

THE COUNCIL OF TRENT AND ITS IMPACT ON PHILIP II'S LEGISLATION IN THE HABSBURG NETHERLANDS (1580–98)

Nicolas SIMON*

The promulgation of the Tridentine decrees in the Habsburg Netherlands was far from being an easy endeavour, as it collided with many provincial and regional authorities across the Habsburg territories. As Governor-General in Brussels, Margaret of Parma sent over the course of June and July 1565 circular letters that obliged the ecclesiastical and civil authorities to apply the decrees.¹ This contribution

* I would like to thank Prof. dr J.-M. Cauchies (Univ. Saint-Louis), Prof. dr Ph. Desmette (Univ. Saint-Louis) and the editors of this volume for their comments on the first draft of this paper as well as Sophie Leclère (Université libre de Bruxelles/Université de Limoges) and Luke Murray (KU Leuven) for their advice about the English version of this paper. Abbreviations: ACRALOB: Archives de la Commission royale pour la publication des anciennes lois et ordonnances de Belgique; AGR: Archives générales du Royaume (Brussels, Belgium); BCRALOB: *Bulletin de la Commission royale pour la publication des anciennes lois et ordonnances de Belgique*; BMGN: *Bijdragen en Mededelingen betreffende de geschiedenis der Nederlanden*; CHR: *Catalan Historical Review*; CP: Conseil privé; CPE: Conseil privé espagnol; CT: *Concilium Tridentinum; Diariorum, Actorum, Epistolarum, Tractatum nova collectio* (Freiburg-im-Breisgau: Herder, 1901–2001); HMOGG: *Handelingen van de Maatschappij voor Oudheidkunde en Geschiedenis te Gent*; JEMH: *Journal of Early Modern History*; PEA: *Papiers d'État et de l'Audience*; RCP: *Registres du Conseil Privé*; TANNER: N. TANNER (ed.), *Decrees of the Ecumenical Councils*, 2 vols., Washington, DC: Georgetown University Press, 1990; TvRG: *Tijdschrift voor rechtsgeschiedenis*.

1 P. F. X. DE RAM, *Synodicon Belgicum sive acta omnium ecclesiarum Belgii a celebrato concilio tridentino usque ad concordatum anni 1801*, 4 vol., Liège: Centre National de Recherche d'Histoire Religieuse, 1996 (reprint), vol. 1, pp. 20–23; *Placards de Flandre*, vol. 2, pp. 49–50; V. SOEN, 'The Council of Trent and the Preconditions of the Dutch Revolt (1563–1566)', in: W. FRANÇOIS and V. SOEN (eds), *The Council of Trent. Reform and Controversy in Europe and Beyond (1540–1700)*, vol. 2: *Between Bishops and Princes* (Göttingen, 2017), pp. 255–278. Earlier research stems from the beginning of the twentieth century: H. ELIAS, *Kerk en staat in de Zuidelijke Nederlanden onder de regering der aartshertogen Albrecht and Isabella (1598–1621)*, Leuven and Antwerp: Uitgeverij 'De Sikkel' and Librairie Universitaire, 1931; A. PASTURE, *La restauration religieuse aux Pays-Bas sous les archiducs Albert et Isabelle (1596–1633). Principalement d'après les archives de la nonciature et de*

assesses the impact of the Council of Trent on the subsequent legislation in the Netherlands between 1580 and 1598. To this day, no large-scale study has been dedicated to the legislation as a tool of administration and communication between rulers and subjects in the Low Countries.² Hence, this chapter can only analyse a few aspects of this wide field of research. Rather than searching for explicit mentions of the Council of Trent in the legislation – a search which would turn out quite sterile – this contribution shall emphasize the difference between the Council of Trent as a historical event and *Tridentinism* in legislation.³

The decrees concluded during the Council of Trent did not supply a uniform, homogeneous and ‘ready for use’ vision, and thus needed to be updated with extra measures from both religious and secular spheres.⁴ This process led sometimes to conflicting relations between Princes and Popes. As PAOLO PRODI has stressed, the relationship between the Church and the Early Modern States was not only defined by a power struggle for jurisdictional pre-eminence, but was a complex relationship with mutual influences.⁵ Therefore, while the legislation enacted by Catholic rulers contained an obvious religious character, Trent also opened the way for a bureaucratic reorganization of the Church. Similar to other secular princes, the Popes aimed to have absolute control over the ecclesiastical apparatus.⁶ The Church tended to generate its own order and then to become a *communitas perfecta* parallel to the State. According to PRODI, Trent represented the recognition of a dual system (political and religious) but also the embodiment of the eternal struggle over the predominance of the religious or political sphere.

In the time span under scrutiny, between 1580 and 1598, the central government in the Habsburg Netherlands managed to restore a minimum of State power through the territorial Reconquista of Governor-General Alexander Farnese, Margaret’s son, re-establishing the provinces of Tournai, Flanders and Brabant for the royal party.⁷ As such, Farnese still did not have a chance to recapture Holland, Zeeland, Overijssel,

la visite ad limina, Leuven: Librairie Universitaire, 1925; F. WILLOCX, *L’introduction des décrets du Concile de Trente dans les Pays-Bas et dans la principauté de Liège*, Leuven: Librairie universitaire, 1929.

- 2 G. JANSSENS, De uitgave van de verordeningen van koning Filips II (1566–1570). Bronnen voor de teksteditie, *BCRALOB* 43 (2002), 67–73; IDEM, De uitgave van de verordeningen van koning Filips II (1555–1598). Een nieuwe impuls voor een oud project, *BCRALOB* 37 (1996), 195–206; Ch. TERLINDEN, *Liste chronologique provisoire des édits et ordonnances des Pays-Bas, règne de Philippe II (1555–1598)*, Brussels: Goemaere, 1912.
- 3 G. ALBERIGO, Du concile de Trente au tridentisme, *Irenikon* 54 (1981), 192–210.
- 4 I. FERNÁNDEZ TERRICABRAS, *Philippe II et la contre-réforme. L’église espagnole à l’heure du Concile de Trente*, Paris: Publisud, 2001; IDEM, ‘Des créatures de votre majesté. Choix et contrôle des évêques par Philippe II dans les couronnes de Castille et d’Aragon (1556–1598)’, in: P. ARABEYRE and B. BASDEVANT-GAUDEMET (eds), *Les clercs et les princes. Doctrines et pratiques de l’autorité ecclésiastique à l’époque moderne* (Paris: École des Chartes, 2013), pp. 105–18; J. O’MALLEY, *Trent. What Happened at the Council*, Cambridge: Harvard University Press, 2013, p. 261.
- 5 P. PRODI, ‘Il concilio di Trento di fronte alla politica e al diritto moderno. Introduzione’, in: ID. and W. REINHARD (eds), *Il concilio di Trento e il moderno* (Bologna: Il Mulino, 1996), pp. 20–21; IDEM, *Il paradigma tridentino. Un’epoca della storia della chiesa*, Brescia: Morcelliana, 2010.
- 6 W. REINHARD, ‘Il concilio di Trento e la modernizzazione della Chiesa. Introduzione’, in: PRODI and REINHARD, *Il concilio di Trento* (see n. 5), p. 53.
- 7 V. SOEN, Reconquista and Reconciliation in the Dutch Revolt. The Campaign of Governor-General Alexander Farnese in the Dutch Revolt (1578–1592), *JEMH* 16 (2012), 1–22.

