en Penningkunde* 82 (1995): 81.

<sup>1043</sup> Vaernewijck, *Van die beroerlicke tijden*, IV, 4. ‘hij starf om tvervalschen vanden woorde Godts, ghelijck een valsch muntenare sConincx munte conterfeijt ende corruppeert’.

<sup>1044</sup> Dijck, “Tussen droom en daad,” unpaginated online resource. Not all crimes related to counterfeited money were *lèse-majesté* – only the effective forgery of coins was considered as such, not the shaving of coins or the using of false money. Perhaps to prevent the local courts from acting on their own account, the central government tried from 1567 to enforce a stricter control on these practices.

<sup>1045</sup> *Dagboek van Cornelis en Philip van Campene*, 182. Also in Vaernewijck, *Van die beroerlicke tijden*, IV, 247–249.



of the chroniclers emphasized cruelty or injustice when describing such punishments. Although De Graaf showed that the punishment of boiling alive was replaced in legal theory by either burning or decapitation at the beginning of the sixteenth century, the former method seems to have been reintroduced around 1570.<sup>1046</sup> The anonymous author of the *Antwerpsch Chronyckje*, describing the execution of a counterfeiter by boiling in 1570, wrote that “this has never been seen here in living memory, and he was hanged outside as an example to all other minters.”<sup>1047</sup> Not only in Antwerp but also in Leuven, Lille, Brussels, and Ghent, chroniclers mentioned boiling as punishment for counterfeiting in this period.<sup>1048</sup> One especially harsh punishment awaited a counterfeiter in Leuven in 1569 who was not only charged with forging money but also proved to be a heretic when he refused to die a Catholic death. He was lowered into and lifted out of the cauldron of boiling water several times until he was dead.<sup>1049</sup> The local support for these executions is not surprising. In a commercial metropolis such as Antwerp, false currency created a threat to the powerful community of merchants working and living there. Beyond the merchant class, moreover, all inhabitants of the Low Countries were harmed by counterfeiting and thus supported a strict enforcement of its prohibition.

### *Legal Reforms*

In the longer term, Alba intended to reorganize and systematize the local system of justice in the Low Countries.<sup>1050</sup> Given the failures of the local authorities in previous years to preserve peace and carry out justice in an orderly fashion, the king (and Alba) believed that intervention was necessary. Local informants, such as the Spanish Augustinian friar Lorenzo Villavicencio, who had resided in Bruges from 1563 to 1566, had advised King Philip II that a thorough restructuring of the local system of justice would be needed to restore order. Alba himself, too, was highly critical of the state of the organization of justice in the

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<sup>1046</sup> Graaf, “Den valscher den ketel (?),” 96–102.

<sup>1047</sup> *Antwerpsch chronyckje*, 234. ‘Dit en was hier nooyt gesien geweest by mans gedencken, en wirt, tot eenen spiegel van alle de andere gelt slaenders, buyten gehangen’.

<sup>1048</sup> “Chronique de Mahieu Manteau,” 32. *Antwerpsch chronyckje*, 199. *Dagboek van Cornelis en Philip van Campene*, 182. Boonen, *Geschiedenis van Leuven*, 104. Vaernewyck, *Van die beroerlicke tijden*, IV, 247–249.

<sup>1049</sup> *Antwerpsch chronyckje*, 199.

<sup>1050</sup> Janssens, “The Duke of Alba: Governor of the Netherlands in Times of War,” 96–97.

Low Countries. In a letter sent to Philip II, Alba wrote that “justice is for sale here like meat in a butcher’s shop.”<sup>1051</sup> According to these advisors, the legal system in the Low Countries was rife with corruption, fraud, nepotism, and other transgressions.

Alba had ample experience with legal reforms. After being appointed governor of Milan in 1555, he had completely reorganized the fiscal and bureaucratic administration there.<sup>1052</sup> Shortly after arriving in the Low Countries, he embarked on a large-scale modernization of criminal law toward a uniform legal framework. In 1570, the Criminal Ordinances, the first codification of criminal justice in the Low Countries, were the result.<sup>1053</sup> The ordinances consisted of three separate parts. The first related to material criminal law, presenting an overview of actions subject to penalties and the associated punishments; the second related to formal criminal law and dictated the procedures and “style” to be followed by judges and prosecutors in criminal cases; and the third related to reforms in the prison system and included instructions for prison wardens.<sup>1054</sup> The principles upon which Alba and the king sought to reorganize the justice system are those that legal historians have characterized as “modern.”<sup>1055</sup> They were convinced that the legal system should be unified, systematized, and legally valid in all cities and that as such, it should be enforced for everyone, no matter what social status or privileges they enjoyed. The exemplary punishment of the high nobility can also be seen in this light. These executions were a clear message that from now on, no one should think themselves above the law. These principles were, of course, diametrically opposed to the notions of proportionate justice on which criminal law in the Low Countries—and the sense of justice of the region’s inhabitants—was based. As we have seen, in that understanding of justice, every crime (and every criminal) was fundamentally different and unique and should be judged in its

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<sup>1051</sup> Gachard, *Correspondance de Philippe II sur les affaires des Pays-Bas*, II, 344–351. ‘car il n'est aucune cause, civile ou criminelle, qui ne se vende comme l'on vend la viande à la boucherie’.

<sup>1052</sup> Janssens, “The Duke of Alba: Governor of the Netherlands in Times of War,” 107–8.

<sup>1053</sup> Vrugt, *De criminele ordonnantiën van 1570*, 20–32.

<sup>1054</sup> On the third ordinance and its applications in practice see M. van de Vrugt, “De Criminele Ordonnantiën en het lot van gevangenen,” *Oud-Utrecht* 75, no. 2 (2002).

<sup>1055</sup> Vrugt, *De criminele ordonnantiën van 1570*, 11; Janssens, “The Duke of Alba: Governor of the Netherlands in Times of War,” 107.

proper context. The idea that “everyone is equal before the law” probably seemed highly arbitrary and unjust when everyone was quite obviously *not* equal.

In Ghent, Philip van Campene recorded the proclamation of the ordinances in October 1570 in detail.<sup>1056</sup> He was very well informed about the contents of all three. He emphasized multiple times the sheer volume of the ordinances, the first of which alone took more than an hour to proclaim. The ordinances were proclaimed symbolically a few days before the grace period of the royal pardon ended as a means of making clear what people who elected not to make use of the pardon and come to terms with the government could expect. Indeed, only a few days after the pardon had ended, Van Campene recorded how two young Anabaptist women managed to escape from prison “who had been imprisoned for more than two years and would be punished by death shortly according to the new criminal ordinances, which postulate that good and expedient justice would be done in all courts and tribunals.”<sup>1057</sup> As one of the new ordinances especially targeted prison wardens (which was not surprising, given the regular escaping of heretics from prison in the preceding years), Van Campene remarked that the guard on duty—a man named Joos de Vaddere—ran away, together with the key warden, “out of fear for justice because this happened because of their negligence, and according to the aforementioned ordinance, they are to be punished greatly.”<sup>1058</sup>

The proclamation and implementation of these ordinances were not easy. The fact that the local courts would all have to follow the same procedures went against the strongly particularist tendencies of the fragmented legal system of the Low Countries: Local privileges were endangered once again. After the ordinances were sent to Overijssel, for example, representatives of the cities of Kampen, Deventer, and Zwolle simply replied that the ordinances conflicted

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<sup>1056</sup> *Dagboek van Cornelis en Philip van Campene*, 282–84.

<sup>1057</sup> *Dagboek van Cornelis en Philip van Campene*, 286. ‘dewelcke bet dan twee jaren hebben inde vanghenesse gheweest, ende zouden curtelinghe metter doot ghepuniert gheweest hebben, volghende de nieuwe criminele ordonnantie, ghebiedende dat men over de ghevanghenen goede ende curte expeditie doen soude in alle wetten ende vierscharen’.

<sup>1058</sup> *Dagboek van Cornelis en Philip van Campene*, 286. ‘De cypier, ghenaeemt Joos de Vaddere, ende den sluetere zijn wech ghelooopen, uut vreesse van justitie, want duer huerlieder neggligentie es dit ghebuert, ende achtervolghende de voornomde ordonantie zijn grootelick te punieren’.

with their local rules and thus could not be proclaimed.<sup>1059</sup> These representatives had convened already at the end of 1569 (when the ordinances were still being prepared) to devise a strategy. Among them was Arent toe Boecop, one of the mayors of Kampen. Toe Boecop kept a chronicle, in which he included the draft of the letter sent to Alba, which stated that “the cities of Deventer, Kampen, and Zwolle have had the rights of freedom and justice for several hundreds of years.”<sup>1060</sup> Although the cities eventually proclaimed the ordinances (despite loud protests from the city magistrates), they continued to appeal and negotiate their enforcement with the duke.<sup>1061</sup> With the project to homologate customary law, already begun under the reign of Charles V, Alba ran into similar problems: Cities often failed to reply or sent answers so short that they were barely useful.<sup>1062</sup>

Philip van Campene mentioned that during the proclamation of the ordinances in Ghent, it was announced that “still other ordinances would be published soon on civil justice and the instructions of high justice.”<sup>1063</sup> Indeed, Alba had even more plans for reform, but they would never come to pass. Moreover, the Criminal Ordinances would never be fully enforced everywhere and were soon officially abolished with the Pacification of Ghent in 1576.<sup>1064</sup> Nonetheless, despite the deliberate attempts to hamper the violation of local customs, it is worth noting that the Criminal Ordinances did not lead to a great outcry among the population of the Low Countries. Local courts continued to use the ordinances as important guidelines for regulations and procedures even

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<sup>1059</sup> J. N. Uitterdijk, “De invoering van de crimineele ordonnantiën van Koning Philips in Overijssel 1569 en 1570,” in *Bijdragen tot de geschiedenis van Overijssel*, ed. J. I. Doorninck and J. N. Uitterdijk (Tijl, 1886).

<sup>1060</sup> *Uittreksels uit het dagboek van Arent toe Boecop. volgens een H.S. van de XVIIe eeuw*, Vereeniging tot beoefening van Overijsselsch Regt en Geschiedenis (Deventer: J. De Lange, 1860), 74–75. Already earlier, they had invoked their right to sentence their own burghers, which was granted to them in 1309 by the Bishop of Utrecht; and the privilege to sentence banished criminals from other cities that came within a mile of their jurisdiction.

<sup>1061</sup> Uitterdijk, “De invoering van de crimineele ordonnantiën van Koning Philips in Overijssel 1569 en 1570”, 332.

<sup>1062</sup> Boomgaard, “Misdaad en straf in Amsterdam,” 39.

<sup>1063</sup> *Dagboek van Cornelis en Philip van Campene*, 283. ‘ghevende ooc te kennen van noch andere ordonnantiën, die men curtelinghe ooc publiceren zal in civile saken ende instructien van hooghen justitien’.

<sup>1064</sup> Vrugt, *De criminele ordonnantiën van 1570*, 160.

after their abolition: They were, after all, the most complete and recent overview of legal practice. Even if city magistrates did not agree with transgressions of their local privileges, the local legal professions considered the texts useful and looked to them for guidance. Despite their official status, then, the ordinances would continue to have much influence over the legal system of the Low Countries.<sup>1065</sup>

The case of the Criminal Ordinances also shows that the inhabitants of the Low Countries were not opposed to every centralizing measure taken by the government. Although the protection of privileges was invoked time and again in the context of the Dutch Revolt, we should bear in mind the discursive nature of these claims.<sup>1066</sup> In the sixteenth century, such privileges came to have almost mythical status, and one reason why they could become so heavily disputed is that no one was completely sure of exactly what they were or how they related to one another. Certainly, some privileges were indeed infringed upon, which led to controversy in local governments but also among the general population. Nonetheless, privileges were changed often, and this did not always lead to protests. If these changes were aligned with the majority's sense of justice, no objections were made. Such changes were, like many things early modern, primarily pragmatic—not universal or systematic. The extent to which rulers were able to enforce changes in privileges was dependent on the approval of those under their rule.

## Conclusion

In 1571, a statue of the Duke of Alba was placed on the Antwerp citadel, depicting him as the crusher of heresy (Fig. 5.4). The statue was a commemoration of Alba's military success at the Battle of Jemmingen, in which Alba defeated the troops of William and Louis of Nassau, and was made from the bronze of

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<sup>1065</sup> Vrugt, *De criminele ordonnantiën van 1570*, 169–73.

<sup>1066</sup> Jan J. Woltjer, "Dutch Privileges, Real and Imaginary," in *Britain and the Netherlands: Volume V Some Political Mythologies*, ed. J. S. Bromley and E. H. Kossmann, 1975th ed. (Berlin: Springer, 1976).



