

From the collection of Joep de Koning: Section taken from the Manhattan map, Courtesy: Library of Congress, Geography & Map Division



Johannes Vingboons, c. 1639: The symbolic worth of this island triad is greater than the sum of its parts. Each islet exemplifies its own unique facet of history but, together, they define the juridical and cultural construct to which American freedom refers. The legal-cultural code of religious tolerance (“toleration”) was delivered to Governors Island in 1624 with the founding of the juridical entity of New Netherland as a North American extension of the Dutch Republic. The Island is therefore the locus of a historic message that lies at the root of New York’s traditions, American pluralism and liberty. In May of 2002, the State of New York officially recognized Governors Island as its birthplace in the year 1624 with its birthright of tolerance – a reciprocal dynamic – that is the foundation of American liberty.

Governors Island and the Origins of Religious Tolerance

By Joep de Koning

Religious freedom lies at the foundation of the United States of America. By constitutional command, the Congress may make no law respecting an establishment of religion, nor may it prevent its free exercise. These rights are enshrined in the First and Fourteenth Amendments to the United States Constitution.¹

The Dutch Republic introduced the jurisprudence of religious tolerance into the Western Hemisphere in 1624, mandating it for its settlers to New Netherland. This jurisprudence accompanied the first settlers who disembarked on Noten Eylant, now Governors Island, in New York Harbor in 1624 and 1625. It was the start of New Netherland as a juridical extension of the Dutch Republic situated between 38 and 42 degrees latitude. This followed New Netherland’s use as a territory for private trade under patents issued by the Republic’s States General (parliament) since 1614. The settlers

were bound by an elaborate set of orders, including an edict that accorded colonists and natives complete freedom of conscience and prohibited religious persecution as in the Republic where many thousands of persecuted Europeans had found a safe haven. The right to toleration gave birth to the diversity and pluralism that the world has come to associate with New York. Tolerance is essential to liberty. Consequently, Governors Island has not only national historical significance,² but also contains symbolic value as the lifeblood of American Liberty.

This New World introduction of religious tolerance can be traced to sixteenth-century events that eventually resulted in the division of the Low Lands (Netherlands) into two states: An independent federal republic in the north and a Spanish occupied state under Spain's royal authority in the south.

The Low Lands, comprising 17 provinces of the Netherlands upon its first political integration in 1543,³ came under the rule of Philip II, King of Spain, based on the "Pragmatic Sanction" of 1549.⁴ He had proclaimed his right to rule by Divine Law, thereby dismissing privileges and liberties of the provinces, towns, and regional leaders.

Charles V, father of Philip II, had introduced the Spanish Inquisition to deal with Protestant heretics, thus superseding or diminishing the regional administration of justice. As a result, Spain persecuted the local elites' fellow townspeople for their religious beliefs, and through Spain's central authority, tortured, executed, or burned them at the stake in Brussels, the Netherlands' capital. The Spanish burned the first Lutherans in 1523 and the first Calvinist in Doornik in 1546. They put Anabaptists to death because of their "communist" ideas in various other cities, such as Amsterdam, which Anabaptists had tried to seize as their New Jerusalem in 1535, but took a particular heavy toll in Antwerp with ninety-six executions between 1555 and 1566.⁵

Courtesy: Library of the University of Amsterdam: "Het boeck ... van den oproer der weder-doopten"



Lambertus Hortensius, 1548: Execution of insurgent Anabaptists after their failed attempt to establish an ultra-theocracy and a New Jerusalem by seizing power in Amsterdam in 1535. The surviving offenders were eviscerated having their hearts ripped out and stuffed into their mouths after which they were beheaded and quartered — their heads put on stakes at the city gates.

The Compromise of Nobles, (Eedverbond der Edelen) 1566

The seminal incident, from which the introduction of toleration in New Netherland is traced, occurred in Brussels on April 5, 1566.⁶ The economic underclass, represented by a group of dissatisfied lower nobles, had assembled in a league called the “Compromise.” At least two hundred fully armed men walked in a procession to the Catholic Spanish Governor-General, Margaretha of Parma, and delivered a petition signed by more than four hundred lower nobles denouncing the Inquisition and protesting religious persecution. Though the petitioners styled it a lawful remonstrance, the rulers in Madrid viewed it for what it was — a popular uprising.⁷

In August that same year, the Iconoclastic Fury swept all over the Low Lands, as radicalized Protestants and disaffected segments of the population took to the streets and destroyed Catholic church interiors and statues of saints. This was not a spontaneous expression of popular anger but the work of determined and disciplined resistance groups organized in local consistories throughout the land.⁸

The Dutch War of Independence, 1568

Religious clashes in Europe between Catholic and Protestant interests took particularly violent form in the Netherlands, then also known with its Latin appellation of Belgium. Religious dissatisfaction and economic distress exacerbated grassroots dissatisfaction and, ultimately, popular revolt against Spain’s royal absolutism. It was instigated by some lower nobles with the help of their Protestant brethren. Events eventually led to what is known as the Dutch War of Independence from Spain. The war began in 1568 and lasted eighty years, producing its first victory in 1572 when Dutch Protestant rebels captured Brielle, a Spanish-occupied Dutch city.⁹

During heavy fighting between the years 1580 and 1621 approximately 150,000 persons left the southern provinces for the northern Netherlands.¹⁰ It was a massive exodus, considering that Antwerp, upon its fall to the Spanish in 1585, was Europe’s second largest city north of the Alps with about 82,000 inhabitants of which 42,000 were Catholics, 27,000 Calvinists and 13,000 Lutherans.¹¹ Moreover, militant Calvinists pushed for full freedom of worship by holding public services in the open, outside the town limits, often fully armed and sometimes attended by more than one thousand people. Spain saw this provocation as a political rather than a religious manifestation.¹²

This Protestant revolt, seeking unlimited freedom of conscience,¹³ was supported by the majority of the Low Lands’ people of diverse religious persuasions. They included regular Catholics and politically influential Catholics in the north, who also opposed the Inquisition and sought to mitigate its edicts, mostly for political, financial (i.e., taxation), and nationalistic reasons. In the southern Low Lands, where many cities were predominantly or entirely Calvinist, the rebellion drew on religious and political motives. From its beginning and during its early expansion throughout the mid-seventeenth century, Calvinism was a minority religion, mostly of the lower classes or “little people” (“kleyne luyden”).¹⁴ In their idle despair they stood ready to be hired in the service of merchants who held the bulk of the wealth of the Netherlands.

The Union of Utrecht, 1579

The Compromise league was founded by six men at the house of Von Hammes, king-at-arms of the Golden Fleece, to decide upon the Netherlands’s future. Its purpose was described in a declaration: “Whereas certain ill-disposed persons, under the mask of pious zeal, but in reality under the impulse of avarice and ambition, have by their evil counsels persuaded our most gracious sovereign King to introduce into these countries the abominable tribunal of the Inquisition — a tribunal diametrically opposed to all laws human and divine, and in cruelty far surpassing the barbarous institutions of

heathenism — which raises the inquisitors above every other power, and debases man to a perpetual bondage, and by its snares exposes the honest citizen to a constant fear of death, inasmuch as anyone — priest, it may be, or a faithless friend, a Spaniard or a reprobate — has it in his power at any moment to cause whom he will to be dragged before the tribunal, and to be placed in confinement, condemned and executed, without the accused ever being allowed to face his accuser or to adduce proof of his innocence.”

Members of the league went on to say, “We hereby pledge ourselves, and to this end bind ourselves as, and vow with a solemn oath to oppose to the best of our power the introduction of this tribunal into these countries, whether it be attempted openly or secretly, and under whatever name it may be disguised.” They signed the common league and covenant in the “holy name of the living God, maker of heaven and earth and all that are therein, who searches the hearts, the consciences, and the thoughts, and knows the purity of ours.”¹⁵

Just thirteen years after the formation of the Compromise league in 1566, their demands became codified, in the Union of Utrecht. This document was composed to foster economic and military cooperation among seven rebellious provinces.¹⁶ Considered the basic law of the Dutch Republic, the Union of Utrecht of 1579 declared that “everyone shall remain free in religion and no one may be persecuted or investigated because of religion.”

Hence, we begin with that juridical reference to toleration in the founding document of the Dutch Republic. Four years earlier, however, the public exercise of Catholic worship had been prohibited in the provinces of Holland and Zeeland notwithstanding the small number of Calvinist devotees relative to the mostly Catholic population.¹⁷ Hence, the Union’s decree was not an ironclad guarantee of religious freedom because the seven provinces retained their historically acquired rights, which included the power to decide in religious matters. These provinces, except Holland and Zeeland, had agreed in 1576 that Catholics were to be left in peace.¹⁸ Now, in 1579, because their political and economic interests were larger than the principle of toleration, the Holland and Zeeland provinces maintained the status quo — i.e., no public Catholic worship but also no persecution of any religion. The Union’s proclamation was an unusual pronouncement given the political and religious realities of the time, as most everywhere else in Europe it was unpopular or unlawful to respect the religious rights and opinions of others.

