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Hugo Grotius

Annals of the War in the Low Countries

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Hugo Grotius, *Annals of the War in the Low Countries* *Edition, Translation, and Introduction* Jan Waszink

The Annals of the War in the Low Countries is one of Hugo Grotius' lesser-known works. Grotius expresses a wayward view of the early revolt, which he presents not as a united battle for the true faith and the ancient liberties of the land, but as a protracted and painful struggle, not only with the great power of Spain, but also with discord, selfishness and religious fanaticism among the Dutch. To convey this complex and controversial vision of the foundational years of the Dutch Republic, Grotius chooses the world-view and the prose style of the Roman historian Cornelius Tacitus as his model. His commissioners however, the States of Holland, did not publish the work when it was finished in 1612; it only appeared in print posthumously in 1657.

This is the first edition of Grotius' then influential and well-known *Annals* of the Dutch Revolt since 1657. It presents a critical edition of the Latin text, a fresh modern English translation and an introduction which covers all aspects of the work, from its conception to its modern reception, underlining the importance of reason of state-ideas for Grotius' thought in general.

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Preface

Although Hugo Grotius counts among the great names of the western intellectual tradition this does not mean that all of his works are readily accessible (let alone in reliable editions or translations). This is particularly true with respect to Grotius' historical oeuvre, of which many are hardly aware that it was ever written in the first place. However the situation for this part of Grotius' oeuvre has slowly improved over the past few decades, and the present book aspires to be a significant step in this process. The historical chapters of *De Iure Praedae* had been accessible ever since the 1868 edition by Hamaker and the translations derived from it. The short *De Antiquitate Reipublicae Batavae* was available in a reprinted old Dutch translation, and subsequently in an edition with new translations into Dutch and English by a group including the present editor in 1995 and 2000 (for BLN). The current edition of the *Annales* is the first since 1658 (although it still leaves the 500-page *Historiae* to be desired). An edition of Grotius' introduction to the *Historia Gotthorum* is in preparation, also for BLN.

On the level of the study and interpretation of Grotius' political and legal thought, the present editor believes that the *Annales* comprise a reminder of the importance of reason-of-state thought for Grotius' thought in general; a position argued in further detail in the Introduction.

FROM THE CONCLUSION

Grotius' *Annales* present an image of the first decades of the Revolt in which the role of religion is reduced to minimum or, as to organised religion, even to a negative one, i.e. as a source of chaos, division and strife in society; they present a pessimistic view of the solidarity within the Low Countries, of the political naivety of the Dutch population, and of the discipline and public spirit of the Dutch nobility; and they contain none of the glorification of the struggle of the Dutch towns and nobility against the Spanish oppression expressed in many other writings on the Revolt. Even in the case of the notable exception to this, Grotius' admiring portrait of William of Orange, stratagems, calculation and *Realpolitik* are not lacking.

Grotius uses the Tacitean sceptical and 'disenchanted' register as a tool to present some policies of key figures on both sides (not only William of Orange, but also Elizabeth and Philip II) as instances of *Realpolitik* without including the negative ethical implications such an image would carry in other registers. As to whether it was a political or a religious struggle, the memory of the revolt was highly contested, and Grotius appears to be implicitly weaponising a *Staatsgezinde* interpretation. The present editor concludes that the image Grotius presents should be understood in the context of the disagreements over church-government relations in the Republic in the first decades of the 17th century, i.e. that they are presented in order to corroborate the *Staatsgezinde* view that religion played at best a secondary role in the genesis of the Dutch Republic, that consequently the

churches should submit to the secular governments, and that the citizens should obey the States government and its policies.

