

# Peace Treaties and Truces

## TREATY OF UTRECHT

### TREATY AT A GLANCE

#### *Completed*

April 12 and July 13, 1713, at Utrecht, the Netherlands

#### *Signatories*

Great Britain, France, and Spain (Portugal, Savoy, Sweden, Tuscany, Parma, Venice, Genoa, and Danzig also subscribed to the treaty)

#### *Overview*

The Treaty of Utrecht ended the War of the Spanish Succession as well as its North American phase, Queen Anne's War. Not only did the treaty bring about a basic equilibrium in Europe until about 1740, it established the foundation of the English hegemony in North America, giving to Great Britain the Hudson Bay region, Nova Scotia, and Newfoundland. By the Anglo-Spanish agreement that is part of the Treaty of Utrecht (signed July 13, 1713), Spain ceded Gibraltar and Minorca to Great Britain and the *asiento* (privilege) of exclusively introducing African slaves into its American possessions, a right that was subsequently extended to general trading privileges. The Utrecht documents and an additional agreement, the TREATY OF RASTADT (March 16, 1714), marked the end of French aggrandizement under the ancien régime and the dramatic diminution of Spain as a power among the European states.

### Historical Background

When Spain's Hapsburg king Charles II (1661–1700) chose a Bourbon as his successor, Louis XIV laid claim to the Spanish throne, and England, fearing a powerful French-Spanish union, formed an anti-French alliance with Holland and Austria. For a dozen years from 1701, England and its allies battled France, Italy, Germany, Spain, and the Spanish Netherlands in the War of the Spanish Succession, until a peace accord was reached in 1713, the Treaty of Utrecht. The forces of the Holy Roman Empire fought on into 1714, after the Treaty of Utrecht, until coming to terms under the Treaty of Rastadt. Simultaneously, in North America, Britain and France contested from 1702 to 1713 for control of the continent in what was called Queen Anne's War.

In both Europe and North America, the war was extraordinarily costly. While England's duke of Marl-

borough fought a series of brilliant campaigns—particularly at Donauworth and Blenheim in 1704 and at Ramillies in 1706—the Allies suffered serious defeats in 1707, only to best the French again the following year, in fighting always costly for the victor. In America, English forces took Port Royal, the major French stronghold in Acadia (Nova Scotia and New Brunswick). Despite this, French colonials allied with Indians continually harried, terrorized, and ravaged the settlements of New England.

When Charles III of Barcelona became Holy Roman Emperor Charles VI in 1711, Britain, victorious but reeling under the heavy price of its triumphs, feared an alliance between Austria and Spain. Accordingly, Queen Anne recalled Marlborough (and her armies in consequence suffered a defeat at the Battle of Denain in 1712) and commenced peace talks with France.

## Terms

That both nations were weary of the long war was evident in the language of the Treaty of Utrecht, which spoke of "healing . . . the Miserys of the Wasted World" by making an end to "the War which was unhappily kindled, and has been obstinately carry'd on above ten years, being both cruel and destructive, by reason of the frequency of Battles, and the Effusion of Christian Blood." What the nations seemed to learn was that dynastic privileges and nationalist rights were inferior to establishing and maintaining a balance of power, which the framers of the Utrecht treaty expressed as "faithful Friendship":

All Offenses, Injurys, and Damages, which the aforesaid Queen of Great Britain, and her subjects, or the aforesaid most Christian King, and his Subjects, have suffered the one from the other, during the War, shall be buried in Oblivion; so that neither on account, or under pretence thereof, or of any other thing, shall either hereafter, of the Subjects of either, do or give, cause or suffer to be done or given to the other, any Hostility, Enmity, Molestation, or Hindrance, by themselves, or by others, secretly or openly, directly or indirectly, under color of Right, or by any way of fact.

More specifically, the treaty acknowledged that "the most destructive Flame of War . . . arose chiefly from hence, that the Security and Libertys of Europe could by no means bear the Union of the Kingdoms of France and Spain under one and the same King" and made its principal thrust clear: "that this Evil"—the union of France and Spain under one crown—"should in all times to come be obviated, by means of Renunciations drawn in the most effectual Form, and executed in the most solemn Manner."