Dutch Independence from Spain, 1581

It was thus that the three-pronged combination of political capital, financial capital, and grass-roots capital, motivated by economic and religious considerations, had come together in a union of formidable power in combating Spain, the richest and most powerful nation on earth. It produced an eight decade long war with Spain out of which New York was born while impoverishing Spain.

After the first thirteen years of warfare, seven provinces of the Netherlands were able to formally declare independence from Spain in 1581. This was known as the Act of Abjuration or Plakkaat van Verlatinghe. The Act split the seventeen provinces that comprised the whole of the Netherlands into two states along a militarily determined dividing line, west to east, along religious-political axes. After sixty-seven more years of warfare the final division with greatly expanded borders for the united Netherlands provinces became bilateral with the Treaty of Munster of 1648.¹⁹



Joost Hartgers, 1651: The founding of New Amsterdam (New York City) occurred with the deliberate decision, in 1625, of a New Netherland governing council, led by second director Willem Verhulst, seated in a fort on Governors Island. They selected Manhattan as the principal place for permanent settlement. They consolidated the broadly distributed New Netherland settlers of 1624, together with 45 additional colonists scheduled to arrive in June 1625, on Governors Island. The latter expedition of four ships called Horse, Cow and Sheep plus the WIC yacht Mackerel arrived, without the yacht, in June 1625 on Governors Island and included 103 horses, steers and cows, in addition to numerous pigs and sheep. Surveyor and fortification engineer Quirijn Fredericksz was among them and, starting in July 1625, laid out a large five-bastion fortification on Manhattan Island instructed to be named "Amsterdam" and intended to contain the population. The citadel was never completed but was replaced with a smaller four-bastion fort to contain a garrison. Quirijn returned to *patria* on September 23, 1626. Perpendicular to the fort's east wall, now Whitehall Street, the streets Pearl, Bridge and Stone are already clearly visible. The original place for securing cattle overnight became a parade ground, the Parade, and became Bowling Green under English authority.

Under this treaty the southern Netherlands, Belgium Regium, came into the hands of Spain, directly under its king's absolute authority. Only the Roman Catholic Church was permitted as a "state church," leaving no room in the southern region for civic or religious tolerance of any other faiths or sects. Even secular rights, such as the right to inheritance, were abrogated. This southern section, comprising the formerly important urbanized and industrialized Flanders, Brabant, and French-speaking Walloon provinces, had been the original cradle of Calvinism and religious militancy.

On the other hand, in the north, Belgium Foederatum took its place as a new European state. It was a multireligious republic wherein the Protestant Reformed religion, in a countervailing political act, was given various privileges from the start including the right as the only Christian religion permitted to be publicly visible and externally propagated in its main seafaring provinces of Holland and Zeeland. The other Christian faiths and sects received "freedom of conscience" without the ability to promote or promulgate their beliefs publicly.

Moreover, by confiscating Catholic churches and excluding Catholics — whose religion was the one of the Dutch Republic's archenemy — from governmental functions in the economically thriving Holland and Zeeland provinces, Calvinists would grow from about 10 percent of the Republic's population in

the year 1600 to 25 percent by 1648, when Catholics still comprised half of the population.²⁰ Calvinism was not an officially established or state religion. However, Protestant political control was assured by a state law requiring all public officials to belong to the Calvinist Church. This law effectively reduced all other religions to second-class status and marginalized the Catholic majority through political domination by a minority religion. All religions were therefore not equal. Even though Calvinism thus became the public or privileged Church with its adherents envisaging an active and prominent role in the affairs of state, the state maintained its authority and responsibility independent from the Church. Conversely, the state had no authority or influence over Church theology or its internal workings.

This historic 1581 Edict — expressing a right-of-man doctrine that enables oppressed peoples by their natural rights to throw off a tyrant and establish government by their own authority — stands central to the development of constitutional and republican government. This universal right provided an underpinning of the Dutch, American, and French republics, among others. John Adams recognized the linkage two centuries later when in 1781 he wrote: “the originals of the two republics are so much alike that the history of one seems but a transcript from that of the other; ...the great characters the Dutch Republic exhibits...have been particularly studied, admired, and imitated in every American state.”²¹

Willem Usselinx And The [Dutch] West Indian Company (West-Indische Compagnie or WIC)

To understand New Netherland’s cultural implications we need to understand how the WIC had come into being. It was the brainchild of Willem Usselinx who with passionate dedication conceived and pursued vigorously his 1591 grand vision (*Groot Desseyn*) for a West Indian Company. Although almost forgotten, his vision coincides with the first European development of the New York region.



Born in Antwerp in 1567, and after having spent several years in Spain, Portugal, and the Azores as agent for trading companies, Usselinx settled in exile in Middelburg, Zeeland at age twenty-four. He shared his religious conviction with most of the other orthodox exiles from the southern Netherlands’ Walloon and Flemish provinces. He reserved his ire for those, including the enlightened branch of the Calvinist Church (Remonstrants), who advocated public exercise of religion--- as if one could “get salvation in all religions without exclusion of the Jewish, Muslim or heathen religions.” He saw Catholics and Jews as natural enemies of Calvinism and of his country’s well-being. He named Mennonites “country-ruining misers.”²² In 1600, he presented the first written plans for his vision to the States General, various important town councils, and some influential persons.

Usselinx’s vision, in contrast to his earlier religious prejudice, included the precept of tolerance as a reciprocal dynamic, from which notions of individual liberty and political freedom evolved. As the basis for New World settlement he envisaged a harmonious, three-way collaboration among aboriginals, patria, and colonists, based on barter where natives were treated with respect and engaged as equal partners in new economies. His views helped shape America’s economic and cultural beginnings.



Carolus Allard, c. 1685: Portrayal of the economic alliance between Indians in the foreground with colonial settlement in the background where manufactured goods (woolen duffel/textiles) are bartered with native men for peltries and with native women for produce. "Prior to duffel, they wore a breech-cloth...Now many begin to wear white linen, which they buy from our people, and those they frequently wear without washing until the same are worn out...They talk of no subjects except hunting, fishing, and war...Labor among the young men is uncommon, and nearly all the necessary labor is done by the females. All agriculture is performed by their women... They can neither read nor write...very seldom do they adopt our religion, nor have there been any political measures taken for their conversion...If they are to be brought over to the Christian faith, then the public hand must be extended to them...we must establish good schools at convenient places for them, for the instruction of their children; let them learn to write our catechism, and let them be thoroughly instructed in the fundamental principles of our religion...Our negligence on those matters is very reprehensible, for the Indians themselves say that they are very desirous to have their children instructed in our language and religion." (Observations from the 1640's of Adriaen van der Donck)

It was in Willem Usselinx, an indefatigable religious fundamentalist and by his own account "one of the richest in the land,"²³ that the concept of a WIC was born and, ultimately, established by charter in 1621. His efforts required collaboration with many branches of government and the cooperation of influential merchants. For the good of his religion and freedom he wanted to establish America-based colonies without slaves. The success of the colonies would be based on peaceful barter of manufactured goods from the provinces for commodities from the colonies. His plan was designed "for the furtherance of God's honor through the propagation of the holy gospel; moreover to inflict [economic] loss on the enemy; thirdly to increase the country's revenues [through barter-trade] and discharge its overload population [because of a dearth of employment prospects]; finally for the general welfare of all residents of these united lands."²⁴

Negotiations for peace with Spain in 1607 complicated Usselinx's vision. Those negotiations, he believed, could be morally justified only if the Protestant Reformed people under Spanish authority in the southern Netherlands would receive the same rights as in the Republic, including the right to hold government positions.

In his many efforts with respect to his WIC colonization — plans based on farming, cattle-raising, and barter-trade as opposed to the extraction of gold and silver — he argued for the active involvement of the States General, its issuance of passports to colonists in order to assure that their actions would benefit the Republic.²⁵ He also advocated the separation of war and bounty from trade, and was against slavery and forced labor. He favored efficient, honest labor of both native and colonist; the latter through self-discipline and rearrangement of workdays according to climate and seasonal conditions in the colonies.²⁶

Usselinx wanted the American Indian as a political ally of the Republic against Portuguese and Spanish interests because they had not only been disrespected and kept ignorant by the Portuguese in Brazil but also oppressed by the Spanish in Mexico and Peru and therefore couldn't be effective workers.²⁷ He envisaged that colonists would show natives the way, by attitude and example, and thus help “civilize” the aboriginals and make them equal partners in the success of the colonies' economies. Success, however, could not be had without assurances from the States General that the colonists would keep their privileges and freedoms and would live under the laws of patria.²⁸

Ultimately, Usselinx's original colonizing design became reality in New Netherland where native men concerned themselves chiefly with war making and hunting. The indigenous women worked exclusively the land and collected the harvest. Providing the colonists with the fruits of their labor and soil (e.g., maize and potatoes) and the yields of meat from the hunt, satisfied the settlers' basic consumption needs while providing them with pelts as trade goods. Conversely, the natives' needs for textiles, fashion, duffel, and manufactured products were bartered peacefully for their goods, services, and labor.