Frisia and parts of Gelre, but again exerted control over the territories from Hainaut, Artois, Tournai, Flanders, Brabant, Namur, Luxembourg, and even in more northern parts of Gelre and Groningen.⁸ Each of them had their own legal system, and regional privileges, and the 'particularist' reflex of each of the constituent territories of the Seventeen Provinces was one of the catalysts of the ongoing Revolt. This contribution shall try to show how, in this context and tradition of 'legal pluralism', the ordinances promulgated in Philip II's name after 1580 fitted into a post-conciliar context aiming to influence and discipline the spirit of every subject in Catholic lands. Furthermore, these laws exemplify another attempt of an in-depth (re)catholicization of society which was launched by Alexander Farnese and his successors. The Habsburg restoration of Church and State did not only take place through the reconstruction and reconciliation of desecrated Church property, but also through a legal framework.⁹

THE DIFFICULT 'BALANCE OF POWERS'

The implementation of Tridentine decrees led to diverse frictions between Philip II and the Papacy, from Pius V (1559–65) to Sixtus V (1585–90). These tensions can sometimes seem eccentric but in reality they exemplify ceaseless power struggles.¹⁰ Recognized by each province as its territorial prince, Philip II was at the top of the feudal pyramid in the Netherlands. All feudal ties with France had been cut during the reign of Charles V thanks to the Treaty of Madrid (1526) and the Pragmatic Sanction (1549). At least in practice, the Emperor no longer exercised any feudal right in the Netherlands since the Augsburg Transaction in 1548.¹¹ Despite this situation each province of the Netherlands had its own institutional and legal history. It was not until the Dukes of Burgundy, in the late fifteenth century, that the promulgation of homogenous legislation in all these provinces was possible.¹² However this did not mean the end of local customs. The interpenetration between customs and the legislation – the legal pluralism – was a reality that is not easy to study, as JOHN GILISSEN pointed out.¹³ Nevertheless, it should be noticed that Philip II did not normally intervene directly in the legislative-making process. Rather, he delegated

- 8 For the reconciliation of Groningen, the most northern territory under Habsburg rule, see: V. SOEN, *De verzoening van Rennenberg (1579-1581)*. Adellijke beweegredenen tijdens de Opstand anders bekeken, *Tijdschrift voor Geschiedenis* 122 (2009), 318–333.
- 9 A. SPICER, 'Consecration and Violation. Preserving the Sacred Landscape in the (Arch)diocese of Cambrai, c. 1550-1570', in: M. DELBEKE and M. SCHRAVEN (eds), *Foundation, Dedication and Consecration in Early Modern Europe* (Leiden: Brill, 2012), pp. 266–267; A. SPICER, *After Iconoclasm. Reconciliation and Resacralization in the Southern Netherlands, ca. 1566-85*, *Sixteenth Century Journal* 44 (2013), 411–433. For instance, in 1589 Philip II asked Alexander Farnese, the Governor-General, which solutions were possible to finance the reconstruction and embellishment of destroyed churches in Brussels: Philip II to Alexander Farnese (copy), 18/08/1589. Cf. AGR, PEA, 194, f°163r-v.
- 10 TERRICABRAS, *Philippe II* (see n. 4), p. 384.
- 11 J.-M. CAUCHIES and H. DE SCHEPPER, *Justice, grâce et législation. Genèse de l'état et moyens juridiques dans les Pays-Bas, 1200–1600*, Brussels: University Saint-Louis, 1994, pp. 16–20.
- 12 J.-M. CAUCHIES, 'Les ordonnances dites générales sous les ducs de Bourgogne. Critères et questions autour d'une édition', in: G. MARTYN (ed.), *Le droit et la loi pendant l'Ancien Régime* (Brussels: Archives générales du Royaume, 2014), pp. 19–31.
- 13 J. GILISSEN, *Loi et coutume. Quelques aspects de l'interpénétration des sources du droit dans l'ancien droit belge*, *TvRG* 21 (1953), 257–96.

this task to the Governor-General, and the three collateral councils – the Council of State, the Privy Council and the Council of Finances – forming the core of the Brussels bureaucracy at the Coudenberg palace.¹⁴ Of course, Madrid was aware of the decisions taken in the Netherlands, but it did not mean that the Spanish Crown was involved in the daily work of Brussels' central institutions. It was almost impossible considering the distance between Madrid and Brussels.

Measures taken by ecclesiastical authorities must also be added to this picture of 'legal pluralism' as well. As it will be shown, in the sixteenth century, the central institutions did not hesitate to put pressure on the clergy to adopt measures that were acceptable for Brussels and in accordance with the royal legislation. The persecution of heterodoxy was a shared task between ecclesiastical inquisitors, and mainly, secular courts acting upon an impressive body of royal anti-heresy legislation.¹⁵ And in the seventeenth century as well, some provincial authorities directly contacted the Governor-General in Brussels to make decisions on religious matter if they were not satisfied by the solutions recommended by ecclesiastical officials.¹⁶ As such, implementing Trent became a shared task between magistracies and clergy alike, codified in circular letters between bishops and the governors-general and in synodal statutes and royal edicts alike. It is this last category which is under scrutiny in this contribution.

In fact, Governor-General Farnese published an edict on 1 June 1587 endorsing the conclusions of the second Provincial Council of Cambrai.¹⁷ Since the new bishopric division in the Low Countries of 1559, Cambrai reassembled the bishoprics of Namur, Arras, Tournai, Saint-Omer and Cambrai, or most of the French speaking territory of the Habsburg Netherlands at its southern border of France. The ecclesiastical province had been the first in the Seventeen Provinces to promulgate Trent in its first Provincial Council of 1565 called by Archbishop Maximilien de Berghes.¹⁸ In his study dedicated to the implementation of the Tridentine decrees in the Netherlands, FERNAND WILLOCX has stressed the repercussions of the second Provincial Council of Cambrai held in 1586 that resulted in an explicit backing of the *nuncio* of Cologne, Giovanni Francesco Bonomi. It was held in Mons, as the archiepiscopal city of Cambrai was then in the hands of French troops. The second Provincial

14 G. MARTYN, 'How "Sovereign" Were the Southern Netherlands under the Archdukes?', in: R. LESAFFER (ed.), *The Twelve Years Truce (1609). Peace, Truce, War and Law in the Low Countries at the Turn of the 17th Century* (Leiden: Brill, 2014), pp. 196–209.