However, in presenting this picture of the early Revolt, Grotius may well have overstretched his Tacitean instrument, and have miscalculated the potential opposition his account would provoke in readers who did not know, or share the taste for, Tacitism and its assumptions regarding man and religion, politics and history. The publication histories of several other historical works in the same period show that both the States of Holland and the States-General took a very active and directive role in the publication of narratives about Holland and the Republic. The AH were no exception, and after the work had (presumably) been reviewed by the committee of two appointed for the purpose, its publication plans have apparently been shelved, although no exact information survives as to what happened. The difficult position of reason of state and *politique* religious policy in the public eye (especially the orthodox Calvinist majority), together with their emerging perception of the Oldenbarnevelt government precisely as 'Machiavellian' might help explain the omission of the States to publish the work in the already tense atmosphere of 1613.

After its publication the AH soon achieved a solid reputation as an authoritative history on the Dutch Revolt. This seems due both to Grotius' relative impartiality and the successful imitation of Tacitus' model of historical analysis. The Tacitean style of the work had a mixed reception; on the one hand all critics agree that Grotius delivered a close imitation of Tacitus' original style, an accomplishment which was admired by some, but rejected by others together with the Tacitean style as such, as being too uncouth and liable to obscurity. The work was investigated twice by the Vatican Congregation for the Index in 1658–1659 and put on the *Index of Forbidden Books* because of some disparaging remarks on Catholicism that the second investigator objected to. References in other historical literature testify to its continuing standing during the 18th century. The rise of positivist historiography in the 19th century meant the end of the AH's esteem as a work of historiography, and reduced it to a model of Latin literary style interesting for a specialised and numerically limited audience.

An analysis of Grotius' picture of the some of the main characters the narrative of the Revolt shows not only his deep immersion in reason of state -thinking (applied to both sides in the war) and his relative impartiality (evidenced by the cool or even admiring depictions of Philip II and Alexander Farnese, duke of Parma), but also his veneration for William of Orange and his loathing of militant Protestantism (as embodied by the Earl of Leicester and his Dutch entourage).

It is noteworthy that Grotius, as a scholar and humanist (or if one prefers: rhetorician) when applying his scholarly instruments to questions of government and lawmaking, repeatedly preferred new and unconventional arguments and means of persuasion to tried and familiar ones. In this respect he deviated from the usual pattern in classical and humanist rhetoric, in which a preference for well-established forms of argumentation and presentation can certainly be distinguished. In fact this reduced Grotius' chances of realizing his objectives, and without doubt it contributed to the outcome of the AH not being published in its own time.¹

¹ A comparable observation has been made about the argumentation in *De Iure praedae*; see M. Somos, 'Secularization in *De iure praedae*: from Bible Criticism to International Law', in: *Grotiana* 26–28 (2005–2007), pp. 147–191.

The AH also reflect the various ways Grotius was involved in the genesis of the 12-years' Truce between the Republic and the house of Habsburg. His role as a spokesman-in-the-background of potential government statements to the outside world enabled him to obtain an informed judgment of the negotiation process. He witnessed the progress of the negotiations directly and is aware of the various interests (Dutch, Spanish, French, English, German) competing around that process; he has a detailed view of the place of the Low Countries war in both a European and a global perspective, and of the competing interests with respect to the Spanish, Portuguese and (nascent) Dutch commercial empires. With respect to the war or peace debate within the Republic, it is possible to see Grotius both as a moderate supporter of Oldenbarnevelt's peace policy and as a moderate adherent of the war party.