From the collection of Jeep de Koning. Joost Hartgers, "Beschrijvinghe van Virginia, Nieuw Nederlandt/Nieuw Engelandt"



Joost Hartgers 1651: Early Mohawk native, c. 1628, with war-club in front of a stronghold and castle. The latter would often contain 20-30 houses, each in which 100-plus persons would dwell. The 1624/25 Instructions stated that if the colonists' living quarters or forts had to be on a place already inhabited by Indians, they had to be persuaded with friendly words or be given remuneration to let the settlers live among them in peace and to the natives' satisfaction while making a contract which would be signed in their manner (i.e., the legend of the purchase of Manhattan.) Van der Donck, 1655: "Prior to duffel, they wore a breech-cloth...Now many begin to wear white linen, which they buy from our people."

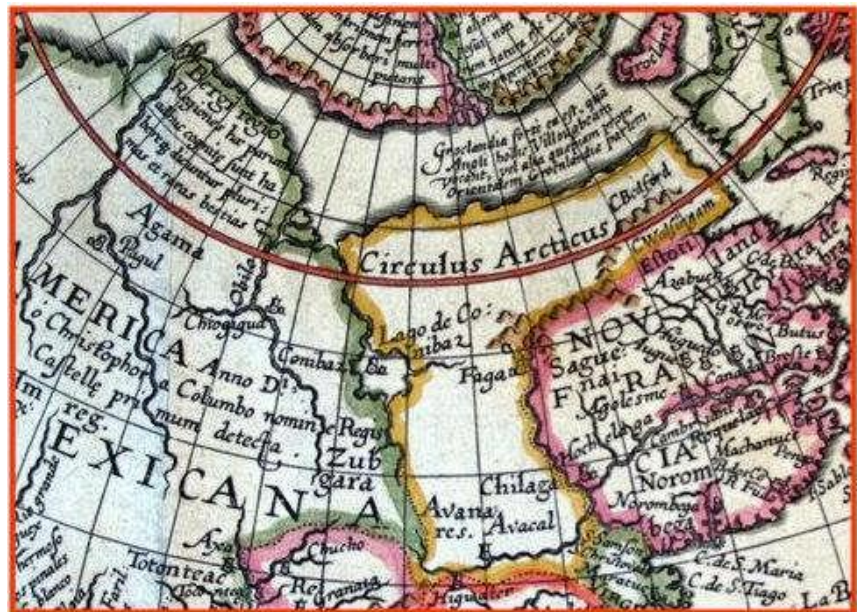
During the 1607-1609 formal peace negotiations between Spain and the Dutch Republic, Spain had demanded an unfeasible requirement from the Republic, the defender of the free seas and free trade. Spain was seeking to condition the exclusive right to trade with the East Indies and desired the cessation of all Dutch trade in the Far East. Such a peace treaty would have been the death knell for the East Indian Company. But even if only a truce would be signed, the Company's profits would dry up because of the loss of captured enemy prizes through privateering and the availability again of low-cost, low-profit spices and merchandise in the port of Lisbon.

As a solution to this predicament, the East Indian Company sought to expand its charter to include the North as well as all of the Americas. Such an outcome would have been fatal to Usselinx’s vision and would have quashed any and all efforts for a WIC in whatever form.



One of the East Indian Company founding directors, Petrus Plancius — who, as early as 1600, was interested in his friend Usselinx’s vision for a WIC — was also a respected cartographer, astronomer, and minister of the Reformed Church. Because Plancius believed that there would be open sea at the North Pole, he was assured that a northern route to the East Indies over the Pole was possible. Previously, in 1594, he had produced a world map that revealed a northwest passage above North America to the Western sea following the Frobisher and Davis explorations in search of this passage in 1576-1587.

From an annotation on the East Indian Company’s minutes of August 7, 1603, we find already evidence of an early desire to protect its interests and to exclude any competitors from making a voyage by the North. It noted that “If this navigation should be undertaken by any private person, it ought to be by all means prevented.”



Yet, competing Dutch private interests had been eager to challenge the Company’s interests by trying to find a passage to the Indies that would fall outside its charter. The peace negotiations accelerated that process for all interested parties. In an effort to preempt the East Indian Company they sought the backing of King Henry IV of France in order to achieve their objectives through a French East Indian Company. They met secretly with Henry Hudson in an effort to hire him. This became known to the East Indian Company, which rapidly sent him on his way without public announcement of his covert mission to the West.

Plancius had met with Henry Hudson in Holland in the winters of 1607-1608 and 1608-1609. Furthermore, Plancius was in the possession of the journals of Captain George Weymouth who, in 1602, had sailed fifty leagues into that Northwest Passage. Plancius had given these journals to Hudson upon his urging just before sailing to the Northeast or the West. Hence, they both understood that Weymouth's information would be used for the purpose of exploring a western route. Every geographer or experienced pilot, however, knew of the challenges that ice in the northeast and northwest routes to the Indies would present.²⁹ Once Hudson decided to abandon the northeast route, he sailed to the great river at 40 2/3 degrees using the course made eighty-five years earlier by Giovanni da Verrazzano who, in his 1524 letter to King Francis I of France, had indicated the existence of an estuary at precisely that latitude.

In the spring of 1609, after a four months residence in Holland, Hudson sailed in the yacht *Halve Maen* (Half Moon) out of Den Helder, Holland, officially for the Amsterdam Chamber of the East Indian Company, to find a North and Northwest Passage to the East Indies on April 6, 1609.³⁰ Three weeks later, a 12-year truce with Spain, permitting free trade, was signed. This was a victory for the promoters of a West Indian Company. The States General denied the expansion of the East Indian Company's charter, thus preventing further attempts at adding the Americas to its sphere of influence.

After the truce, the Republic resumed war with Spain. Now, the goal of a proposed West Indian Company included war-making as its chief function. Twenty-one years had passed from the first written WIC concept in 1600 as a vehicle for peaceful agrarian settlements in the New World to mostly a war machine as created by charter on June 3, 1621. It was a testament to Usselinx's vision however that three years later the laws and ordinances of the Republic's Holland and Zeeland provinces were implanted onto the New Netherland territory with the ship *New Netherland* that carried the first WIC settlers and farmers to Governors Island (Noten Eylant), just south of Manhattan Island.³¹ These laws, going back to 1587, and incorporated by reference in the instructions to the settlers of 1624 and 1625, are New York's oldest laws in the same way that Dutch law followed Roman law from Emperor Justinian as introduced into the Netherlands during the Middle Ages.³²

Against this background, we must view New York's beginnings to include the precepts of freedom of conscience, religious tolerance, individual liberty, and justice in New Netherland. By 1643, visiting Father Isaac Jogues, a Jesuit priest, reported that more than eighteen languages were spoken in New Amsterdam on Manhattan and that beside Calvinists there were "Catholics, English Puritans, Lutherans, Anabaptists, etc."³³ What accounts for this religious plurality and ethnic diversity?

Was it indeed rooted in that sixteenth-century Netherlandic struggle for freedom of religion and political independence from tyranny?

From the collection of Joep de Koning



Johannes Blaeu, 1650: Adriaen van der Donck's 1649 petition to the States General to seek redress of grievance (now a First Amendment right) was accompanied by a 1648 pen-and-ink view of New Amsterdam. This 1650 engraved/etched version accompanied the printed version of his Remonstrance published in 1650 as "Het Vertoogh." By glancing at this picture, one may underestimate the number of persons etched in it. However, careful perusal and thoughtful attention allows one to discern the bustle of 72 persons in this serene townscape. Similarly, by just glancing at the 60 year history of New Netherland (1614-1674), one is likely to make too little of the precedents etched in especially New Amsterdam and may underestimate their significance on America after 350-plus years. In the way that an adult's character bears the genetic and learned traits of one's childhood, modern-day American pluralism carries the traits of seventeenth-century New Netherland.

In 1579, the prominent cartographer Ortelius published his historical atlas with the statement: “Geography is the eye of history.”³⁴ Hence, a visual link may exist that depicts the significance of the relationship between American cultural history, early legal-cultural New York history, and legal-political history of the Dutch Republic. This connection can be found on a map illustrating the conceptual similarity of the United States of America and the United Provinces of the Netherlands.