15 V. SOEN and G. GIELIS, 'The Inquisitorial Office in the Sixteenth-century Low Countries. A Dynamic Perspective', *Journal of Ecclesiastical History* 66 (2015), 47–66.

16 N. SIMON, 'Les Archiducs, la guerre et la religion. Facteurs d'influences sur la décision politique dans les Pays-Bas espagnols (ca.1620-ca.1635)', in: PH. MARTIN and B. FORCLAZ (eds), *Religion et piété au défi de la guerre de Trente Ans* (Rennes: Presses universitaires de Rennes, 2015), pp. 39–51.

17 A. LOTTIN, *Lille. Citadelle de la contre-réforme? (1598–1668)*, Dunkerque: Westhoek-Éditions, 1984; WILLOCX, *L'introduction* (see n. 1); A. LOTTIN, 'La mise en œuvre de la réforme catholique, à travers les conciles provinciaux de Cambrai (1565, 1586, 1631)', in: M. AOUN and J.-M. TUFFERY-ANDRIEU (eds), *Conciles provinciaux et synodes diocésains du Concile de Trente à la Révolution française. Défis ecclésiastiques et enjeux politiques?* (Strasbourg: Presses universitaires de Strasbourg, 2010), pp. 167–86.

18 V. SOEN and L. HOLLEVOET, 'Bisschop na het Concilie van Trente. De hervormingspogingen van Maximiliaan van Bergen, aartsbisschop van Kamerijk (1564–1570)', in: W. FRANÇOIS, L. KENIS and V. SOEN (eds), *Bisschoppen, seminaries en de Leuvense theologische Faculteit (16de-20ste eeuw)* (Leuven: Peeters, in press).

Council was essential according to WILLOCX because it 'gave the definitive boost to the execution of the Council of Trent in this ecclesiastical province'.¹⁹ WILLOCX repeatedly draws on documents produced at this council when examining how the Governor-General consulted civil provincial authorities about the decisions taken in Mons.²⁰ First in December 1586, Farnese consulted civil provincial institutions and justice officers before this publication so that they would express their opinions and send reports to Brussels. After this first round of consultations, the bishops were asked to modify some articles for which reluctances remained. The new version was then forwarded to the civil authorities for approval.²¹

In the struggle for the endorsement of the statutes of the second Provincial Council of Cambrai, it is important to study the texts closer, pointing out the 'particularist' reflex of pointing at own's previous privileges, and the legal pluralism existing in the Netherlands. In the consultation round, the Privy Council had drawn up a document synthesizing the main requests sent by the prelates and added in the margin the recommendation aimed at the civil institutions.²² Several issues were discussed: obtain the support of the civil authorities during the rounds to raise money by the priests, the presence of the same priests during the audition of the charity institutions' accounts to control the laymen involved, support for the creation of Sunday schools, the respect for Sunday rest and religious holidays, collaboration of civil servants to arrest a suspect summoned by an ecclesiastical court, the overzealous use of excommunication, the interdiction for the clergy to take part in armed conflicts and finally the support to bring in the implementation of the decrees enacted in Trent and in Mons.²³ In the preparatory draft of this document the Privy Council studied all the conciliar decisions, one of which being the one about the Sunday rest and Sunday schools. In the margin, the Privy Council indicated that it was compulsory to republish two former texts: the general edict of 1531 and the one of 1568 concerning the theme of Sunday rest. The first one is undoubtedly the most important and is often quoted in reports sent to Brussels because of the large range of matters

19 WILLOCX, *L'introduction* (see n. 1), p. 184.

20 Cf. AGR, CPE, 1116 B. The preparatory document: AGR, PEA, 1105, 01/06/1587. The last draft of the ordinance signed by Farnese: AGR, PEA, 1146, 01/07/1587. Concerning the publication on this ordinance in Flanders: AGR, PEA, 1107, 12/08/1593.

21 The bishops sent back the modified articles on March 1587. The Council of Hainaut answered Brussels on April 1587, the officers of Lille, Douai et Orchies, the bailiff of Tournai, and the officers of Namur on May 1587. The Council of Artois sent back its remarks on June 1587.

22 The Privy Council was one of the three most important central institutions in the Netherlands. In collaboration with the Council of Finances and the Council of State, the Privy Council assisted the Governor-General in his tasks. In the beginning of the seventeenth century, these three institutions started to be called the Collateral Councils (*conseils collatéraux*). The Privy Council could make decisions regarding matters of legislation, administration and even justice. This council was clearly a key actor in the decision-making process in the Netherlands. Cf. H. DE SCHEPPER, 'Les archiducs et les institutions du gouvernement au Pays-Bas espagnol [sic], 1596–1621', in: W. THOMAS and L. DUERLOO (eds), *Albert & Isabella, 1598–1621. Essays* (Turnhout: Brepols, 1998), pp. 221–32; P. ALEXANDRE, *Histoire du Conseil privé dans les anciens Pays-Bas*, Brussels: Académie royale de Belgique, 1894.

23 Cf. TANNER, 2.759–73; CT, 9.984, 9.1089; J. BERNHARD, CH. LEFEBVRE and F. RAPP, *L'époque de la Réforme et du Concile de Trente* (Histoire du Droit et des Institutions de l'Église en Occident, 14), Paris: Cujas, 1990, pp. 377–78; *Placards de Flandre*, vol. 2, pp. 50–88.

covered in it.²⁴ The central institutions recommended an article forbidding anyone to 'walk or run in churches whether during or after mass'.

The Council of Hainaut answered the central government in January 1587. The Council supported the recommendations of the Privy Council and, for instance, reported that regarding the Sunday schools, local authorities should absolutely help the bishops to find the funds for the erection of these establishments. This kind of decisions exemplified the importance given to education as 'one of the major measures of social disciplining during the confessional age'.²⁵ In addition, local authorities should also ensure that children would be present in numbers. The councillors were also willing to force priests to participate in the cities' defence and to authorize them to fight if it was inevitable. The reason was simple:

The present wars are not common and ordinary wars in which princes are fighting each other. They rather are wars searching to impose God's glory. Therefore the religious people who are able to fight must defend cities and small towns.²⁶

The clergy should be allowed to participate in the war efforts even if it was well established that he cannot spill blood. In this case, it is a question of legitimizing a Christian war in which the commitment of every believer was required.

Another article should be mentioned: local officers have to take an oath before taking office. This oath renewed the ideas contained in the *Professio Fidei Tridentina* enacted by Pius IV in 1564.²⁷ The Privy Council affirmed that every officer must pronounce this oath annually and provided the following formula:

I, [name], swear by the Almighty God and the damnation of my soul that I believe in all that the Catholic, Apostolic and Roman Church believes. I believe in the doctrines followed in the past and in current doctrines under the obedience to our Holy father the Pope. I refuse all contrary to Church doctrines like the Lutherans, Calvinists, Anabaptists and all other heretics and I will oppose and fight these evil doctrines. God and all the saints help me in this endeavour.²⁸

24 J. LAMEERE (ed.), *Recueil des ordonnances des Pays-Bas. Deuxième série*, 6 vols, Brussels, Goemaere, 1902, vol. 3, pp. 265–73.