Contents

Introduction

1. Hugo Grotius' *Annales et Historiae*
2. The AH and the States of Holland, the Revolt and the Truce Conflicts
 - § 2.1 The main setting
 - § 2.2 The publication plans for the AH in 1612-13
 - § 2.3 The States and history
 - § 2.4 The Truce conflicts
3. Hugo Grotius
4. Tacitism and Reason of State in the *Annales et Historiae*
5. The Statesman-Historian. Grotius and the historian's role in society
6. Controversial content and the non-publication of the AH in 1612-1613
7. Tacitism
 - § 7.1 Tacitist content and ideas
 - § 7.2 Syntax and forms of Grotius' imitation of Tacitus' literary style
 - § 7.3 Compositorial aspects and narrative structure
 - § 7.4 Conclusion: Grotius' imitation of Tacitus
 - § 7.5 Other neo-latin aspects
8. Some important characters in the AH
 - § 8.1 William the Silent
 - § 8.2 Philip II
 - § 8.3 Robert Dudley, Earl of Leicester
9. Other aspects
 - § 9.1 Grotius and the Twelve Years Truce
 - § 9.2 The AH's relationship with Grotius' other works and Grotius as historian
 - § 9.3 Is there a sense of 'Netherlands' or 'Dutch' nationhood in the *Annales* ?
10. Sources of the *Annales et Historiae*
11. The composition and reception of the *Annales et Historiae*
 - § 11.1 Original composition and manuscripts
 - § 11.2 Reception during Grotius' lifetime
 - § 11.3 The survival of the manuscripts
 - § 11.4 The printed editions of 1657 and 1658

§ 11.5 The AH and the Vatican *Index of Forbidden Books* 1657-1659

§ 11.6 Translations

§ 11.7 Further reception, 17th - 21st centuries

§ 11.8 Scholarship on the text, 18th - 21st centuries

12. Conclusion

This edition

1. Principles of this edition

Sigla

2. About this translation

TEXT AND TRANSLATION

Summaries of *Annales* books 1-5

Appendices:

Appendix 1: The extant manuscripts of the *Historiae*

Appendix 2: The Vatican Index reports of 1659

Appendix 3: Biographical epilogues on Philip II by Grotius and by Van Meteren

Appendix 4: The Nijmegen copy of Pompeo Giustiniani's *Bellum Belgicum*

Appendix 5: Pieter Feddes van Harlingen's 'Monster'-print of 1619

Appendix 6: Sententiae and epigrams in *Annales* 1 and 2

Indices, bibliography

Samples passages from translation (Book 2, p. 1-3):

Hugo Grotius

Annals of the War in the Low Countries

Book 2

1. Alva's approach however was delayed, a bit by his own illness and a lot by the winter in the Alps; after a difficult and lonely journey through Savoy he finally reached Burgundy. A troop recruitment from that area enlarged his train, which, being over eight thousand men in size, the man kept in check admirably. Now that the Spaniards had been shown the way through such a long series of countries, all future opportunities to stop him were lost as far as Luxemburg, as Philip possessed a clear sense which leaders he should employ to preserve the force of his disconnected empire.² At that time, as if by agreement, war broke out in France, after the king had hired Swiss regiments. This in appearance he did out of fear over the integrity of his realm, as Alva's army brushed along its borders; in reality to use them against the defenders of the resented confession.

2. The Lowlanders lived in amazing fear or unconcern; at Alva's arrival no resistance was offered. What is more, the warlord sent out to a province at peace was greeted by cheering crowds. That title --that is, the title of duke-- he used at the beginning of his command, until Margaret by her own departure opened the way for him to the stadtholderate, tired as she was of the empty appearance of her office and because, as it was believed, feminine languor had undermined her reign; but most of all because she had, in elaborate letters with predictions of the consequences, argued against sending Alva with an army. No one had any doubts how far Alva would go in ignoring the law while fulfilling this office, to which he could not even be admitted without infringement of the laws, since of old it was stated that it could be held only by Lowlanders or persons of royal blood.

3. The first sign of the approaching terror were Egmond and Horne, summoned by a stratagem³ to the see of the Council of State, and arrested.⁴ Their request to be tried by their peers, in accordance with the privileges of the Order of the Golden Fleece, was not only not honoured, but they were even removed to a prison away from Brabant, in contravention of the rights granted to even the lowliest from the populace. Next, Spanish garrisons were placed in the most important towns in the Low Countries; these soldiers were virtually the only ones kept in service, as others were only used against dangers outside the regular order of things.⁵ The very cavalry of the Netherlands nobility was expanded by the addition of Spaniards and sent off to France under the command of Aremberg, in order to confirm the treaty with king Charles with actual support. Meanwhile citadels were being constructed after the citizenship had been disarmed and (which was the worst of it), forced to contribute to the costs.

