

The Treaty of Arras, 1579

Introduction: In 1578, Alexander Farness, the Spanish military leader of the Low Countries and the Prince of Parma, offered the States of Hainaut and Tournaisis, and the towns of Lille, Douai, and Orchis, the restoration of local self-government as it had been under Charles V, with the conditions that the Catholic religion would be maintained and the sovereignty of Phillip II was accepted. Discussions among the Walloons also included the province of Artois. The Union of Arras was agreed to on January 6, 1579. King Phillip II agreed to the terms and in effect gave up his claim to absolute authority over these territories. In May of 1557 the Treaty of Arras was signed, agreed to by the king in September, and formally proclaimed in October. Both parties to the agreement had no idea that they were laying the foundations of a new state in the Low Countries south of the great rivers. The rebels in the North, who would eventually create the Republic of the United Provinces did not give up their attempts to bring all the Low Country provinces under their control until many years later. The southern lands, except for some losses of territory to the French, were transferred to Austrian Habsburg control with the Peace of Utrecht in 1713. They remained Austrian until the invasion of a French revolutionary army in 1792, when they were incorporated into the Kingdom of the Netherlands created in 1815, and became the independent state of Belgium after their revolt against the Dutch in 1830. The chief articles of the Treaty of Arras are listed below. "Articles de la Paix conclue entre les Deputez du Prince de Parme et les Provinces Valonnes, savoir le Hainault, l' Artois, les Villes de Douai, l'Isle, Orchies, &c. a Arras a 17 Mai, 1579," in du Mont, Vol. V, part i, pp. 350-355. Translated from the French by Herbert H. Rowen, ed., *The Low Countries in Early Modern Times: A Documentary History* (New York, 1972), pp. 261-266.

I.

First, the negotiations of the Pacification of Ghent, the Union, Perpetual Edict and His Majesty's Ratification, will remain in full force and vigor and shall be put into effect in all points.

II.

And in order to maintain appreciably better confidence among the subjects of His Majesty by means of a good Union and accord in the service of God for the preservation of the Roman, Apostolic, and Catholic religion, and obedience to His Majesty together with the repose and prosperity of the country, both parties consent to a perpetual amnesty for all things that may have been said or done in any way whatsoever since the beginning of hostilities, or in consequence of them; and these things shall not be made the subject of investigations or accusations by judges, prosecuting attorneys, or others, as if these events had never occurred; and to this end all sentences, decrees, and edicts rendered either in this country or in any other land under His Majesty's jurisdiction in connection with the former troubles, shall be nullified

and erased from their records, with full release and indemnity for all persons included in this agreement. However, there shall be excluded all rebels, exiles, whether in exile, in prison, or ordered to trial by the governors and magistrates of the contracting lands, and they shall not be able to plead innocence of the crimes with which they are charged and will not be included in this present amnesty and pardon. But there shall be published, as necessary, edicts expressly forbidding all persons without exception to reproach anyone because of the past events.

III.

His Majesty will confirm and approve all the actions, donations, and agreements of the Archduke, the States, the Council of State, which are not contrary to the Pacification of Ghent, the Union which followed it, the Perpetual Edict, and the rights, privileges, and liberties of the provinces, in general and in particular.

IV.

No one shall investigate or cause to be investigated the demolition of castles and forts; which castles and forts may not be rebuilt or other new ones constructed without the express decision of the States of each province individually.

V.

His Majesty shall send out of all the aforesaid countries, including the duchy of Luxemburg, all Spanish, Italian, Albanian, Burgundian, and other foreign troops not acceptable to the country, within six weeks of publication of the present Treaty or earlier if the armies more fully described below can be reorganized and everything made ready for their departure. But in any case they will depart within the said six weeks (considering that the contracting States promise to work in all diligence with the commissioners of His Majesty without deception or dissimulation so that the said armies may be ready on the day that the said foreigners shall be required to leave), and six weeks later, they shall be gone from the county of Burgundy, nor shall they be permitted to return to the said countries or be sent into them, since His Majesty is engaged in no foreign war and in general has no need of them, as is well known to the said States. Likewise the said States will send out all the French, English, Scots, and other foreigners under their command....

VII.

During the time until the departure of the said foreigners, His Majesty and the United Lands will raise an army of natives of this country and others acceptable to His Majesty and to the States of the provinces which now enter into the present Treaty or may enter it later, at the expense of His Majesty, but with the understanding that the above-mentioned provinces will aid His Majesty by payment of taxes as provided in Article XX below, in order to maintain the Roman Catholic religion and the obedience due to His Majesty upon the footing of the Pacification of Ghent, the Union, Perpetual Edict, and the present Treaty in all their points.

IX.