In this historical light, Leo Belgicus (Netherlands Lion), engraved as a united Netherlands in 1608, is New York’s birthfather. The Latin words in its legend demonstrate that the Lion is equally pertinent to the cultural history of two nations: “The lion speaks. Just as my huge body has muscular limbs, you can see in my body powerful states. How good would it be if, united in everlasting peace, each state assisted the others.”

Facing the Spanish enemy in defense, Leo Belgicus signifies natural law as exemplified by the declaration that “when the ruler of the people (King Philip II) does not behave thus, but on the contrary oppresses them...they may not disallow his authority, but legally proceed to the choice of another ruler for their defense” (1581 .)³⁵ This proclamation preceded by 195 years America’s Declaration of Independence, that “the United Colonies are, and of Right ought to be Free and Independent States” because “whenever any Form of Government (the English Crown) becomes destructive to these ends, it is the Right of the People to Alter or to Abolish it and to Institute New Government.”³⁶

From the collection of Joep de Koning: The ideal of the seventeenth United Provinces of the Netherlands or Low Lands



Hessel Gerritsz., 1608: This Lion has a lengthy, complicated biography indispensable to understanding his North American offspring born on Governors Island in 1624. He delivered to Governors Island the message of toleration as New York State’s lawful patrimony, New York City’s identity and the Island’s legacy as the lifeblood of American Liberty. Leo Belgicus is pertinent to the cultural history of two nations because he stands central to the development of constitutional and republican government. This lion forms a momentous historical link between the founding elements of two republics by exemplifying the statement that “the United Colonies are, and of Right ought to be Free and Independent States.” The engraving’s Latin legend was altered in 1622 to read: “The lion speaks. Just as my huge body has muscular limbs, you can see in my body powerful states. How good would it be if, united in everlasting peace, each state assisted the others.” The original legend of 1608, the year of the peace negotiations with Spain, reads: “The Leo Belgicus as a personification of the Netherlands. My fame of Trojan courage and strength, my glory as another Mars are known worldwide. But far more happy would I be than many a king, if the gods would grant me ever lasting peace.”

AMERICAN REPUBLIC

“whenever any form of government (which was the English Crown) becomes destructive of these ends, it is the right of the people to alter or to abolish it and to institute new government”

“RIGHT-OF-MAN DOCTRINE”

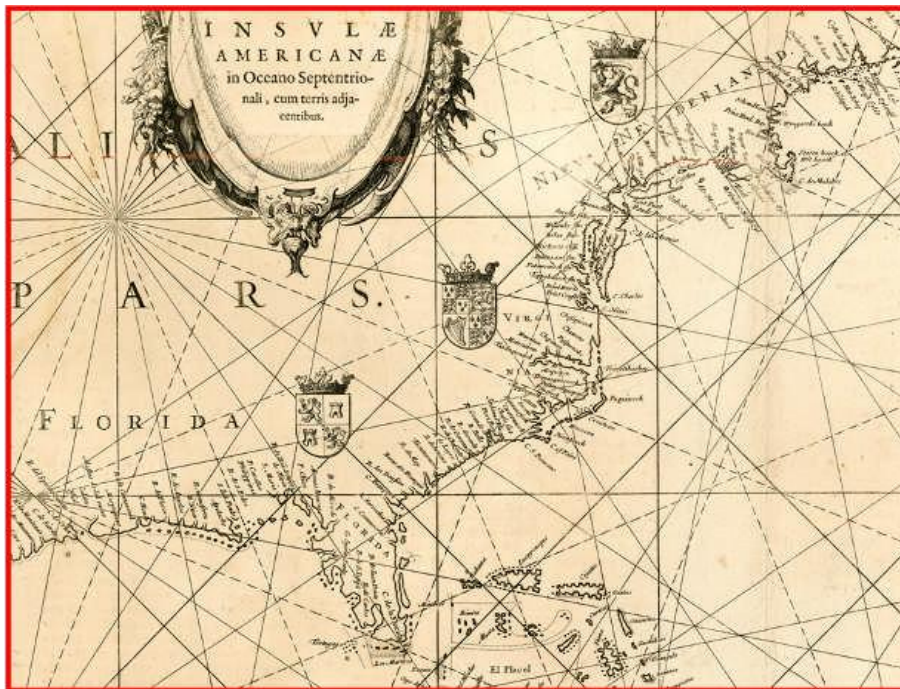
**Is the Basis for the Statement that
“The United Colonies are, and of Right ought to be Free and Independent States”**

DUTCH REPUBLIC

“when the ruler of the people (which was King Philip II of Spain) does not behave thus, but on the contrary oppresses them... they may not only disallow his authority, but legally proceed to the choice of another ruler for their defense”

The juridical entity of New Netherland came into being in a unique way, giving New York its distinctive cultural history and identity. From having been a region for private trade through patents since 1610 and having been named New Netherland first on a map of 1614 in a patent application by the traders and explorers Adriaen Block and Hendrick Christiaensz, the region was transformed into a legal-cultural extension of the Dutch Republic in 1624 (see the North American 1630 segment of the five-section large map of c. 1621 made by Willem Blaeu and which, in its entirety, depicts the geographical area of the WIC’s operation according to its 1621 charter).³⁷

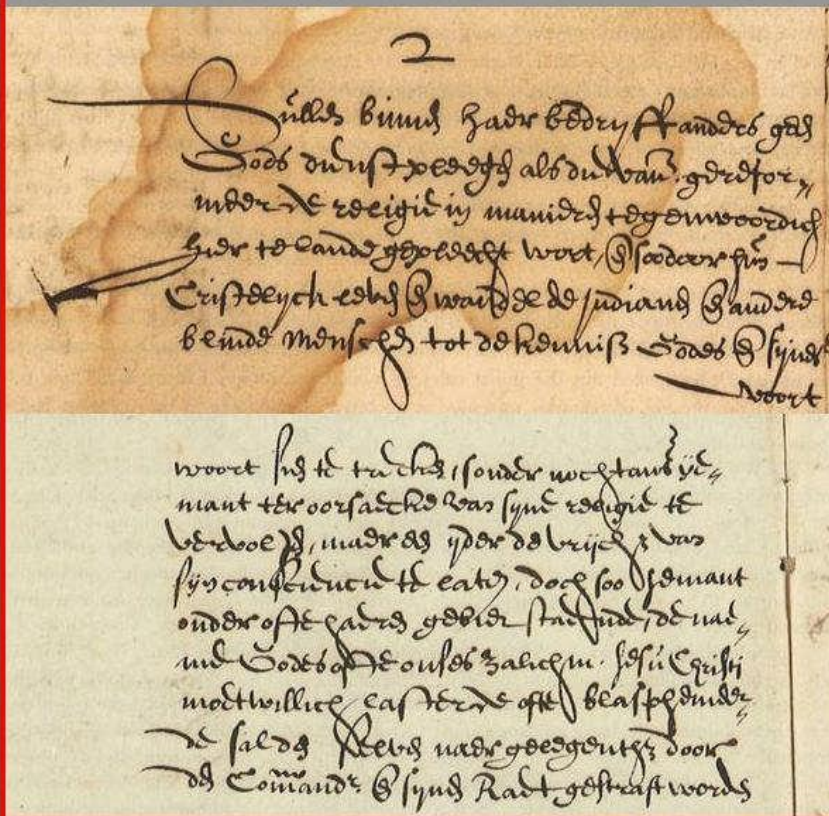
From the collection of Joep de Koning: Section of a five piece map named West Indische Paskaert, c. 1621



Willem Blaeu, c. 1621: The West Indische Paskaert depicts the geographic reach of the June 1621 WIC charter to include all countries situated on the African west coast and in all of the Americas; this section printed separately in 1630: In 1614, the States General had given a trade patent for the North-American east coast, named New Netherland, between 40 and 45 degrees, to the New Netherland Company. The latter was composed of private merchants including Adriaen Block and Hendrick Christiaensen who had surveyed and charted the region between 1611-1614. Eight years later, an anxious Sir Dudley Carleton, the English envoy in The Hague, wrote: “About four or five years since two particular companies of Amsterdam merchants began a trade in those parts betwixt 40 and 45 degrees to which after their manner they gave their own names of New Netherlands, a south and a north sea [Nantucket Sound and Cape Cod Bay], a Texel [Martha’s Vineyard], a Vlieland [Nantucket Island] & the like ... to fetch furs, for the providing of which they have certain factors there continually resident trading with savages...” Two years later, in 1624, the States General claimed New Netherland as its North American provincial possession.