## Treaty of Utrecht

Whereas the most destructive Flame of War which is to be extinguished by this Peace, arose chiefly from hence, that the Security and Libertys of Europe could by no means bear the Union of the Kingdoms of France and Spain under one and the same King: And whereas it has at length been brought to pass by the Assistance of the Divine Power, upon the most earnest Instances of her Sacred Royal Majesty of Great Britain, and with the Consent both of the most Christian and of the Catholick King, that this Evil should in all times to come be obviated, by means of Renunciations drawn in the most effectual Form, and executed in the most solemn Manner, the Tenor whereof is as follows.

LETTERS PATENT BY THE KING, WHICH ADMIT THE  
RENUNCIATION OF THE KING OF SPAIN  
TO THE CROWN OF FRANCE, AND  
THOSE OF MONSIEUR THE DUKE OF BERRY

## AND OF MONSIEUR THE DUKE OF ORLÉANS, TO THE CROWN OF SPAIN.

LEWIS, by the Grace of God, King of France and Navarre: To all People present and to come, Greeting. During the various Revolutions of a War, wherein we have fought only to maintain the Justice of the Rights of the King, our most dear and most beloved Grandson to the Monarchy of Spain, we have never ceased to desire Peace. The greatest Successes did not at all dazzle us, and the contrary Events, which the Hand of God made use of to try us rather than to destroy us, did not give birth to that Desire in us, but found it there. But the Time marked out by Divine Providence for the Repose of Europe was not yet come; the distant Fear of seeing one Day our Crown and that of Spain upon the Head of one and the same Prince, did always make an equal Impression on the Powers which were united against us; and this Fear, which had been the principal Cause of the War, seemed also to lay an insuperable Obstacle in the way to Peace. At last, after many fruitless Negotiations, God being moved with the Sufferings and Groans of so many People, was pleased to open a surer way to come at so difficult a Peace. But the same Alarms still subsisting, the first and principal Condition, which was proposed to us by our most dear and most beloved Sister the Queen of Great Britain, as the essential and necessary Foundation of Treating, was, That the King of Spain, our said Brother and Grandson, keeping the Monarchy of Spain and of the Indies, should renounce for himself and his Descendants for ever, the Rights which his Birth might at any time give him and them to our Crown; that on the other hand, our most dear and most beloved Grandson the Duke of Berry, and our most dear and most beloved Nephew the Duke of Orleans, should likewise renounce for themselves, and for their Descendants, Male and Female for ever, their Rights to the Monarchy of Spain and the Indies. Our said Sister caused it to be represented to us, that without a formal and positive Assurance upon this Point, which alone could be the Bond of Peace, Europe would never be at rest; all the Powers which share the same being equally persuaded, That it was for their general Interest, and for their common Security, to continue a War, whereof no one could foresee the End, rather than to be exposed to behold the same Prince become one day Master of two Monarchys, so powerful as those of France and Spain. But as this Princess (whose indefatigable Zeal for re-establishing the general Tranquillity we cannot sufficiently praise) was sensible of all the Reluctancy we had to consent that one of our Children, so worthy to inherit the Succession of our Forefathers, should necessarily be excluded from it, if the Misfortunes wherewith it has pleased God to afflict us in our Family, should moreover take from us, in the Person of the Dauphin, our most dear and most beloved great Grandson, the only Remainder of those Princes which our Kingdom has so justly lamented with us; she entered into our Pain, and after having jointly sought out gentler means of securing the Peace, we agreed with our said Sister to propose the King of Spain other Dominions, inferior indeed to those which he possesses, yet the Value thereof would so much the more increase under his Reign, in as much as in that case he would preserve his Rights, and annex to our Crown a part of the said Dominions, if he came one time or other to succeed us. We employed therefore the strongest Reasons to persuade him to accept this Alternative. We gave him to understand, that the Duty of his Birth was the first which he ought to consult; that