25 U. LOTZ-HEUMANN, 'Imposing Church and Social Discipline', in: R. PO-CHIA HSIA (ed.), *The Cambridge History of Christianity*, 9 vols, (Cambridge: University Press, 2007), vol. 6, p. 246.

26 The Council of Hainaut to the Privy Council, 26 January 1587. Cf. AGR, PEA, n°1106-B.

27 Taking the oath was already mandatory for the participants in the Iconoclastic Fury (1566) if they wanted to be forgiven for their actions by the Church. This complemented the general pardon issued by Philip II in which the conditions for reintegration in the political community were specified. Cf. V. SOEN, *Vredehandel. Adellijke en Habsburgse verzoeningspogingen tijdens de Nederlandse Opstand (1564–1581)*, Amsterdam: Amsterdam University Press, 2012, pp. 89–90; O'MALLEY, *Trent* (see n. 4), p. 262. The entire text of the *Professio Fidei Tridentinae* is published by O'MALLEY, *Trent* (see n. 4), pp. 283–85.

28 Different versions of this oath were proposed. The transcribed version here is the one present in the drafted document signed by Farnese before publication. Cf. AGR, PEA, 1146, 01/07/1587.

It was also rigorous to mingle the gesture with the word: the officer would have to take the oath while touching a crucifix or the Gospels. This association of orality and physical contact tended to show that the individual belonged to a cosmic order that exceeded him or her. Taking place under God's protection or swearing with one's hand on the cross was meant to protect the officer and inspire respect in him.

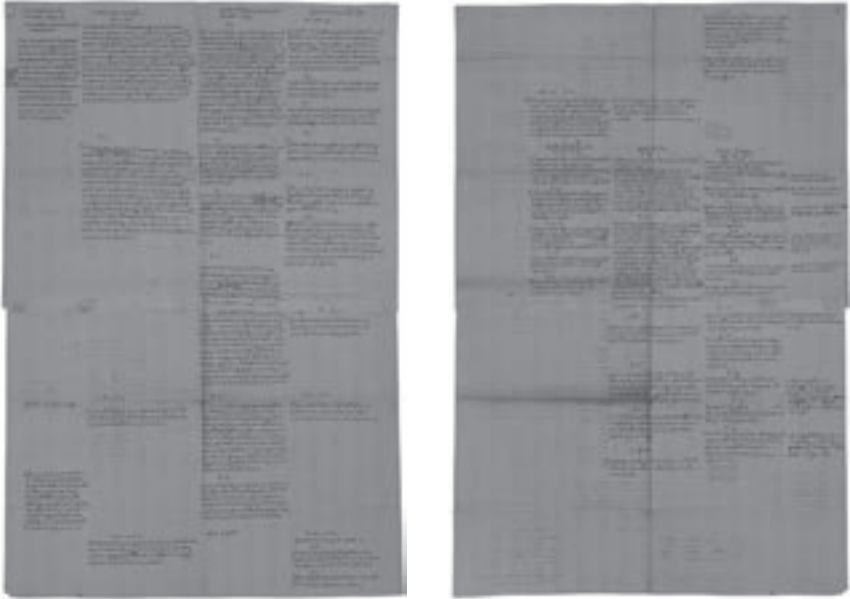
It would be too long to describe in detail all the articles considered problematic by the civil authorities. Nevertheless it should be underlined that the recommended solutions by the civil provincial institutions mobilized references to the earlier published edicts and customary law. The bailiff of Tournai indicated that it is 'by use from immemorial time' that they can pursue clerics in civil courts if they do not fulfil their contracted obligations, for instance. Concerning the rescission of properties' alienations and the eventual rents, the Council of Namur asserted that 'civil law is equally fair to ecclesiastics than the canon law which we always respected and are still intending to respect'. However, Namur's councillors emphasized that they will conform to it 'without prejudice to immemorial use, customary law or the ordinances enacted by the King which could be contrary' to the conciliar decrees. The Council of Artois was not stating differently when he appeared to be willing to respect the bishops' decisions but at the same time remind them that they will be applied 'without prejudice to customary law or to privileges'.

The edict did not pass without problems. It seems that the publication of this edict of June 1587 was still causing some trouble in 1593. The Governor-General *ad interim*, Pierre-Ernest of Mansfeld, also Governor of the province of Luxembourg, sent on 12 August a letter to the Council of Flanders.²⁹ Mansfeld wondered why this edict had not been published yet and expressed his concerns. The publication of this edict was an important matter because the decisions taken during the Provincial Council in 1586 should be enforced in the diocese of Saint-Omer. As one part of the diocese was under the jurisdiction of the province of Flanders, the Governor-General asked for the publication of this edict in the province as well. However, Flemish authorities took their time to fulfil this obligation. In the same letter, it is interesting to note that Mansfeld asked for the republishing of two other legal texts. The first was the edict of July 1557 regarding the tithes and the second was the open letters requiring the application of the Tridentine decrees in the Netherlands and promulgated in 1565 by Margaret of Parma, Governor-General at the time. This case shows that civil authorities were largely involved in the implementation of the Tridentine reform programme in the Netherlands at the end of the sixteenth century. In fact, it is clear that the Church needed the State to accomplish this programme and, as a result, Catholic rulers such as Philip II of Spain took the opportunity to assert their control on ecclesiastical authorities.³⁰ However, it should not be forgotten that some prominent members of the Church like Jean Vendeville, Bishop of Tournai from 1588 to 1592, were willing to eagerly engage themselves in the implementation of Tridentine decisions.³¹

29 Mansfeld to the Council of Flanders, 12 Augustus 1593. Cf. AGR, PEA, n°1107.

30 J. BIRELEY, 'Redefining Catholicism: Trent and Beyond', in: PO-CHIA HSIA, *The Cambridge History* (see n. 25), vol. 6, p. 160.

31 V. SOEN, 'The Loyal Opposition of Jean Vendeville (1527–1592). Contribution to a Contextualized Biography', in: D. VANYSACKER, P. DELSAERDT, J.-P. DELVILLE and H. SCHWALL (eds), *The*



Synoptic table in AGR, CPE, 1116 B (*With the authorization of the Archives générales du Royaume*)

These few examples show us how the old civil legislation was ardently upheld in front of the religious authorities' pressure to implement the Tridentine decrees or those from the synods of Cambrai/Mons. Also, in a period that tended to assert the increasing importance of the legislation while the customary law was facing his last hours in the sixteenth century, it is important to recognize that for the implementation of Trent old customs still were instrumentalized to hedge the effects of central legislation sometimes to compete with the legislation's supremacy. Thus, legal pluralism was another indubitable reality.³² In this case, one of the practical repercussions of the Council of Trent is at a legal level: the obligation to (re)define the spheres of intervention between the ecclesiastical and civil law.