2 On the rationale behind Philip's appointments of governors in the Low Countries, see V. Soen, 'Philip II's Quest. The Appointment of Governors-General during the Dutch Revolt (1559-1598)' in: *Bijdragen en Mededelingen betreffende de geschiedenis der Nederlanden*, vol 126-1 (2011), p. 3 - 29 and further literature suggested there; for Grotius' view of Philip's realm as an agglomerate polity, see Waszink, 'Hugo Grotius on the agglomerate polity of Philip II', in: *History of European Ideas*, Volume 46-3, 2020, p. 276-291.

3 A dinner, 9 Sept. 1567.

4 The sentence echoes the ominous opening sentence of Tacitus *Annals* 1.6, which foreshadows Tiberius' tyranny. For other echoes of classical Latin examples in this passage, see Intr. §7.1.

5 i.e. after the peace between Habsburg and France in 1559.

4. After these steps had been taken without anyone objecting, a group of circa twelve judges⁶ --most of them Spaniards, **(29)** the others being men subservient to Spain, a race found to be of no lesser cruelty-- were ordered to demand the death penalty against all who were guilty of any connection with the recent upheavals; the judges to whom this jurisdiction belonged by tradition were excluded. Control of the lawcourts is a very important pillar of power --especially when accusations of sacrilege are supplemented with some of lese-majesty, an accusation as suspect with good princes as it is welcome to tyrants, since it robs its defendants of all legal support, and virtually condemns them by the sole horror of the term alone.

5. The prisons were packed with the accused; countless humans were killed. The same sight everywhere, as of plunder after a siege. For not only recourse to arms was used as a grounds for accusation, but in others their lack of movement was interpreted as rebellion, or unfortunate advice, or offices sought or precisely refused. The destruction was greatest among the nobility and those who had been prominent in power or wealth, and whose deaths contributed to the safety of the Spaniards, whose possessions to their revenues and booty. Alva made no secret of his intentions when he boasted by a harsh remark, which characterises him perfectly, that a couple of salmon heads are preferable to many thousands of frog heads.⁷ Thus he gave a new expression to the ancient wisdom that a king strengthens his position by eliminating the leading people in his state.

6. Egmond and Horne were blamed for everything which had passed from the time of the loathed Granvelle up to that time, including the suspicion that with William of Orange they had decided to divide the Low Countries among themselves and throw the king out by force. These two men were in everyone's conviction the most eminent men in the Low Countries, as magnificent by their own deeds as by their descent. They offered their necks to the headsman on a square in Brussels after a service in the Roman fashion. Their heads remained on poles for some time, to serve as horrible spectacle to the Netherlanders. Incredible crowds visited their graves, crying and kissing, and although the army, which stood around in large numbers, kept a close eye on every word and almost every face, compassion seized everyone's heart, and with the brave, the decision to take revenge as well. Others even pledged their hair, following an ancient custom which puts an obligation on their facial growth, that is, to leave it untouched until such noble blood be avenged. The possessions of Orange, who was summoned by proclamation with many others to appear in court, fell to the treasury, also because he evaded punishment by being absent. His son was abducted from Louvain, where he was being educated in the Liberal Arts, to captivity in Spain.⁸

7. Carnage and flight produced one large wasteland. The few whose poverty did not even admit exile, kept hiding in arms in the forests, where rich booty looted from the clergy provided for their living.⁹ They managed to keep the magistrate, who raged against them, in check with equal violence, until they were outnumbered by Alva's forces and driven out. Similarly small bands arose in many places along the rivers Meuse and Rhine, who had sworn to kill the duke and perished **(30)** at their first attempts.