he owed himself to his House, and to his Country, before he was obliged to Spain; that if he were wanting to his first Engagements, he would perhaps one day in vain regret his having abandoned those Rights, which he would be no more able to maintain. We added to these Reasons the personal motives of Friendship and of tender Love, which we thought likely to move him; the Pleasure we should have in seeing him from time to time near us, and in passing some part of our days with him, which we might promise ourselves from the Neighborhood of the Dominions that were offered him; the Satisfaction of instructing him ourselves concerning the State of our Affairs, and of relying upon him for the future; so that, if God should preserve to us the Dauphin, we could give our Kingdom, in the Person of the King our Brother and Grandson, a Regent instructed in the Art of Government; and that, if this Child so precious to us and to our Subjects, were also taken from us, we should at least have the Consolation of leaving to our People a virtuous King, fit to govern them, and who would likewise annex to our Crown very considerable Dominions. Our Instances, reiterated with all the force, and with all the tender affection necessary to persuade a Son who so justly deserves those Efforts which we made for preserving him to France, produced nothing but reiterated Refusals on his part, ever to abandon such brave and faithful Subjects, whose Zeal for him had been distinguished in those Conjectures, when his Throne seemed to be the most shaken. So that persisting with an invincible Firmness in his first Resolution, asserting likewise, that it was more glorious and more advantageous for our House, and for our Kingdom, than that which we pressed him to take, he declared in the Meeting of the States of the Kingdom of Spain, assembled at Madrid for that purpose, that for obtaining a general Peace, and securing the Tranquillity of Europe by a Balance of Power, he of his own proper Motion, of his own free Will, and without any Constraint, renounced for himself, for his Heirs and Successors for ever and ever, all Pretensions, Rights and Titles, which he, or any of his Descendants, have at present, or may have at any time to come whatsoever, to the Succession of our Crown: That he held for excluded therefrom himself, his Children, Heirs, and Descendants for ever: That he consented for himself and for them, that now, as well as then, his Right, and that of his Descendants, should pass over and be transferred to him among the Princes, whom the Law of Succession, and the Order of Birth calls, or shall call to inherit our Crown, in default of our said Brother and Grandson the King of Spain, and of his Descendants, as it is more amply specified in the Act of Renunciation, approved by the States of his Kingdom; and consequently he declared, that he desisted particularly from the Right which hath been added to that of his Birth, by our Letters Patent of the Month of December 1700, whereby we declared, that it was our Will, that the King of Spain and his Descendants should always preserve the Rights of their Birth and Original, in the same manner as if they resided actually in our Kingdom; and from the Registry which was made of our said Letters Patent, both in our Court of Parliament, and in our Chamber of Accounts at Paris, we are sensible as King and as Father, how much it were to be desired that the general Peace could have been concluded without a Renunciation, which makes so great a Change in our Royal House, and in the antient Order of succeeding to our Crown: but we are yet more sensible how much it is our Duty to secure speedily to our Subjects a Peace which

is so necessary for them. We shall never forget the Efforts which they made for us, during the long continuance of a War, which we could not have supported, if their Zeal had not been much more extensive than their Power. The Welfare of a People so faithful, is to us a supreme Law, which ought to be preferred to any other Consideration. It is to this Law that We this day sacrifice the Right of a Grandson, who is so dear to us; and by the Price which the general Peace will cost our tender Love, we shall at least have the Comfort of shewing our Subjects, that even at the Expence of our Blood, they will always keep the first place in our Heart.