In addition, a synoptic table drafted after 1600 filled with documents concerning the second Provincial Council of Cambrai embodies the relations between religious and civil norms.³³ Four columns structure this table: the first one (starting from the left) summarizes the Tridentine decrees, the second the decisions of Cambrai (1586), the third the edict of June 1587, and the fourth the Synod of Tournai (1600). The compared articles concern problems discussed during the second Council of Cambrai: respect for religious feasts and clerics' presence in charitable institutions' accounts, etc. We can observe the permanent work of synthesis that had to be made when it came the Tridentine decrees' implementation.

Quintessence of Lives. Intellectual Biographies in the Low Countries presented to Jan Roegiers (Turnhout: Brepols, 2010), pp. 59–60.

32 R. ROSS and PH. STERN, 'Reconstructing Early Modern Notion of Legal Pluralism', in: L. BENTON and R. ROSS (eds), *Legal Pluralism and Empires, 1500–1580* (New York: New York University Press, 2013), pp. 109–41; J. GILISSEN, *Loi* (see n. 13).

33 AGR, CPE, 1116 B.

A LEGISLATIVE OFFENSIVE: MORALIZE GOD'S PEOPLE

As PAOLO PRODI has argued, Trent offered the opportunity to reaffirm the importance of the bishop as a priest and a shepherd for its flock. In this perspective, the Council suggested a new reform for the Church as a whole. However the so-called 'Catholic Reformation' faced an identity crisis and the initiatives taken to enforce the decrees ran out in a conservative position, which, according to PRODI, resulted in no real reformation emerging within the Catholic Church.³⁴ What scholars have called the 'Confessional era' (from the conciliar crisis in the fifteenth Century to the treaties of Westphalia in 1648) defines not only the collapse of the European religious unity but also the restructuring of the ecclesiastical hierarchy.³⁵ It is also important to point out that this process went hand in hand with the genesis of the Early Modern States. *Konfessionalisierung*, social discipline, and Early Modern States are in fact intertwined and are interdependent phenomena. Of course this process cannot be grasped from a single point of view. It derived its strength from its ability to bind different aspects (military, ecclesiastical, political, economic, etc.) of the new society and state models, and engaged the public sphere from external police measures to the most internal habitus.³⁶ There was indeed a special attention drawn to the discipline of the Christian subjects but it far exceeded the spectrum of religious discipline strictly speaking. This included, for example, the fight against public drinking, gambling, idleness, prostitution or blasphemy.³⁷

An ordinance of 1598 dedicated to making people observe Feast days and Sunday rest in Brussels must first be mentioned.³⁸ The archival curiosity of this act lies in the fact that the Brussels' authorities enacted it but an annotated draft was kept in the archives of the central government (probably a copy sent to the central authorities). This act offers the opportunity to question again the hierarchy inside the legal order between the authorities able to promulgate decisions about religious holidays and the obligation to attend mass. Relationships between civil and ecclesiastical authorities are in this case crucial.³⁹

In fact, this edict is the same as the one published in September 1598 by the Archbishop of Malines, Mathias Hovius.⁴⁰ The general ban to work concerned

34 P. PRODI, 'Riforma cattolica e contrariforma', in: L. BULFERETTI, *Nuove questioni di storia moderna*, 2 vols, Milan: vol. 1, pp. 357–418.

35 H. SCHILLING, 'Confessional Europe', in: TH. BRADY, H. OBERMAN and J. TRACY (eds), *Handbook of European History (1400–1600). Late Middle Ages, Renaissance and Reformation* (2 vol., Leiden: Brill, 1995), vol. 2, pp. 641–81.

36 P. PRODI, 'Controriforma e/o riforma cattolica: superamento di vecchi dilemmi nei nuovi panorami storiografici', in: V. BRANCA and C. OSSOLA (eds), *Crisi e rinnovamenti nell'autunno del Rinascimento a Venezia* (Florence: Olschki, 1991), pp. 11–21.

37 K. VON GREYERZ, *Religion et culture. Europe 1500–1800*, trans. E. KAUFHOLZ-MESSMER, Paris: Cerf, 2006, p. 74; W. REINHARD, Reformation, Counter-Reformation and the Early Modern State. A Reassessment, *The Catholic Historical Review* 75 (1989), 398.

38 AGR, PEA, 1109, 1598 (precise day unknown). This kind of ordinance was still published during the Thirty Years' War. Cf. SIMON, 'Les Archiducs' (see n. 16).

39 It explicitly indicated that this ordinance was enacted by the Brussels' authorities after they had consulted the Archbishop of Malines.

40 The ordinance of Mathias Hovius was originally published in Dutch. In October 1598, Guillaume of Berghes, Bishop of Antwerp, published an ordinance about the religious' Holidays too. This act is logically inspired by Hovius' edict. Cf. DE RAM, *Synodicon Belgicum* (see n. 1), vol. 2, pp. 335–41, vol. 3, pp. 358–64.

Sundays, seven holidays of Notre-Dame, Pentecost, Christmas, the Epiphany, Ascension Day, Saint John The Baptist, Saint Laurent and Saint Michael. Along these holidays, those of the patron saints of every city's parish are added. In fact, these holidays represented those during which people were never allowed to work. As anywhere else in the Catholic European area, the importance granted to the holidays of the liturgical year dominated.⁴¹ First of all, the prescriptions of 1598 focussed on commodities that could be sold or not during these days. Another fundamental aspect was the one dedicated to the prohibition of games because 'the youth neglected not only the divine service but there was also the immorality resulting by dice games and other illicit ways to earn money'. These decisions were only a few among others from the same way: a ban on playing farces or comedies before vespers, a ban to open dancing schools before mass, etc. The most symbolic condemnation indubitably remained the ban to go to inns and taverns. The authorities recalled that in these particular moments, they required 'a special worship from every Catholic'. Yet the priests had to correctly dispense the sacraments, which was not a reality everywhere.⁴² Also, the children were banned from other sacred places such as cemeteries. By this means, the Brussels' authorities tried to take measures against 'the burghers' children and others who played in churches' cemeteries, causing troubles by running, playing and fighting each other'.⁴³

The moral supervision of the clergy and consequently its flock counted as one of the most important post-conciliar undertakings led by both the ecclesiastical and civil authorities.⁴⁴ This legislative activity focussing on raising moral standards fitted into a wider dynamic. It refers to what German scholars call the *Policeywissenschaft*, the science of the '[good] police'. *Gute Policey* corresponded to the voluntaristic approach of civil authorities to organize in a coherent way a legal order where God is not the only reference anymore. As it has been pointed out by KARL HÄRTER, the notion of *Policey/police* referred 'to the general concept and the overall purpose of the 'good

41 M. FORSTER, *Catholic Revival in the Age of the Baroque. Religious Identity in Southwest Germany, 1550-1750*, Cambridge: Cambridge University Press, 2001, pp. 110-31.