All prisoners held by the contracting parties will be released immediately on both sides after the publication of the present Treaty, so much as is in their power, and without payment of ransom.

Likewise, Monsieur d'Ognies and others will very humbly beseech His Majesty to consent to send back to this country in freedom the Count of Buren [Philip Buren, eldest son of William the Silent] provided that he swears an oath to uphold the Roman Catholic religion, the Pacification of Ghent, the Union, Perpetual Edict, and the present Treaty. . .

XII.

And for greater security, in conformity with Article XI of the above-mentioned Perpetual Edict, an oath shall be sworn by the contracting States, as well as by all persons in high office, governors, magistrates, burghers, and inhabitants of the cities and places under garrison, and by the soldiers, and persons in towns and places where there are no garrisons, and even by all others who hold any command or military office, or other post, to uphold both the Roman Catholic religion and the proper obedience due to the King, in accordance with the above-mentioned Pacification and subsequent Union and the Perpetual Edict, and not to receive, change, or permit entry to any garrison without the knowledge of the governor general and the governor of the province, with the advice of the States of each province or their deputies; with the understanding that in case of urgent necessity, the abovementioned provincial governor may send soldiers into forts where garrisons are usually stationed, provided that they are under oath to and in the service of His Majesty in each province.

XV.

His Majesty shall now and henceforth give commission to a prince or princess of his blood acceptable to the States to be governor and lieutenant-general in this country, and he shall be bound to swear solemnly to observe the Pacification of Ghent and the subsequent Union, the Perpetual Edict, and the present Treaty in all its points and articles, and specifically to uphold the Roman Catholic religion and the reasonable obedience due to His Majesty, and His Majesty is most humbly beseeched to accept and continue in this governorship Archduke Matthias, on condition that he will leave at once to come into these reconciled provinces, if not with a complete commission, at least for the period of three months. And immediately after the departure and exit of the above-mentioned Spaniards and foreigners from all the Low Countries, and the liberation of the cities, castles, forts as stated above, my Lord the Prince of Parma [Alexander Farnese] will have the governorship general . . . for the period of six months. . . . And after these six months, if His Majesty has not yet provided for the government of this country, in order to avoid all disorder and confusion, it will be administered by the Council of State while awaiting the arrival of the new governor.

XVI.

His Majesty will choose for his Council of State ten or twelve persons, or more where customary, including lords and nobles as well as men of learning, all natives of the country, of whom two-thirds shall be acceptable to the States of the said provinces and shall have been of their party from the beginning of this war until now.

XVII.

All correspondence and dispatches shall be drawn up according to the advice and decision of the councilors of state (who shall be required to take the prescribed oath), after drafting by one of them, on order to prevent the difficulties of which we have become aware.

XVIII.

When governorships, as well as the post of general of the army, become vacant from now on and during the next six years, His Majesty will fill them with persons born in this country as well as with foreigners, both to be acceptable to the States of the respective reconciled provinces, capable, fitting, and qualified under their privileges. And with respect to the Privy Council, the

Council of Finances, and other important offices, His Majesty will name both natives of the country and foreigners who are acceptable to the aforesaid States, provided that before they are received they shall solemnly swear this Treaty and promise by oath that in the event that they become aware of any action prejudicial to it, they will inform the provincial States, under pain of being held perjurers and men without honor. . . .

XX.

They shall henceforth not be burdened in any way with taxes, tributes of impositions other than those which were in force during the time of the late Emperor Charles, and with the consent of the States of each province respectively. Each and all of these shall be maintained in their privileges, usages, and customs, in general and individually. And in the event that any be infringed it shall be made good and restored.

XXI.

Furthermore, the contracting Parties shall be required to renounce; as far, as concerns them, all confederations and alliances which have been made since the beginning of these changes and troubles

XXIII.

And in order to increase the goodwill and affection which princes owe to their subjects, so that the said subjects may be all the more inclined to give their prince the respect and proper obedience which they owe him, it appears desirable and necessary (as His Majesty is most humbly beseeched to do) to be pleased to send here at the earliest possible opportunity one of his children who shall be his successor apparent in this country, to be brought up and instructed according to the manner of the land, with all proper piety and virtue.

XXIV.

All provinces, castellanies, cities, or private persons in these Low Countries who shall desire to be reconciled with His Majesty upon the same footing and the same conditions as in this present Treaty shall enjoy this benefit, provided that they come here voluntarily within three months after the effective departure of the Spaniards from these Low Countries.

XXVII.

Both sides will confirm the present Treaty and settlement by solemn oath upon Holy Scripture,

and His Majesty will accept and consider it valid within three months after its publication, or sooner if possible.

XXVIII.

Thus done, concluded and decreed in the Abbey of St. Vaast at Arras, the 17th day of May, 1579, etc.