For these Causes, and other important Considerations us thereunto moving, after having seen in our Council the said Act of Renunciation of the King of Spain our said Brother and Grandson, of the fifth of November last, as also the Acts of Renunciations, which our said Grandson the Duke of Berry, and our said Nephew the Duke of Orleans, made reciprocally of their Rights to the Crown of Spain, as well for themselves as for their Descendants Male and Female, in consequence of the Renunciation of our said Brother and Grandson the King of Spain, the whole hereunto annexed, with a Copy collated of the said Letters Patent of the Month of December 1700, under the Counter-Seal of our Chancery; of our special Grace, full Power, and Royal Authority, we have declared, decreed and ordained, and by these Presents signed with our Hand, we do declare, decree and ordain, we will, and it is our Pleasure, That the said Act of Renunciation of our said Brother and Grandson the King of Spain, and those of our said Grandson the Duke of Berry, and of our said Nephew the Duke of Orleans, which we have admitted, and do admit, be registered in all our Courts of Parliament, and Chambers of our Accounts in our Kingdom, and other Places where it shall be necessary, in order to their being executed according to their Form and Tenor. And consequently, we will and intend, that our said Letters Patent of the Month of December 1700, be and remain null, and as if they had never been made; that they be brought back to us, and that in the Margin of the Registers of our said Court of Parliament, and of our said Chamber of Accounts, where the Enrolment of the said Letters Patent is, the Extract of these Presents be placed and inserted, the better to signify our Intention as to the Revocation, and Nullity of the said Letters. We will that in conformity to the said Act of Renunciation of our said Brother and Grandson the King of Spain, he be from henceforth looked upon and considered as excluded from our Succession; that his Heirs, Successors, and Descendants be likewise excluded for ever, and looked upon as incapable of enjoying the same. We understand that in failure of them, all Rights to our said Crown, and succession to our Dominions, which might at any time whatsoever belong and appertain to them, be and remain transferred to our most dear, and most beloved Grandson the Duke of Berry, and to his Children and Descendants, being Males born in lawful Marriage; and successively in failure of them, to those of the Princes of our Royal House, and their Descendants, who in Right of their Birth, or by the Order established since the Foundation of our Monarchy, ought to succeed to our Crown. And so we command our beloved and trusty Counsellors, the Members of our Court of Parliament at Paris, that they do cause these Presents, together with the Acts of Renunciation made by our said Brother and Grandson the King of Spain, by our said Grandson the Duke of Berry, and by our said Nephew the Duke of Orleans, to be read,

publish'd and registered, and the Contents thereof to be kept, peaceably, and perpetually; ceasing, and causing to cease all Molestations and Hindrances, notwithstanding any Laws, Statutes, Usages, Customs, Decrees, Regulations, and other matters contrary thereunto: whereto, and to the Derogations of the Derogations therein contained, we have derogated, and do derogate by these Presents, for this purpose only and without being brought into Precedent. For such is our Pleasure.

And to the end that this may be a matter firm and lasting for ever, we have caused our Seal to be affixed to these Presents. Given at Versailles, in the Month of March in the Year of our Lord 1713, and of our Reign the 70th. Sign'd Lewis, and underneath, by the King, Phelypeaux. Vise, Phelypeaux. And sealed with the Great Seal on green Wax, with strings of red and green Silk.

Read and published, the Court being assembled, and registered among the Rolls of the Court, the King's Attorney General being heard and moving for the same, to the end that they may be executed according to their Form and Tenor, in pursuance of, and in conformity to, the Acts of this Day. At Paris, in Parliament the 15th of March, 1713.

Sign'd  
DONGOIS



For his part, King Philip V of Spain reciprocally renounced any claim to the French throne for himself or his heirs. By the July 13, 1713, agreement, Spain pledged "free Use of Navigation and Commerce" between itself and England, ceded Minorca and Gibraltar, and, through the Pacto de el Assiento de Negros, granted Great Britain an exclusive right to introduce African slaves into her American possessions.

## Consequences

The Treaty of Utrecht set the terms for European politics and international relations for a generation. Its

provision on African slavery became the basis for Britain's general slave-trading privileges in Spanish America, and this in turn resulted in the gradual erosion of the Spanish hegemony in North America. In the long term effectively removing Spain from the centuries-long imperial struggles in the Western Hemisphere, the treaty cleared the field for the battle to continue ever more directly between France and England, although each new escalation of the New World fight inevitably involved jockeying for position on the Continent, as well.

There would be other wars in which Spain played a role, of course, and which spilled over into the Americas—the European struggle for the Austrian succession, for example, which the American colonists knew as the War of Jenkins' Ear and King George's War successively, but each flash of fire in the wilderness would hone the contention more finely to one primarily between France and England. The French, like Spain before them, were economically inhibited from supporting their colonies in the vast American interior the way the English could maintain their snug settlements along the Atlantic seaboard, so instead they allied themselves more closely with the native populations and, like Spain before them, intermarried with and converted the Indians. The British colonials were more wont simply to take their lands. Thus, when what historians would later call the "Great War for Empire" finally broke out in Europe at mid-century after several smaller conflicts, the British colonials in America, hardly seeing Spain's participation as of any consequence at all, described what the Europeans would call the Seven Years' War more accurately from their point of view as simply the "French and Indian War."