When leaving on the ship *New Netherland* on March 30, 1624, the WIC settlers had pledged their allegiance to both the States General and the WIC and were well acquainted with the provisional instructions given their commander, Willem Verhulst. This twenty-one-point Provisional Order spelled out the initial rules by which the settlers had to live. These rules contained the precept of religious tolerance as an active moral force as the colonists had to respect the consciences of others. Natives and nonbelievers would not have to submit to the settlers' religion. The policy was to try "to attract" them "through attitude and by example" only. On the other hand, natives and nonbelievers, when falling under the settlers' immediate authority, could be induced by the director and his council to respect the colonists' faith only when slandered. Most significantly for its time, nobody could be "persecuted for reason of his religion" and everybody had to be given "the freedom of his conscience."³⁸ This was made plain to the departing colonists on March 28, 1624, by their High Mightinesses of the States General and the WIC.

The instructions of March 30, 1624 to the Governors Island settlers specified that they had to attract the natives and non-believers to God's word through "attitude and by example without however to persecute someone for reason of his religion and to leave everyone the freedom of his conscience."



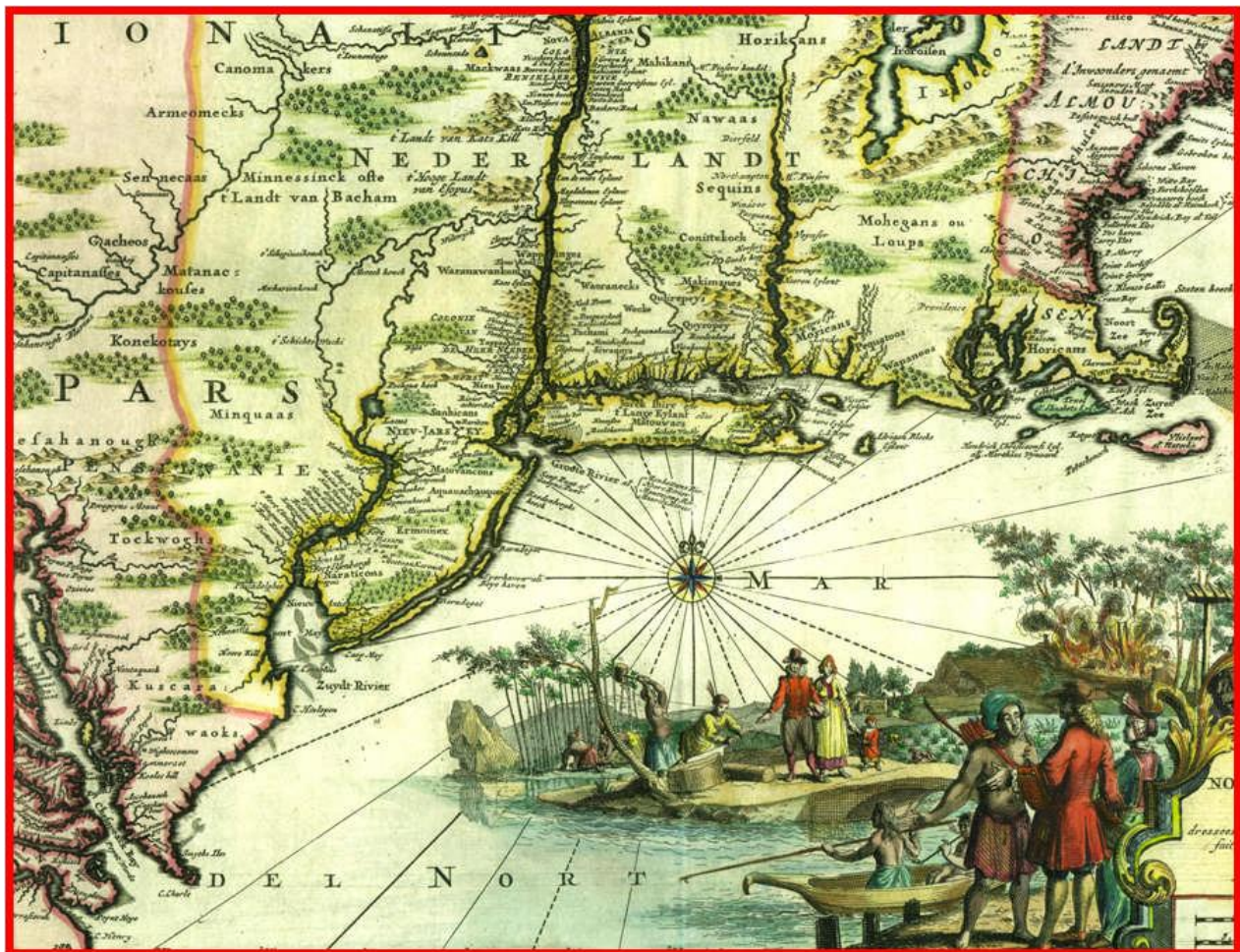
An original, historic, quintessential New York liberty is the principle of freedom of conscience and religious tolerance, uniquely delivered first to the New World in 1624 and vital to religious diversity — the basis for New York's polyglot culture ever since.

This precept was based on the Dutch Republic's basic law of 1579, which had decreed that "everyone shall remain free in religion and no one may be persecuted or investigated because of religion."

On the left is the original text of the specific instruction of religious tolerance to New York's first colonists. It was read to them upon their departure from the Dutch Republic with the ship *New Netherland* to a fort on Governors Island on March 30, 1624. Hard copies of Holland's laws and ordinances of the year 1587 to which the settlers had to adhere accompanied them.

From the Huntington Library, San Marino, CA. HM 548

The WIC Charter of 1621, however, did not yet contain any wording referring specifically to government and justice. It merely mentioned that, in the name and authority of the States General, the WIC could...“make contracts, engagements and...to appoint and discharge...officers of justice, and other public officers, for the preservation of the places, keeping good order, police (i.e., government) and justice...and the Company shall successively communicate and transmit to us (the States General) such contracts...as they shall have made with the aforesaid princes and nations.”



Adriaen van der Donck commissioned Joannis Janssonius to engrave the manuscript map of New Netherland that he had presented in his 1649 petition (Remonstrance) to the States General. Janssonius's map was engraved in order to accompany the publication of the petition as "*Het Vertoogh*" in 1650. Van der Donck created the map to persuade the States General to fix New Netherland's borders by starting negotiations with England following the 1648 peace treaty with Spain. As departing point, Van der Donck used proof of original discovery, exploration, surveying and mapping as the bases for the Dutch Republic's claim to New Netherland between 42 and 38 degrees latitude. He recognized John Smith's map of New England of 1616 which started northwards at 42 degrees and in which the Pilgrims had settled in 1620 (above the Cape), and used (1) the [Dutch] East Indian Company 1609 landing on the Cape as starting point; (2) Adriaen Block's map of 1614 from Staten Hoek (Cape Cod) to the Mauritius (Hudson) River at 40 degrees; and (2) Cornelis Hendricksz's map of 1616 from 40 to 38 degrees at C. Hinlopen, just south of the Zuydt Rivier (Delaware River). His map also depicted some 30 major Indian tribes in New Netherland in order to help facilitate trade and enter into political alliances as protection against the adjoining English colonies. In his petition, Van der Donck foretold Manhattan's greatness, writing that "*the fort is small and lies upon a point of land which must be very valuable in case of an increase in population.*" He pleaded for better government and for policies that would encourage immigration thus prophesying that "*without special assistance*" New Netherland would "*utterly fall off and pass under foreign rule.*" He also foresaw the inability of the American Indian to maintain its original culture given the advance of European immigration and wrote in detail of the nature of the original native inhabitants as a memorial "*after the Christians have multiplied and the natives have disappeared and melted away.*" The 1650 map was re-engraved and corrected or updated by many. The above map of 1729 by Van der Aa was itself an updated version of Arnoldus Montanus's 1671 copper plate.

Accordingly, the January 1625 "Instructions" and April 1625 "Further Instructions" from the WIC to director Willem Verhulst and the New Netherland council were expanded to include rules and regulations of government and justice by which all colonists had to live. Those injunctions were the colonists' sole legal guidance until October 13, 1629, and contained specifically a prohibition "to pass any new laws or ordinances or to sanction any new custom" and to "observe and obey"... "the ordinances and customs of [the provinces of] Holland and Zeeland and the common written law qualifying them."

Settlers were to follow "the administration of justice, in matters concerning marriages, the settlement of estates and contracts" and "intestate estates, the placard issue by their great Mightinesses the States of Holland in the year 1587." In addition to these explicitly stated regulations, all such laws and

ordinances had been incorporated by reference in the instructions which were accompanied by some hard copies as noted in the statement that “some copies of which are sent to him herewith.”³⁹

Before transposing Dutch jurisdiction onto its North American colony in 1624 thus, the WIC directors had set into motion the codification of a WIC “Concept of Government” for its prospective colonial empire in South America.⁴⁰ By November 1, 1624, the first rules and regulations for government and justice had been put in place for the takeover, in 1624, of Bahia de todos los Santos and the other places as yet to be conquered in [Dutch] Brazil. A year later, the Bahia capture was undone by the King’s Spanish fleet with an army of 12,500 men. Not until 1630 was the WIC successful in capturing the northern part of Brazil (New Holland) with a fleet of sixty-seven ships and seven thousand men.⁴¹

On October 13, 1629, just before that conquest, the WIC had readied an expanded version in the “Order of Government, for Police (i.e., the complete exercise of the duties of government including government-administration and legislation) as well as justice in the places captured or still to be captured in the West Indies (i.e., an appellation for all of the Americas.) This 1629 Order of Government comprising sixty-nine articles provided uniformity of law among the colonies and with the United Netherlands. It contained nearly the entire Dutch system of government and jurisprudence, and was the vehicle through which Dutch laws and legal institutions were transferred to the Republic’s possessions in the Americas including New Netherland. It is thus that we must see New York’s development from its very beginnings not only in a local cultural context but also its global legal-political context with a direct connection to its Netherlandic birthfather. The October 13, 1629 Order’s policy applicable to New Netherland provided specifically that “Catholics or Jews must be left free without interference or investigation in their consciences or homes.”⁴²

The general rule was that whenever the interests of state and church, or of commercial and ecclesiastical power, came into conflict, it was the secular authority that would prevail — and this certainly held true for both the West Indian and East Indian Companies. Therefore, if religious intolerance obstructed the Companies from achieving their stated goals, secular powers would prevail.

On March 15, 1608, the States of Holland had passed a secret resolution, followed by one from the States General, vowing never to give up the right of the free seas to any place in the world (hence the signing of a truce in April 1609 rather than a peace treaty.) During the truce with Spain, intense domestic power struggles ensued over war or peace with Spain, advocated respectively by the adherents of two opposing Calvinist wings, each claiming to possess the theological truth. The Calvinist fundamentalists’ war party won over the enlightened Remonstrants’ peace party. It caused a substantial revision and expansion of Usselinx’s benign vision. The Holland and Zeeland provinces, approved by the States General, had included military operations of strategic importance and economic gain as the Company’s primary objective. As a result, the concept charter had made the WIC a vehicle for the defense of the free seas and trade on which the United Netherlands was dependent and for which a military offensive was warranted.

Yet, Usselinx’s more idealistic vision of projecting the Republic’s protestant culture peacefully onto the Americas — in competition with what was viewed as the repressive Spanish/Portuguese Catholic approach — was still part of the final WIC charter of June 3, 1621. It was, however, rather obscured and of minor importance to the States General and the WIC. But the now two-pronged WIC’s objective would focus its resources on inflicting economic loss on the enemy by attacking its fleets for bounty, seizing its possessions on the African coast for control over gold and slaves, and seizing territory from the Spanish/Portuguese enemy in the Americas. It hoped thus to divert the theater of war away from the Republic to where it counted most — the source of Spain’s economic and political might.⁴³



Native Americans trading with the crew of the Halve Maen (Half Moon) on the Mauritius (Hudson) River in 1609: Sixteenth and seventeenth-century ships fostered cross-cultural global communications and opened up remote societies which until then had been closed, insular or dormant. For those whose primary goal was to expand their horizons and to seek new opportunities for profit, the prospect of trade transcended issues of religion, ethnicity and race. Enduring success required mutual respect—not one-way exploitation.

Within this context, it is easy to see why the massive military attack on Bahia in Brazil took place in 1624 and who and what caused the peaceful, modest introduction of agricultural settlers into New Netherland that same year, along with the subsequent introduction of a more effective agricultural system of patroonships. As pioneer colonists, the first WIC settlers, mostly Walloon families from the Republic and of the Calvinist religion, taken to Governors Island in 1624 knew of Usselinx's leading role and profuse writings in persuading the States General to create a WIC. Doubtless, they were peaceful exponents of his original vision and deep love for the True Religion's gospel.

Petrus Stuyvesant

In New Netherland, the seventh and last WIC appointee, Director General Petrus Stuyvesant, arrived in 1647. He was highly regarded because of his administrative and military capabilities. Intolerant by today's general standards, he was a pillar of the orthodox wing of the Dutch Reformed Church and a loyal Company servant who, like Usselinx fifty years earlier, viewed religious heterodoxy as potentially divisive. Increased heterogeneity would undoubtedly compromise the organic unity of New Netherland and weaken Stuyvesant's control and his Reformed Church's quasi monopolistic power.

He and his like-minded council had hoped to forestall the possible destabilizing effects of ever increasing diversity on political and cultural harmony or, perhaps, even political survival. He was answerable, however, to the WIC, and his ecclesiastical vision for New Netherland often clashed with the secular commercial interests of the Company's directors in Amsterdam as well as with patria's enlightened traditions.



Even though a sixteenth-century law that bestowed political privilege on a minority religion to counter the intolerance of a politically powerful expansionist religion was no longer operative on the American side of the Atlantic, Stuyvesant and the Reformed Ministers tried, late in the game, to set back the clock of religious variety. They attempted to prohibit public expressions of religiosity other than the Privileged religion of Holland and Zeeland. Theirs was a desperate and vain attempt to reduce religious competition from non-Christian and non-Reformed Christian denominations such as Lutherans, Catholics, and Quakers.

In New Amsterdam, adherence to and even enforcement of the Privileged religion's rule that confined the exercise of one's religion to one's home — as in Amsterdam — served no other purpose than protecting an outwardly self-important but small, struggling congrega-

tion of the "True Religion" which was being outnumbered by ever increasing immigration of persons of varied consciences. Stuyvesant and the Dominees thought that by insisting on the prohibitions against open worship and brick and mortar symbols (Lutherans, Jews),⁴⁴ street processions (Catholics) and public preaching (Quakers),⁴⁵ they could smother the outward signs of such faiths.

The petty fights conducted by the Reverends Megapolensis and Drisius and Director General Stuyvesant with these religious groups were essentially attempts at protecting their church. Its heartbeat (e.g., bells) and veins determined the rhythms of the community and influenced the civic rules by which the population of the nascent colony lived. By seeking religious subservience of New Amsterdam's population to Calvinist orthodoxy in the face of ever increasing religious diversity, they hoped to create cultural harmony. Stifling religious diversity, however, was not the aim of the WIC leadership, as it didn't have an active conversion policy beyond requiring Stuyvesant to be supportive of the mission of Reformed Ministers.⁴⁶

By 1653, the Lutherans had requested and petitioned for the right to practice their religion openly.⁴⁷ Stuyvesant dismissed their requests summarily. Their petitions to the WIC directors in patria and the States General fared no better, until after Director General Petrus Stuyvesant's rule ended in 1664. The underlying reason for the denial of public worship may best be summarized by the statement of the Amsterdam Reformed Church consistory that "imminent injury to this infant Church" had "been averted" by the "vigilance and discretion of the Dutch Ministers and Director General."⁴⁸

Patria drew the line at the political implications of fostering varied public worship, not wanting to set a precedent by permitting the open exercise of a non-Reformed Christian religion by recognizing a non-Reformed minister. Dominees Megapolensis and Drisius warned that "the Papist, Mennonites, and others, would soon make similar claims." Thus, they argued, the colony would soon become a Babel of confusion, instead of remaining united and peaceful. Indeed it would prove "a plan of Satan to smother this infant, rising congregation, almost in its birth, or at least to obstruct the march of its truth in its progress."⁴⁹

From the collection of Joep de Koning: 1674 Restitutio map



Romeyn de Hooghe, 1674: The location of the Lutheran Church in the 1673 view of New Amsterdam on the Restitutio map commemorating the recapture of New Netherland.

The WIC considered the freedom of conscience in religion to be a colonial building block that would appeal to many English settlers among the New Netherlanders who had fled religious persecution in Massachusetts. This can be deduced from a WIC letter of April 21, 1664, to Stuyvesant. They wrote; “we are in hopes that as the English at the north (in New Netherland) have removed mostly from old England for the causes aforesaid, they will not give us henceforth so much trouble, but prefer to live free under us at peace with their consciences than to risk getting rid of our authority and then falling again under a government from which they had formerly fled.”⁵⁰ The letter arrived in August 1664, just one month before the arrival of four English frigates in New Amsterdam’s harbor in a planned takeover of New Netherland.