42 In 1571, the Antwerp Bishop, Franciscus Sonnius, sent to every priest of his bishopric, instructions about the seven sacraments. In a very didactic way, Sonnius explained each sacrament and quoted the Gospels in order to be sure that every priest could properly dispense the sacraments. Cf. DE RAM, *Synodicon Belgicum* (see n. 1), vol. 3, pp. 71-81; CT, vol. 1, pp. 77-79, vol. 5, pp. 228-35, vol. 8., p. 962, vol. 9, p. 981; TANNER, vol. 2, pp. 736-37; M. J. MARINUS, *De Contrareformatie te Antwerpen (1585-1576)*, Brussels: Koninklijke Academie voor Wetenschappen, Letteren en Schone Kunsten van België, 1995, p. 206.

43 However the necessities of that time allowed several exceptions. The economic activities connected to perishable goods are exempted (fishers, butchers, bakers, etc.). In Ghent where similar decisions were taken, some guilds complained about unfair competition and asked for a collective interdiction without any possible exemption. Obviously, these exceptions were meant to avoid waste but also to ensure the eventual supplying of the army. In this case, the political and military considerations collided with the confessional aims of the rulers.

44 MARINUS, *De Contrareformatie* (see n. 42); H. SOLY, 'Openbare feesten in Brabantse en Vlaamse steden, 16^{de}-18^{de} eeuw', in: *Het openbaar initiatief van de gemeenten in België. Historische grondslagen (Ancien Régime)* (Brussels: Crédit Communal, 1984), pp. 605-31; G. ELEWAUT, Herberg en Overheid. Politie en fiscale aspecten van het overheidsoptreden betreffende herbergen in de Zuidelijke Nederlanden en in het bijzonder te Gent, 17^{de}-18^{de} eeuw, *HMOGG* 40 (1986), 111-58; M. FRANK, 'Exzeß oder Lustbarkeit? Die policeyliche Reglementierung und Kontrolle von Festen in norddeutschen Territorien', in: KARL HÄRTER (ed.), *Policey und frühneuzeitliche Gesellschaft* (Frankfurt-am-Main: Vittorio Klostermann, 2000), pp. 149-78.

order' of a community, society or state: the so-called well-ordered police state'.⁴⁵ The means of justification grew out of the implementation of a discursive approach where words such as 'sovereignty' and 'reason of State' (*Staatsräson*) were crucial.⁴⁶ Yet the divine side of this order was not evacuated because *Gute Policey* was also synonymous of *Gute Ordnung*: the lack of faith could bring God's lightning strikes.⁴⁷

The prescriptions dedicated to the implementation of moral standards among the population were meant to create a good agreement between the subjects and the establishment of a Christian 'esprit de corps'.⁴⁸ In this respect, an act of 26 June 1589 can be retained. It dealt with various topics: it contained decisions concerning inns, religious feasts, as well as the sovereign's right of reprieve.⁴⁹ By restricting the analysis to articles supervising the Catholics' behaviour, several striking elements can be raised. First of all, the authorities limited the number of inns and cabarets near cities – the measure is also comprehensible through fiscal considerations – but a royal permission could be delivered if it was necessary. Then wedding banquets taking place in the countryside should be supervised by

some officers or any other qualified person to pacify argument or quarrel
... And officers will prevent any troubles that could rise about the meat
usually asked by young men during wedding banquets ...

The holidays organized in the Netherlands in dedication of a local patron saint will be regrouped in one single day. This decision should strongly limit the risks of overflowing as already defined more than ten years before the beginning of Trent in the general ordinance of 1531.⁵⁰ Thus, this decision was not *per se* an innovation for the Netherlands in 1589. Yet this situation was quite new in respect of the obvious increase of state regulation and control over the moral and religious behaviour of individuals during the Early Modern Period.⁵¹

- 45 K. HÄRTER, Security and 'Gute Policey' in Early Modern Europe. Concepts, Laws and Instruments, *Historical Social Research* 35 (2010), 42.
- 46 H. MOHNHAUPT, Potestas legislativa und Gesetzesbegriff im Ancien Régime, *Ius Commune* 4 (1972), 188–239; G. BOTÉRO, *De la raison d'État (1589–1598)*, Paris: Gallimard, 2014.
- 47 In the Lutheran Sweden, God's anger is the only argument used in the legislation next to the preservation of the kingdom's 'common good'. For the Catholic prince-bishopric of Bamberg, J. STAUDENMAIER pointed out that the end of the sixteenth century (1590–1610) represented a peak in the imposition of a religious and social discipline ('disciplinaryization' of the clergy, respect of fasting, correct dispense of the sacraments, condemnation of blasphemy, regulation of games, etc.). Cf. J. STAUDENMAIER, *Gute Policey in Hochstift und Stadt Bamberg*, Frankfurt-am-Main: Vittorio Klostermann, 2012, pp. 75–78, 125; T. KOTKAS, *Royal Police Ordinances in Early Modern Sweden. The Emergence of Voluntaristic Understanding of Law*, Leiden: Brill, 2014; LOTTIN, Lille (see n. 17), p. 95; HÄRTER, Security (see n. 45), p. 47.
- 48 See the letter sent by the Duke of Alva to Maximilien Morillon, vicar-general of the archbishopric of Malines, in June 1570. Cf. DE RAM, *Synodicon Belgicum* (see n. 1), vol. 1, p. 70; TANNER, vol. 2, pp. 784–96.
- 49 AGR, ACRALOB, *Collection des placards imprimés*, n°2/54–55, 22/06/1589. For the preparatory document, see AGR, PEA, 1106, 22/06/1589; AGR, PEA, 1146, 22/06/1589.
- 50 J. LAMEERE (ed.), *Recueil des ordonnances des Pays-Bas. Deuxième série*, 6 vols., Brussels: Goemaere, 1902, vol. 3, pp. 265–73.
- 51 TH. SIMON, "'Policing" and Morality. On the State Regulation of Faith and Morality in the Policy Decrees of the Early Modern Period', in: S. MÜLLER and C. SCHWEIGER (eds), *Between Creativity and Norm-Making. Tensions in the Later Middle Ages and the Early Modern Era* (Leiden, Brill, 2013), p. 242.

The prescription described above also intended to forbid the immunity of every criminal requesting sanctuary in church or any other sacred place.⁵² This vast category of individuals encompassed heretics, thieves, those guilty of manslaughter, or any persons involved in public revolts or 'popular tumults'.