8. Gruesome reports from Spain gave no reason to expect a milder attitude from the king than from Alva. For in Spain the baron de Montigny, whom we related above was sent there,¹⁰ was submitted to public execution. He expected the sacred law of nations, and the title of envoy, inviolable even between parties at war, to work for him; but in vain, as Philip's subjects were denied such legal intercourse with their prince. The marquis of Bergen forestalled a similar end by

⁶ The so-called *Bloedraad* (Blood Council); the first meeting was on 20 Sept. 1567.

⁷ A Spanish proverb; see Motley, *Rise of the Dutch Republic* vol. 1 p. 150 (also De Thou, V. 300; Bor, IV. 219, Hooft, IV. 154; Bentivoglio, IV. 58).

⁸ Filips Willem (1554-1618), oldest son of William of Orange and Anna of Egmond.

⁹ *Bosgeuzen*, 'woodland-geuzen', as distinct from 'watergeuzen'; see note to 1.51 above.

¹⁰ 1.52.

a timely death, not without giving occasion to rumours of poison. However this be, on his memory too a *damnatio memoria* was imposed by Alva's doing. The story told about the king's son Carlos himself is even more spectacular and more darksome. It was an established fact that the successor to so many crowns was put in custody, either because his young age, ripe enough to assume power, aroused suspicions that he cared too much for the Lowlanders, as if they weren't his father's province;¹¹ or because one and the same crime carried him and his step-mother away to their ends. In any case, his death came soon, and it remains unknown for which reasons father persisted in his wrath until he had killed his son.

9. Exiles [from the Low Countries] stirred up William of Orange, who of his own accord would not take up arms too quickly and preferred giving the Spanish occasion to rage against all, until the full extent of their plans had become clear, and the oppressed to unite among themselves. Moreover he hoped that a safer opportunity would be provided against a king who would soon be involved in other wars. The exiles however, scattered against their will and penniless, suffered far from home from their motherland's misfortunes.

10. Part of these exiles invaded Friesland following Louis of Nassau's lead. They inaugurated the war with a toast of their enemies' blood, then of their own. First Aremberg perished, who by himself was wise enough to wait, but was driven into battle by the belligerence and reproaches of his soldiers. Having dispelled Aremberg's troops, the exiles, now the victors, counted in vain on the defection of cities and soon the absence of pay eroded their discipline, until they were butchered at Alva's sudden appearance. Adolph, brother of William and Louis of Orange, had even been killed in the first battle.¹²

11. This course of events caused Orange to strengthen his side with force and a legitimization of his power. He issued publications¹³ stating the rightfulness and the causes of the fighting, in which he also refuted the crimes of which he was accused and the legitimacy of the judge. He did not hide the fact that he had left the Roman church since he had learned about a better one.¹⁴ "However,"¹⁵ he declared, "I am taking up arms for the public sake and in order to drive servitude from the country: that is my duty as a citizen and a nobleman." About Philip he spoke respectfully: "his goodness is being blocked by the counsel of the Spaniards. There is no reason to lose hope that one day he will come to care for a loyal nation and the laws he has sworn to uphold. Until that time however, on account of Brabant's law,¹⁶ normal obedience to the monarch is not owed to Philip's errors."

12. Of this last element, which contributes greatly to the justice of his cause, the explanation

11 Don Carlos (1545-1568, son of Philip and Mary of Portugal) is often portrayed in the literature as a cruel and power-hungry psychopath, whose anger was aggravated by being kept away from power. He would have aspired to the governorship of the Low Countries, would have been enraged by seeing given to Alva and would have attempted to escape to the Low Countries. This notion provided the basis for many myths connected with his person; noble motives would have prompted him to try protect the Lowlanders. Elizabeth of Valois (1545-1568) had been chosen by Philip for Carlos, but when his (second) wife, Mary Tudor died, Philip married her himself. There was much talk about a (fictitious) romance with Carlos after her wedding to Philip, who was later accused of having poisoned her (see 2.24 below). The story that Philip had Don Carlos killed originated in Orange's *Apology* (*Apologie of Prince William of Orange*, ed. Wansink, p. 45-45; or *Apologie ofte Verantwoordinge*, ed. M. Mees-Verwey, p. 47.), became part of the Spanish 'Black Legend' and has circulated for centuries (e.g. Schiller, Verdi); see also Motley, *Dutch Republic II* 195-206 for other anecdotes and versions of the story; see also Swart, *Willem van Oranje* p. 191; Rodriques Perez, *De Tachtigjarige Oorlog in Spaanse ogen*, p. 176, 199-202; and 1.65 and Intr. §7.1 above.

12 The battles of Heiligerlee and Jemmingen.

13 The *Verantwoordinge* of 1568 and other pamphlets collected in M. Schenk, & A. van Schelven (eds.), *Geschriften van 1568. Verantwoordinge, verklaringhe ende waerschowinghe mitsgaders eene hertgrondighe begheerte des edelen, lancmoedighen ende hooghebornen Princen van Oraengien*, Amsterdam 1933.

14 Orange converted to Lutheranism in 1566-1567 (Klink, *Opstand, politiek, religie* p. 245-6) and would officially join the Calvinist church in 1573 (Swart, *Willem van Oranje* p. 46-47).

15 Probably a paraphrase of the key thoughts in 'Waerschowinghe' also included in Oranje, *Geschriften van 1568* (p. 117-128). NB *tamen*: Grotius means that not the religious issue is Orange's motivation for rebellion, but the political issue, 'to drive servitude from the country'.

16 The Joyous Entry of Brabant of 1356, the charter that played a central role in the constitutional justification of the Revolt.

is as follows.¹⁷ In general the Brabantines have watched their liberties better than the other provinces. For in their covenants they include as a condition which they are entitled to, that if and when the prince acts in violation of the laws, the Brabantines are exempt from their duty to loyalty and obedience until the injustice be removed. They did this as a precaution against deceit by their rulers, who do not shrink back from cancelling (31) meetings of the Estates under the pretext of protecting the common good. Its wisdom is confirmed by the experiences of previous generations who used force or bold decrees to drag their princes back to better ways when they were carried away by their own weakness or the tricks of flatterers --count John II being the most notable example. They did not conclude peace before the princes would promise to keep themselves to these decrees. Orange, although born in Germany, possessed some very illustrious hereditary lands in Brabant, and ancient custom placed the lords of these among the highest nobility. On the basis of these rights Orange claimed that not merely an invocation of these laws pertained to him especially, but their protection as well.

13. Furthermore it should not be forgotten that practice had expanded the same rights to the other Low Countries provinces as well, and that on top of that decrees by Maximilian of Habsburg and Mary of Burgundy are available which put the other provinces, which are indissolubly linked to Brabant, in the same position by confirming the same laws. It is an undisputed fact that the nations which joined during the time when the Emperor Charles was prince,¹⁸ i.e. the Frisians, Utrecht, Guelderland, have agreed many separate conditions with the Emperor, but all share this condition, that they will not be separated from Brabant and Holland.

14. This polemic touched the emperor Maximilian deeply. He also regretted Orange's fall, which suddenly drove the latter out of such splendid office and wealth --no kingdom ever befell a milder prince than Maximilian. He sent his brother Charles to Spain to deliver the message in his own name and that of the other German princes that it was not thought to be in the general interest to act too severely against the Netherlanders. Philip however, with ill-concealed anger, had the reply sent back that he could handle his own work, and that he knew which was the time for mildness and which for severity towards a people who had spurned God and would soon find out how to spurn their prince. And lastly that the senders should do better and safer if they would refrain from judging another man's business.

15. Now there were some who spread the news that Lower Germany, which by the force of its rulers had broken away from the body of the Empire, would return to it as a result of the war.

¹⁷ cp. 1.46 and the argument in *De Antiquitate* chapter 5 (focusing mostly on Holland).

¹⁸ Note the phrasing: Charles was not emperor or king in any province in the Low Countries; see also 2.59, 4.40.