Shortly thereafter, the transfer of jurisdiction over “this Place and Province” (New Amsterdam and New Netherland) to the English became reality in the provisional Articles of Transfer of New Netherland on September 8, 1664. Stuyvesant’s administration, however, ensured that, under Article VIII, New Netherlanders under English rule, “shall keep and enjoy the liberty of their consciences in religion.”⁵¹ After forty years since its inception in New Netherland, religious pluralism had become so well established that it was protected in the transfer of authority to England. It was thus no accident or historical anomaly that the Virginian William Byrd, commenting on his visit to New Amsterdam in 1682, remarked, “they have as many sects of religion there as at Amsterdam.”⁵²

From the collection of Joep de Koning: “Nieuw Amsterdam or New York”, Carolus Allard, c. 1688



In 1608, the States of Holland and the States General vowed to never give up the right of the free seas to any place in the world as a condition to peace as demanded by Spain. On September 8, 1664, the 25 Articles of Transfer ceded provisional jurisdiction over New Netherland to Colonel Richard Nicholls, Deputy Governor under His Royal Highness James Duke of York. Although not consented to and not signed by Director-General Petrus Stuyvesant, article no. 6 provided that “any people may freely come from the Netherlands and plant in this country, and that Dutch vessels may freely come hither, and any of the Dutch may freely return home, or send any sort of merchandise home in vessels of their own country.” Article no. 8 assured that “The New Netherlanders here shall keep and enjoy the freedom of conscience in religion and church discipline.”

This historic precept of toleration, unique for its time in 1624 and applicable to the New Netherland province, was enshrined in New York's first state constitution in 1777, in the following stirring language:

XXXVIII. And whereas we are required, by the benevolent principles of rational liberty, not only to expel civil tyranny, but also to guard against that spiritual oppression and intolerance wherewith the bigotry and ambition of weak and wicked priests and princes have scourged mankind, this convention doth further, in the name and by the authority of the good people of this State, ordain, determine, and declare, that the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever hereafter be allowed, within this State, to all mankind: *Provided*, That the liberty of conscience, hereby granted, shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this State.

It also made the union of religion and politics unconstitutional:

XXXIX. And whereas the ministers of the gospel are, by their profession, dedicated to the service of God and the care of souls, and ought not to be diverted from the great duties of their function; therefore, no minister of the gospel, or priest of any denomination whatsoever, shall, at any time hereafter, under any presence or description whatever, be eligible to, or capable of holding, any civil or military office or place within this State.



Twelve years later, as one of the first twelve proposed amendments to the United States Constitution, Congress introduced the juridical right to religious tolerance. Its proposal included the stipulations that Congress could make no law respecting an establishment of religion (i.e., that all religions were to be equal) and that it may not prevent its free exercise (i.e., that all religions were to be free.) The proposal was signed by the Speaker of the House of Representatives, Frederick Augustus Muhlenberg, and the Vice-President of the United States and President of the Senate, John Adams.⁵³ Notably, John Adams had served from 1780-1784 as congressional envoy and first plenipotentiary minister of the United States to the United Netherlands.

What was to become known as the right to religious freedom in the Bill of Rights, was ratified in the "State General" of New York by order of the New York State Assembly, Giulian Verplanck, Speaker, by order of the New York Senate, Isaac Roosevelt, President Pro Hac Vice and signed by the "well-beloved George Clinton, Esquire, Governor of our said State General" in February 1790.⁵⁴

Many states had state religions and because state rights superseded the United States Constitution in matters of religion, it took another ninety-one years after the New York State Constitution of 1777 for the jurisprudence of religious tolerance to become a right of all citizens of the United States. The 14th amendment of the Bill of Rights in 1868 transformed a promise into a right thus: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States." It had taken therefore 244 years after the judicial introduction, without discrimination albeit with preference, into the New World of the first principles on religious freedom — on Governors Island, New York State's birthplace — that all the people of the United States could enjoy the same benefit of freedom of conscience and toleration that had applied to the people of the New York region as of 1624.

Religious tolerance as an individual liberty, optimized to make all religions equal and free under the Constitution, thus evolved from its earliest beginnings on the North American east coast in confirmation of New York State's polyglot culture since 1624, the year of its birth.⁵⁵ Its message of toleration is New York's birthright, and, in turn, the lifeblood of American Liberty.



In 1998, Joep de Koning started a foundation seeking political (1) recognition of Governors Island in New York Harbor as the New World's first location on which the jurisprudence of toleration (religious tolerance) as an individual liberty was placed in the year 1624; (2) understanding that, as the basis of religious and ethnic diversity, toleration was constitutionally codified in 1791 and optimized to the uniquely American concept of freedom-of-and-from-religion by promising all religions to be "equal and free;" (3) acknowledgment of the notion that Tolerance and Liberty are inseparable in the conception of American Freedom — that religious, ethnic and racial Liberty are of no consequence in an intolerant culture; hence that Liberty sprouts from the reciprocal dynamic of Tolerance and is its thematic complement; (4) appreciation of Governors Island's historical significance as the best planned and most successful landing of the three principal seventeenth-century European landings on North America's East Coast; (5) acceptance that Governors Island carries a message of historic substance and twenty-first-century relevance as recognized by the NY State Legislature in Legislative Resolutions of May 2002 by declaring that the Island is the State's birthplace in 1624 and the origin of American Tolerance; (6) endorsement of Governors Island's national symbolism and support for the possible visualization of its historic message vital to moral progress which would reveal the Island's iconic worth to humanity. After four years on Madison Avenue, Joep de Koning earned an M.B.A. in finance from Columbia University in 1974 — then worked on Wall Street until 1998.

Footnotes:

¹ The First Amendment, adopted in 1791, prohibits the Congress from making any law respecting an establishment of religion. That amendment, however, initially did not apply to the individual states, many of which had official religions for the first half century of the country's existence. One (Massachusetts) lasted until 1833. The United States Supreme Court has held that the Fourteenth Amendment, adopted in 1868, made the religion clauses of the First Amendment applicable to the states.

² At the invitation of the NY State agency, Governors Island Preservation and Education Corporation (GIPEC), the Dutch government made Governors Island the locus of its 2009 quadricentennial parties, without noting the island's historical or historic significance. GIPEC's brochure stated merely, "New York Harbor's abundant waters and lands first attracted American Indian peoples like the Lenape [sic]. Dutch settlers in the 1620's took advantage of the diverse ecosystem and established maritime enterprises. The British noted the harbor's strategic potential and, by 1674, secured it for the Crown" (New York State's official Governors Island brochure).

³ Wim Klooster, *The Dutch in the Americas 1600–1800*, The John Carter Brown Library, Providence, RI, 1997, 4.

⁴ P. J. A. N. Rietbergen, *A Short History of the Netherlands* (Amersfoort: Bekking Publishers, 1998), 67.

⁵ L. Voet, "De Eerste Fase van Tachtigjarige Oorlog," in *Antwerpen en de Scheiding der Nederlanden*, (17 augustus 1585), ed. Francine de Nave (1986), Museum Plantin-Moretus en Stedelijk Prentenkabinet, Antwerp, 22.

⁶ Friedrich von Schiller, "Revolt of the Netherlands against Spain, Rise of the Gueux or Beggars," in *The Great Events by Famous Historians*, Volume X, *The National Alumni* (1905), *The National Alumni*, 81–99.

⁷ Rietbergen, *A Short History*, 70.

⁸ Voet, *De Eerste Fase*, 22.

⁹ Rietbergen, *A Short History*, 73.

