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Regulating relations: controlling sex and marriage in the early modern Dutch empire

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Chapter 1. Christian marriage as a colonial cornerstone

Introduction

It is hard to overstate the power the institution of marriage held in the VOC and WIC world. It could tie men to a continent, make the difference between being considered honorable or a fornicator, change someone's ethnic status, provide social mobility or solidify property arrangements, and even have consequences for one's labor obligations. As the prerequisite for the foundation of a legitimate family, marriage formed a primary vehicle through which wealth was transmitted and communities formed and reproduced themselves. The way in which the institution was governed, therefore, had considerable impact on the way people built a life within the complex multi-ethnic societies that formed in Dutch colonial settlements – and vice versa. This chapter traces how this exchange worked for the communities closest to the Dutch colonial institutions and centers of power: Christians. How did marriage shape the formation, reproduction, and boundaries of Christian colonial communities and thus inform what it meant to be 'European' in these highly mixed and mobile societies? And how did colonial residents and authorities – local and in the Dutch Republic – in turn give shape to Christian marriage? In order to answer these questions, this chapter will begin by exploring the fundamental relationship between marriage, population, and colonial power, before giving an overview of the early modern Dutch marriage legislation that formed the legal framework within which settlements under the VOC and WIC operated. Then, we will turn to an examination of locally issued colonial legislation and on-the-ground conflicts around access to marriage to show how racial and religious diversity, class hierarchies, and the element of slavery complicated questions of what Christian marriage meant, who it could include, and who had the power to decide this.

Marriage and colonization

By the time the Dutch West India Company was founded in 1621, some two decades after the institution of its East Indian counterpart, the VOC, it was clear to those in the Dutch Republic setting their sights overseas – whether they were merchants, politicians, or clergy, and whether they were looking East or West – that the companies' expansion across the Indian and Atlantic oceans would not strictly consist of trade missions. The VOC, in its attempt to establish a monopolistic position in its trade zone, had almost immediately resorted to the non-mercantile practices provided for in the 35th article of its charter – diplomacy and violence – in order to establish a basis of power in South-East Asia.¹ In the 1610s and '20s, as the Company was increasingly supplementing treaties with conquests, debates arose around the role of populations – and specifically Dutch settler populations – as a basis for the company's power.² Although there was a general consensus that a loyal, self-sustaining and self-reproducing population base was key in retaining newly conquered lands, it was not a given how this was to

¹ "Octrooi Verleend Aan de VOC Door de Staten Generaal," accessed August 19, 2019.

² C. R. Boxer, *The Dutch Seaborne Empire, 1600-1800* (London: Hutchinson, 1977), 215–20; Van Wamelen, *Family life*, 177–80; Jean Gelman Taylor, *The Social World of Batavia; Europeans and Eurasians in Colonial Indonesia*, 2nd rev. ed. (Madison, WI: University of Wisconsin Press, 2009), 16.

be achieved.³ On an economic level, settlers presented a dilemma with regards to the company's monopoly position: in order to support themselves (and thus indirectly support the expansion of the VOC's monopolistic power in the trade zone) free settlers needed to be able to engage in a certain amount of private trade, but this went against the Company's founding principle that no Dutchmen were to engage in Asian trade outside the VOC.⁴ On a reproductive level, meanwhile, the question arose *who* was to make up the families that would sustain the population base of Dutch colonies. This is where women and marriage come into the picture, because while a steady stream of European men flowed into Asia in service of the Company, the same could not be said for European women.

Faced with the question who company servants wishing to settle down were to marry, Pieter Both, who was Governor-General in the VOC's early years, when the Company was still primarily active in the Moluccas, advocated for what he called a 'Romulus-style' policy, with Dutch men marrying local women, as he judged the small number of Dutch women who came over from the Netherlands to be of ill repute and breeding.⁵ This strategy did not just emulate the mythical founding of Rome, but also followed in the footsteps of the Portuguese policy of promoting *casados* (Portuguese men married to Asian women) dating back to the viceroyalty of Albuquerque in the early sixteenth century.⁶ Jan Pieterszoon Coen, who oversaw the conquest of Jacatra and subsequent founding of Batavia as the VOC's base of power in Asia in 1617, was among the most vocal proponents of colonization by Dutch settlers – whether they be company servants settling down instead of returning to Europe after their contract ended or Dutch families relocating to Asia. He frequently wrote to his employers in the Dutch Republic to implore them to send either respectable families or young unmarried girls who could be turned into respectable Dutch wives.⁷ In Coen's vision, colonial society ought to be headed by virtuous Dutch, Protestant families who could oversee the growing enslaved population being brought in to perform the labor needed to build and sustain it.⁸ Coen, too, however, was not satisfied with the Dutch women sent over to Batavia on his request. After the Company Directors responded to his pleas by starting the official policy of recruiting 'Company Daughters' as brides for higher-level company servants, Coen advised his employers against sending women of ill repute, "as there are already enough whores in these lands," and complained that no local women, free or enslaved, were as "unfit and ill-mannered as some of the daughters that arrived on these ships."⁹ By 1632 the *Compagniesdogters* project was abandoned and twenty years later, in 1652, single women were even banned from making the voyage to Asia, rendering Dutch-born brides an

³ Leonard Blussé, "The Caryatids of Batavia: Reproduction, Religion and Acculturation under the V.O.C.," *Itinerario* 7, no. 1 (1983): 62–63.

⁴ For more on the debates regarding free trade by *Burghers*, see Arthur Weststeijn, "The VOC as a Company-State: Debating Seventeenth-Century Dutch Colonial Expansion," *Itinerario* 38, no. 1 (April 2014): 13–34; H. E. Niemeijer, "Calvinisme en koloniale stadscultuur, Batavia 1619-1725" (PhD Dissertation, Amsterdam, Vrije Universiteit Amsterdam, 1996), 28–31.

⁵ Van Wamelen, *Family life*, 175; Boxer, *The Dutch Seaborne Empire*, 216.

⁶ Francisco Bethencourt, *Racisms: From the Crusades to the Twentieth Century* (Princeton, NJ/Oxford: Princeton University Press, 2013), 199; