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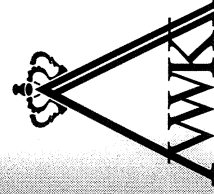
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Geen pardon zonder Paus !

*Studie over de complementariteit
het koninklijk en pauselijk genera
(1570-1574) en over inquisiteur-ge
Michael Baius (1560-1576)*

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Summary

This study sheds new light on the initial stage of the Dutch Revolt by pointing out the political and ecclesiastical debate regarding clemency for rebels and repentant heretics. This account is intertwined with the fortune of the controversial theologian Michael Baius, the longest living general inquisitor of the Low Countries.

Although the governorship of the Duke of Alba in the Low Countries is usually associated with 'tyranny' and repression, Alba was the first governor to publish a general pardon during the Dutch Revolt. A general pardon was a collective amnesty measure for a group that had contravened the royal laws of *lese-majesty*. Grace and pardon were considered as a highly effective means of pacification and restoration of order, albeit under well-defined conditions. Clemency was regarded as a princely virtue and the right to pardon was consequently claimed by the Burgundian-Habsburg sovereign. Emperor Charles V solemnly issued a general pardon to end the repression of the *Comuneros*, as his Burgundian ancestors had done in order to pacify city revolts. In the Low Countries, Charles V also agreed to general pardons for the reconciliation of remorseful heretics who had disobeyed the royal laws on religion.

In reply to the defiant "Compromise of the Nobles", it was suggested in the Council of State to promulgate a general pardon in order to return rebel noblemen to full loyalty to the Crown. However, this suggestion was then largely perceived as a threat to royal authority as it would show a sign of weakness. As a result, the rebel nobles themselves introduced a demand for a general pardon in their exigencies. In this way they hoped to reconcile formally with Philip II, after he had agreed on the moderation of religious laws and the suppression of the inquisition.

Under pressure, Philip II conceded to a political pardon for noblemen. Nevertheless, he did not feel duty-bound by this and he withdrew it immediately after hearing the news of the Iconoclastic Fury in the Low Countries. This iconoclasm led royal counsellors to the belief that a general pardon should also include religious pardon and a reconciliation with the Roman Catholic Church. The recent practice of pardoning remorseful heretics mingled into the existing tradition of giving pardons to groups of rebels.

In the Netherlands, Margaret of Parma had been alternating between moderation and repression in her attempt to pacify the growing discontent. After the Iconoclastic Fury, Margaret opted for a more rigorous policy towards dissidents, though she was careful not to push it too far. Under pressure from provincial governors and some members of the Council of State, she considered granting a general pardon but would continue to insist on the validity of the counter-argument right up until her resignation.

The mission of the Duke of Alba to the Netherlands was set up to punish those responsible for the troubles and to end the turmoil. Later, Philip could enter the

Netherlands as the clement King, pardoning his subjects. In this view, Alba conceived a general pardon as an exclusively royal privilege which should be granted in royal presence. However, the King postponed his voyage to the Netherlands and suggested Alba should install Don Juan de Austria as governor, with the power to issue general pardons. Alba was opposed to this idea and after the resignation of Margaret of Parma, he himself became governor of the Netherlands. He maintained the strategy outlined in his instructions to punish the principal lawbreakers, declaring that minor offenders could be pardoned later. But Alba's personality and approach increased the demand for such a general pardon, even amongst those who had rejected it earlier. The newly inaugurated bishops (after the new ecclesiastical division in 1559) especially pleaded for a pardon which was able to cleanse the guilt of iconoclasm and heresy and to promote a good reputation among their flock. Many people expected pardons after the execution of Egmont and Hornes, nevertheless Alba went on with the executions.

When Philip II delayed his voyage to the Netherlands *sine die*, he accepted that a general pardon in the Netherlands would be promulgated without his presence. He asked Alba to put this into effect on the occasion of the expected victory over William of Orange in 1568. Alba disregarded the royal order to outline a draft and it took a year and a half to draw up the final text. However, in the meantime, consensus had grown about the aptitude of a pardon. Pope Pius V granted a papal *breve* to reconcile repentant heretics with the Catholic Church. The pardon was signed and sealed in Madrid on the 16th November 1569 but it was only published in Antwerp on the 10th of July 1570 after numerous delays.

The decree was meant to emphasize royal clemency and Alba expected the subjects to show their gratitude for this leniency. However, the reaction towards the pardon was not favourable, especially because noblemen and iconoclasts and other leaders of reformed communities were excluded from pardon and grace. For others, the compulsory catholic reconciliation was unacceptable because it meant that the king did not change his position on the exclusivity of the Catholic Faith. Still, many individuals used the opportunity of being pardoned during the three-month-reconciliation term. The intended pacification of the Low Countries did not happen as expected and persecution continued. Moreover, Alba persecuted ever more severely those who had not succeeded in obtaining such a pardon.

It was the expected arrival of a new governor, the Duke of Medina-Celi, that kept alive the debate in Madrid concerning a new general pardon, though once again Alba was opposed to it. On the birth of a male heir, Philip II demanded that the term of the first general pardon should be extended for another three months. However, the capture of cities by rebels after the 1st of April 1572, managed to push this issue to the bottom of Alba's priority list. Now, only local parish priests were responsible for the promulgation and execution of the general pardon. In his conquest of rebellious cities, Alba only used a city pardon for strategic purposes. His harsh conquest of those cities proved to be more effective in the short term.

A new pardon was expected by the arrival of Requesens but yet again it experienced a lengthy delay. It was only published on the 6th of June 1574, some six months later. The outline and content of the general pardon had changed. There was now the possibility for (catholic) refugees and cities to reconcile, while those who were excluded were clearly listed. Many refugees seized this occasion with both hands,

especially in order to regain their confiscated goods. Nonetheless, not one rebellious city asked for reconciliation with the sovereign. Still, the belief in the power of a general pardon was present in the Breda peace negotiations. The Pacification of Ghent (1576) issued a secular pardon to all inhabitants of the Low Countries.

Although the general pardon of 1570 did not trigger off the pacification of the Countries, reports by the bishops of Antwerp, Malines, 's-Hertogenbosch and Tiel prove that at least 57.153 people did reconcile with the Church and the King. In particular, people who only attended hedge preaches asked for a letter of pardon. Nevertheless, some people returned to the Calvinist community afterwards, whilst others decided to move from the borders of the Seventeen Provinces. Even if there were people who did reconcile more than the 500 documented in this book, the pardon of 1570 was less than successful.

Reconciliation with the Catholic Church was carried out by commissioner of the papal competence to absolve repentant heretics. In 1570 and 1574, these commissioners received this authority by means of delegation (*subdelegatio*), granted in a papal bull, respectively, Pius V and Gregorius XIII. In 1572, the King did not solicit a *breve* from Rome. However, Alba asked the Louvain theologian Michael Baius, a living inquisitor-general of the Netherlands, to delegate his inquisitorial authority in order to reconcile heretics to these commissioners. This was remarkable because, at the time, the role of the inquisition was highly contested. Also, Baius' theology was under suspicion after a Papal bull, though it did not diminish the authenticity of Baius' call for the Catholic Faith.

In the end, the papal pardons had a long-lasting effect. In the so-called 'Six Years' War' in the Netherlands, the care of the soul and the reconciliation of heretics resulted in the continued use of the formulas and instructions from the general papal pardons until the middle of the 17th century.