The alacrity to supervise all the religious feasts in which believers participate attained a new level in the post-conciliar context and the disorders occurring in the Netherlands. Already in the 1540s, the Council of Flanders underlined the danger that places such as inns or cabarets represented for the population. In those places, according to the provincial institution, the workers spend 'all their salary by drinking strong beer, they abandon their spouses and children and therefore manslaughters or other troubles occur'.⁵³ Hence it must be pointed out that edicts promulgated by the civil authorities before Trent could be reactivated when the question of applying these recommendations reappeared. The new spectrum, which covered these decisions, fits into this European endeavour to defend the moral righteousness of the clergy and, by extension, all God's people.

At the end of Philip II's reign, the central government seemed to be resolved to discipline the whole population and to forbid any infringement on the Scriptures. Thenceforth, it did not hesitate to remind people of its obligations to the Council of Flanders. The provincial institution was forced by Brussels to republish the prescription of May 1593 relative to the speeches and the discussions held on the 'theological proposals in profane places such as inns or taverns'.⁵⁴ The authorities' decisions lay within the framework of the decrees taken in Trent.⁵⁵ In this respect the distinction operated between profane places unfit for the theological disputes and others possessing the sacred validity for such discussions is quite characteristic.⁵⁶ The period of the liturgical year in which the central government discussed this measure to the Provincial Council was not fortuitous. The republishing had to be made precisely before Easter of that year. If the central government paid attention to enforce religious holidays and the Sunday rest, as demonstrated above, it also tried to make sure that these same holidays were not the opportunity to disrespect Holy Scripture. Thus, there is a beam of Tridentine inspired decisions aimed explicitly at leaving the smallest openings possible for the citizens to question or express themselves about religion. The 'bicategorisation' of 'this world here below', between a profane and a sacred space, finds its consecration in resolutions such as those sent to the Council of Flanders.

52 On the question regarding sanctuary, see: H. NOIZET, 'Alcuin contre Théodulphe. Un conflit producteur de normes', in: B. JUDIC and P. DEPREUX (eds), *Alcuin de York à Tours (actes du colloque de Tours les 4-6 mars 2004)* (Rennes: Presses universitaires de Rennes, 2004), pp. 113-29.

53 N. SIMON, 'Un dossier "gracieusement" conservé. La genèse de l'ordonnance d'octobre 1541 sur le droit de grâce', *BCRALOB* 53 (2012), 125-225, pp. 142-43.

54 AGR, PEA, 1109, 30/03/1597 (copy).

55 CT, vol. 8, p. 965, vol. 9, p. 981.

56 This refers also to a 'visual communication' aimed to enforce the recatholization of the population and the public sphere. Cf. J. M. MULLER, 'Communication visuelle et confessionnalisation à Anvers au temps de la Contre-Réforme', *Dix-septième siècle* 249 (2008), 441-82.

TO CREATE A HOME FOR CATHOLIC EXILES?

At the end of the sixteenth century, then, Brussels attempted to establish an exclusively Catholic community in which religious factors played a dominating role.⁵⁷ In this respect, special attention should be drawn to the edict of 1 July 1597.⁵⁸ This act intended to define the conditions of the Catholic French and English emigrants willing to leave their own country to settle down in the Catholic Netherlands. The purpose of this edict was to control more effectively foreigners and religious emigrants. It is well known that the end of the sixteenth century showed a weakening in the English Crown's support for the Dutch rebels.⁵⁹ King James I/VI Stuart was concerned about the legitimacy of a revolt which abjured its 'natural' sovereign.⁶⁰ If Spain and England signed the Treaty of London in 1604 it did not establish a regime of religious liberty or the freedom of cult for the English subjects in the Netherlands. It was primarily a commercial agreement. If an English subject wanted to stay permanently in the Netherlands or in Spain he had to convert to Catholicism.⁶¹ Additionally, the prescriptions of 1597 intended to find a long-lasting solution so that the French Catholic victims of the war led by Henry IV could peacefully live their faith under Philip II's protection.⁶² Nevertheless, not all the emigrants were of Catholic confession. It was thus necessary to proceed to verifications. Every emigrant had to declare himself to the officer of his jurisdiction. The English or French refugee had to pass on his place of residence, his name and any nickname, his place of birth, his age and the reasons which urged him to come in the Netherlands. These decisions were similar to another aspect of a policy led by the Archdukes (1598–1621), namely the search for recognition of the Catholic minorities in Protestant territories.⁶³ In this Tridentine spirit, aiming to obtain the establishment of religiously homogeneous territories, the resoluteness of the Catholic authorities was quite obvious.

In the first draft of an edict of 1 July 1597, Brussels was ready to allow Calvinist Dutch to come to the Netherlands if they possessed an authorization and if they followed the prescriptions discussed above of not residing permanently in royal territory. This granted mobility to Calvinists appears as an extremely liberal-minded initiative of the Spanish King. In 1597, the central government seemed to realize that

57 B. DIEFENDORF, Catholic Identity and the Revolt of the Low Countries. A View from South of the Border, *BMGN* 126 (2011), 82–88.

58 AGR, PEA, 1109, 01/07/1597.

59 H. DUNTHORNE, *Britain and the Dutch Revolt, 1560–1700*, Cambridge: Cambridge University Press, 2013.

60 L. DE FRENNE, 'Professions, prêtres et pensions. Les réfugiés catholiques anglais aux Pays-Bas méridionaux sous l'administration des archiducs Albert et Isabelle (1598–1621/1633)', in: Cl. BRUNEEL, J.-M. DUVOSQUEL, Ph. GUIGNET and R. VERMEIR (eds), *Les 'Trente Glorieuses' (ca. 1600-ca. 1630). Pays-Bas méridionaux et France septentrionale. Aspects économiques, sociaux et religieux au temps des archiducs Albert et Isabelle* (Brussels: Archives et bibliothèques de Belgique, 2010), pp. 107–25; M. QUESTIER, When Catholics Attack. The Counter-Reformation in Fractured Regions of Europe, *BMGN* 126 (2011), 89–95.

61 W. THOMAS, 'The Treaty of London, the Twelve Years Truce and Religious Toleration in Spain and the Netherlands (1598–1621)', in: LESAFFER (ed.), *The Twelve Years Truce* (see n. 14), p. 281.

62 AGR, PEA, 1109, 01/07/1597.

63 P. ARBLASTER, 'The Archdukes and the Northern Counter-Reformation', in: THOMAS and DUERLOO, *Albert & Isabella* (see n. 22), pp. 87–92.

this article would cause disorder considering the wide latitude given to the enemies of the King and it was removed from the published version of the edict. Even if this article was not kept, it must be emphasized that the mere presence of this generous attitude in the first draft of the edict is far from trivial. If one wants to fully understand the mind-set of the Catholic government he should also pay attention to the economic situation of the Netherlands in the 1590s. The central authority in Brussels was naturally quite concerned by the impact of the religious tensions between Catholics and Calvinists but it was also concerned about the economic growth of the rebel provinces and the weakening of the Netherlands.⁶⁴ Therefore some edicts prohibited the transfer of food and goods from or to the United Provinces. Yet, in December 1591, the economic situation of the Catholic territories was so bad that the Privy Council advised to allow the importation of goods from the United Provinces because the Netherlands 'currently need more of their goods than they need ours'. The same advice was given regarding the importation of refined salt.⁶⁵ This last example confirms the fact that the political and economic interests of the Spanish Crown prevailed sometimes over religious considerations.⁶⁶

The question of Catholic immigrants in the Netherlands contained two coextensive problems. The erection of a physical and symbolic border between Protestants and Catholics was meant to help achieve the homogenization of God's people, especially by the implementation of the Tridentine decrees. The authorities found themselves in a convenient situation to weld a community around a concrete and coherent vision of the world.⁶⁷ The civil authorities tried to answer the new aspirations in an original way by distancing themselves from a partly obsolete medieval balance. They needed to be able to realize a synthesis of the Christian values advocated by Trent while taking into account radical political, social or economic changes.⁶⁸ Even after the Twelve Years' Truce was signed, all the same problems reappeared quickly because of the 'massive arrival' of heretics. In order to guarantee the measures introduced by the central government more than a decade before, the Archdukes stated on April 1611 to the Provincial Councils and religious authorities that they must

64 Although the last decades of the sixteenth century saw a shift in the way that Brussels considered the United Provinces, they were mainly seen as 'rebels' and not only as religious dissidents. Cf. M. VAN GALDEREN, *The Political Thought of the Dutch Revolt 1555–1590*, Cambridge: Cambridge University Press, 1992.

65 The Spanish territories were apparently too weak to struggle against the sea powers of the Calvinist provinces. The Privy Council advised them to allow the import of salt from the United Provinces until the Netherlands were able to import salt from Spain. Cf. AGR, PEA, 1107, 06/12/1591.

66 THOMAS, 'The Treaty of London' (see n. 61), p. 278. Moreover, the economic life of an important city like Antwerp was far from its golden age in the early sixteenth century. In 1585, the Calvinist Antwerp surrendered to Farnese and four years later, the city's population halved partly because of economic emigration. Some emigrants were Protestants but others were Catholics who were attracted by the high wages in the United Provinces. G. MARNEF, 'Protestant Conversions in an Age of Catholic Reformation. The Case of Sixteenth-Century Antwerp', in A.-J. GLEDERBLOM, J. L. DE JONG and M. VAN VAECK (eds), *The Low Countries as a Crossroads of Religious Beliefs* (Leiden: Brill, 2004), p. 39.

67 R. STEIN, 'The Dynamics of National Identity in the Later Middle Ages', in: R. STEIN and J. POLLMANN (eds), *Networks, Regions and Nations. Shaping Identities in the Low Countries, 1300–1650* (Leiden: Brill, 2010), p. 39.

68 J. POLLMANN, 'No Man's Land. Reinventing Netherlandish Identities, 1585–1621', in: STEIN and POLLMANN, *Networks* (see n. 67), pp. 241–61; ALBERIGO, Du concile de Trente (see n. 3), *passim*.

republish the former enacted ordinances.⁶⁹ Yet in May 1611, the Archdukes continued to receive complaints concerning Calvinists' arrival.⁷⁰ Then they recognized their powerlessness and indicated that

after a deliberation with the Privy Council we cannot say anything else than what has already been published in our edicts from December 1609 and from last April.

These decisions were complementary to others and were published a few years before. In 1582, the central government forbade Catholics to leave the Netherlands, to go in the Calvinist provinces, to study at the newly created university in Leiden. According to Brussels' authorities, this university only wanted to spread the sects' ideologies and heresies, each more dangerous than the others.⁷¹ Thus, parents were forbidden to send their children abroad even under the pretext of sending them to learn an economic activity. By doing so, they would violate not only the decisions concerning the trade between the Netherlands and the rebel territories but also those relative to Catholic worship. The same decision was enacted in 1587, recalling an edict forbidding one to study in districts ruled by Protestants or Calvinists published in 1569.⁷² In the meantime, Douai asked Brussels to let the foreign Dutch students study at their university (July 1592).⁷³ That means that despite the legal framework, and the borders imposed, some areas in the erected barriers between religious communities could not be observed.

CONCLUSION

This essay documented the government's decision to answer the political and religious problems of the time by enacting Tridentine decisions. These found their roots in edicts promulgated sometimes well before Trent, but were then renewed in a passionate context of confessional opposition. Philip II's legislation testifies to the existing awareness of a radical shift from the old *Universitas Christiana*, towards a torn *corpus christianum*.⁷⁴ The studied laws show how legislation in the Tridentine spirit was instrumentalised to stop the tensions which arose from political and

69 AGR, PEA, 1112, 06/04/1611.

70 AGR, PEA, 1112, 04/05/1611.

71 AGR, PEA, 1146, 26/03/1582.

72 AGR, PEA, 1146, 02/07/1587.

73 Request mentioned in a eighteenth century inventory: AGR, Inventaires. Deuxième section, 399, f°195r.

74 W. FRIJHOFF, 'Chrétienté, christianismes ou communautés chrétiennes? Jalons pour la perception de l'expérience d'unité, de division et d'identité de l'Europe chrétienne à l'époque moderne', in: B. FORCLAZ (ed.), *L'expérience de la différence religieuse dans l'Europe moderne (XVI^e-XVIII^e siècles)* (Neuchâtel: Éditions Alphil-Presses universitaires suisses, 2013), pp. 18-19; O. CHRISTIN, 'Conclusion', in: Y. KRUMENACKER (ed.), *Entre calvinistes et catholiques. Les relations religieuses entre la France et les Pays-Bas du Nord (XVI^e-XVIII^e siècle)* (Rennes: Presses universitaires de Rennes, 2010), p. 392; R. LESAFFER, 'Peace treaties from Lodi to Westphalia', in: R. LESAFFER, *Peace, Treaties and International Law in European History. From the Late Middle Ages to World War One* (Cambridge: Cambridge University Press, 2004), pp. 12-13; PRODI, 'Il concilio di Trento' (see n. 5), p. 21.

religious opposition.⁷⁵ The content of the edicts leaves no doubt: the central government chose to enact harsh edicts in an attempt to create order in society. This discipline became visible when the authorities were suspicious of popular repertoires thought to be irreconcilable with the post-Tridentine logic. Hence, the advent of a Protestant repulsive pole was used as a fulcrum to promulgate new dispositions or to reactivate old ones concerning the social discipline of the subjects.⁷⁶ Furthermore, in the loyal territories of the Habsburg Netherlands there remained much local and particularist obstruction towards implementing the Tridentine decrees in all territories.

75 J. POLLMANN, *Catholic Identity and the Revolt of the Low Countries, 1520–1635*, Oxford: Oxford University Press, 2011.

76 POLLMANN, *Catholic* (see n. 75), p. 127; M. FORSTER, The Catholic Laity and the Development of Catholic Identity, *BMGN* 126 (2011), 75–80.