Figure 5.4 *The Duke of Alba Fights Heresy*, ca. 1570, polychrome wood, 65 × 28 × 28 cm, Colección Duques de Alba, Palacio de Liria, Madrid. This is a small wooden version of the statue. The original was destroyed in 1576.

cannons claimed during the battle. This statue, in particular, would come to symbolize the cruel reputation of the duke.<sup>1067</sup> Alba would remain in the Low Countries until 1573, and the Council of Troubles would survive until 1576, but by 1572, the high point of the mission of punishment was over. Alba himself was fed up with the Low Countries and had asked several times whether he could leave.<sup>1068</sup> He would be remembered as a tyrant who had brought the Low Countries to ruin. Executions came to be considered the hallmark of his cruelty. In pamphlets, songs, and prints, the Spanish governor was framed as public enemy number one of the inhabitants of the Low Countries.

In the first years of Alba's regime, however, the experience of justice was far more complicated than this image allows. Admittedly, there was clear indignation about the (relatively small number of) high-profile executions of nobles and other important government officials carried out by the Council of Troubles itself, which were intended to be exemplary. It was shocking to chroniclers that the Duke of Alba had so little regard for the social standing of those on trial. Moreover, the limited options for pardoning and grace went against chroniclers' expectations of justice. Furthermore, the large-scale confiscations, lacking any regard for the traditional privileges of burghers, sharply contrasted with the legal expectations of the people of the region.

As we have seen, however, the Council of Troubles had a primarily supervisory role. Based on reports provided by local informants, it signed death sentences, often of people who had already been imprisoned. The investigations, arrests, and carrying out of sentences remained the responsibility of the local law courts. In contrast with the period before Alba's arrival, these local courts now had the military support to carry out these sentences. The lists in chronicles of names of burghers who were summoned, arrested, deprived of their goods, or executed clearly reflect the importance of local punishment. These lists also underscore the local differences seen in the punishment of the Troubles. Whereas rebellious cities, such as Tournai and Valenciennes, were hit extremely hard, others were treated more mildly. Incidentally, the thoroughness of chronicles in this period also shows that chroniclers were more reliable than they have been given credit for. This allows us to draw some new conclusions about

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<sup>1067</sup> Stensland, *Habsburg Communication in the Dutch Revolt*, 45–46.

<sup>1068</sup> Raymond Fagel, "The Duke of Alba and the Low Countries, 1520–73," in Ebben; Lacy-Bruijn; van Hövell tot Westerflier, *Alba*, 274–79.

the workings of the council, thus complementing research based on juridical records. As we have seen, for example, the death sentences carried out in Ypres did not make their way to the central administrative records of the audit chambers and were consequently not included in Verheyden's list. They were, however, included in the chronicle of Augustijn van Hernighem, making chronicles a crucial additional source.

Most importantly, the chronicles written in these years make clear that the way in which justice was enforced locally no longer aligned with the expectations of execution spectators. In sharp contrast with the purpose of capital punishment, executions failed to serve as communal restorative events. When recording executions, chroniclers often found themselves at a loss for words to explain what was happening. Often, they resorted to either the listing of names or the description of "miraculous" signs and divine intervention to make sense of the bloodbath. Furthermore, although the (Catholic) chroniclers still seem to have been convinced of the necessity to condemn unrepentant heretics to death, there was much protest about the harsh treatment of those dying without taking the last sacraments. The compassion that spectators expected from the authorities as a norm of execution was not forthcoming. Soldiers guarding executions mocked and insulted patients, or the bodies of patients were shamefully dragged through the streets on the orders of the government. The blocking of patients' mouths during their executions, which obstructed the possibility of their renouncing heresy and reconciling with the Church, was considered particularly horrendous. In the eyes of many spectators, it completely defied the point of the executions' taking place.

Especially for the populations of important urban centers, added to these grievances were the ongoing problems with billeted soldiers and the proposed financial reforms, such as the imposition of the Tenth Penny. Essentially, many inhabitants of the Low Countries concluded that Alba's policies did not seem to lead to greater safety, order, and peace but the opposite. As we will see in the next chapter, this feeling of unsafety and uncertainty turned out to be fertile soil for rebellion. From 1572 onward, when the rebel troops led by William of Orange began to gain control over some territories of the Low Countries, faith in the central government would only be further undermined. The attention of chroniclers would turn toward executions, murders, lynchings, and mass killings carried out in the context of erupting military conflict.