- ¹⁰ J. G. C. A. Briels, “Zuidnederlanders in de Republiek in het begin van de 17de Eeuw,” in *Antwerpen en de Scheiding der Nederlanden (17 augustus 1585)*, ed. Francine de Nave (1986), Museum Plantin-Moretus en Stedelijk Prentenkabinet, Antwerp, 66.
- ¹¹ Franchine de Nave, “Beschouwinge,” in *Antwerpen en de Scheiding der Nederlanden (17 augustus 1585) 1986 Museum Plantin-Moretus en Stedelijk Prentenkabinet, Antwerp*, 16.
- ¹² Rietbergen, *A Short History*, 70.
- ¹³ Schiller, “Revolt of the Netherlands,” 91.
- ¹⁴ J. Briels, *De Zuidnederlandse Immigratie 1572–1630* (Haarlem: Fibula Van Dishoeck, 1978), 76.
- ¹⁵ Schiller, “Revolt of the Netherlands,” 88–89.
- ¹⁶ Union of Utrecht, 1579, Article 13; A. Th. Van Deursen, “Between Unity and Independence: The Application of the Union as a Fundamental Law,” in *The Low Countries History Yearbook 14* (1981): 50–65. The text of the Union of Utrecht is in E. H. Kossman and A. F. Mellink, eds., *Texts concerning the Revolt of the Netherlands* (Cambridge: Cambridge University Press 1974), 165–73.
- ¹⁷ Briels, *De Zuidnederlandse Immigratie*, 26.
- ¹⁸ Rietbergen, *A Short History*, 74.
- ¹⁹ Oliver J. Thatcher, ed., *The Library of Original Sources, Vol. V: 9th to 16th Centuries*, (Milwaukee: University Research Extension Co., 1907), 189–197.
- ²⁰ Hugo de Schepper, in *Antwerpen en de Scheiding der Nederlanden (17 augustus 1585)*, ed. Francine de Nave (1986, Museum Plantin-Moretus en Stedelijk Prentenkabinet, Antwerp), 132.
- ²¹ John Adams, “*Memorial to the States General*,” Leyden, April 9, 1781.
- ²² O. van Rees, *Geschiedenis der Staathuishoudkunde in Nederland tot het Einde der Achteende Eeuw*, Volume 2, *Usselinx en de oprigting der Westindische Compagnie* (Kemink & Zoon over den Dom te Utrecht, 22 januarij 1868), 106–107.
- ²³ *Ibid.* 72–142, 75.
- ²⁴ *Ibid.*, 74.
- ²⁵ *Ibid.*, 91, 94; Leo Hershkowitz, *The Arrival in New Netherland with Passports of the First Known Jews, Ashkenazim, Happened in August 1654: “By Chance or Choice: Jews in New Amsterdam 1654,” de Halve Maen 77* (Summer 2004): 23–30.
- ²⁶ *Ibid.*, 93.
- ²⁷ *Ibid.*, 91. Benjamin Schmidt, “Exotic Allies: The Dutch Chilean Encounter and the (Failed) Conquest of America,” *Renaissance Quarterly* 52 (1999).
- ²⁸ van Rees, *Geschiedenis der Staathuishoudkunde*, 93.
- ²⁹ Henry C. Murphy, *Henry Hudson in Holland—An inquiry into the Origin and Objects of the Discovery of the Hudson River* (The Hague: The Brothers Giunta d’Albani, 1859), 16–46.
- ³⁰ van Rees, *Geschiedenis der Staathuishoudkunde*, 42.
- ³¹ The Henry E. Huntington Library (San Marino, Cal.), *Publications Americana: Folio Series. No.1, Documents Relating to New Netherland, 1624–1626, Van Rappard Documents*, ed. A. J. F. van Laer, 2, 255.
- ³² F. C. Wieder, Dr. F. C. Wieder, “De Stichting van New York in juli 1625” 17–35. Martinus Nijhoff, ‘s-Gravenhage, 1925, 17–35.
- ³³ Franklin J. Jameson, *Narratives of New Netherland, 1609–1664*; Jogues, *Novum Belgium* (New York: Charles Scribner’s Sons, 1967), 260.
- ³⁴ Marcel van den Broecke, “Historical Maps and Their Texts in the First Modern Atlas by Abraham Ortelius,” *Caert Thresoor* 22 (2003): 2, 29–39. “The close connection he saw between history and geography is aptly expressed in the motto he provided for his *Parergon*, viz. ‘Geography is the Eye of History.’ Ortelius considered it impossible, impractical and unwise to study geography without considering its historical context...it is impossible to assess the significance of a map without studying the text that belongs to it.”
- ³⁵ English text of the Act of Abjuration is in E. H. Kossman and A. F. Mellink, eds., *Texts Concerning the Revolt of the Netherlands* (Cambridge: Cambridge University Press, 1974), 166–73, 216–28; Stephen E. Lucas, “The Plakkaat van Verlatinge: A Neglected Model for the American Declaration of Independence.” 187–207. *Connecting Cultures: The Netherlands in Five Centuries of Transatlantic Exchange*, Rosemarijn Hofte and Johanna C. Kardux, eds. Amsterdam: VU Press, provides the most persuasive argument for Jefferson’s use of the Plakkaat as a model in writing the Declaration of Independence. For the influence of these works on American constitutional development see James R. Tanis, *The Dutch American Connection: The Impact of the Dutch Example on American Constitutional Beginnings*, in *New York and the Union: Contributions to the American Constitutional Experience*, ed. Stephen L. Schechter and Richard B. Bernstein (Albany: 1990, Council for Citizenship Education, Russell Sage College, Troy, NY 12180), 22–28.
- ³⁶ Declaration of Independence, July 4, 1776.
- ³⁷ West Indian Company’s geographic reach per charter of June 3, 1621: From “*the coast and countries of Africa from the Tropic of Cancer to the Cape of Good Hope, the countries of America, the West-Indies, beginning at the fourth end of Terra Nova, by the streights of Magellan, La Maire, and any other streights and passages situated thereabouts to the straits of Anian, as well on the north sea as the south sea, and on any islands situated on the one side or the other, or between both; and in the western or southern countries reaching, lying, and between both the meridians, from the Cape of Good Hope, in the East, to the east end of New Guinea, in the West.*”
- ³⁸ The Henry E. Huntington Library, *Documents Relating to New Netherland*, 2.

³⁹ Ibid. pg 113; 20-21.

⁴⁰ Jacob A. Schiltkamp, "On Common Ground Legislation, Government, Jurisprudence, and Law in the Dutch West Indian Colonies: The Order of Government of 1629," de Halve Maen, 70 (Winter 1997), 73-80.

⁴¹ Wim Klooster, The Dutch in the Americas, 31.

⁴² Groot Placaet Boeck van Holland, deel II, 1237; Article X, (1664), "Ordre van Regieringe," (13 oktober 1629), 1235-1247, National Archives, The Hague, Netherlands.

⁴³ Charter West Indian Company, June 3, 1621; The Federal and State Constitutions Colonial Charters, and Other Organic Laws of the States, Territories, and Colonies, comp. and ed. Francis Newton Thorpe Under the Act of Congress, June 30, 1906.

⁴⁴ Leo Hershkowitz, "By Chance or by Choice," American Jewish Archives Journal (2005): 1-13; George L. Smith, Religion and Trade in New Netherland (Ithaca: Cornell University Press, 1973), 212-16.

⁴⁵ David Willem Voorhees, "The Flushing Remonstrance in Historical Perspective," de Halve Maen, 81 (Spring 2008), 11-14; The text of the Flushing Remonstrance is found in Edmund B. O'Callaghan, ed., Documents Relative to the Colonial History of the State of New York, 15 vols. (Albany, 1853-1885), 14, 402-403. The original is in the New York State Archives, Albany. For details pertaining to the Flushing Remonstrance see Smith, Religion and Trade in New Netherland, 224-31.

⁴⁶ Willem Frijhoff, "Jesuits, Calvinists, and Natives: Attitudes, Agency, and Encounters in the Early Christian Missions in the North," de Halve Maen 81, no. 3 (Fall 2008): 53.

⁴⁷ Petition right: see Martha Dickinson Shattuck, "A Civil Society: Court and Community in Beverwijck, New Netherland, 1652-1664" (Ph.D. diss., Boston University, 1993), 200-216. Joep de Koning, "From Van der Donck to Visscher – A 1648 View of New Amsterdam," Mercator's World Magazine, July/August 2000, Volume 5, Number 4, 28-33. Pertinent section of the First Amendment of the Bill of Rights, 1791: "Congress shall make no law abridging the freedom of speech or of the press...or the right of the people to petition the Government for a redress of grievances."

⁴⁸ Ecclesiastical Records of the State of New York, 7 vols. (Albany, 1901-1916), 1, 386-390.

⁴⁹ Frijhoff, "Jesuits, Calvinists, and Natives," 48-49.

⁵⁰ Jameson, Narratives of New Netherland, 1609-1664, 461.

⁵¹ See Article VIII of the original Dutch-language version of the Provisional Articles of Transfer, August 27, 1664, "The New Netherlanders here shall keep and enjoy the freedom of conscience in religion," (Den Haag, Koninklijke Bibliotheek).

⁵² William Byrd to Bro. Dan'l per Ruds, March 8, 1685/86, Virginia Historical Register and Literary Companion, 2 (1849), 208 (misprinted 108).

⁵³ Cato Institute, The Declaration of Independence and the Constitution of the United States of America, 1998, 41-42.

⁵⁴ An Act from the State of New York Ratifying Certain Articles in Addition to and in Amendment of the Constitution, 03/27/1790; Series: Enrolled Acts and Resolutions of Congress, compiled 1789-2008, Record Group 11: General Records of the United States Government, 1778-2006, National Archives Building, Washington, DC. Online version available through the Online Public Access (National Archives Identifier 1685236) at www.archives.gov; June 22, 2011.

⁵⁵ The year of birth (1624) and the birthplace (Governors Island) of the State of New York were recognized in Senate Resolution No. 5476 and Assembly Resolution No. 2708 in May 2002. Joep de Koning, "The Mutually Exclusive Birth Years of the State of New York and the City of New York," de Halve Maen, 81 (Winter 2008), 71-78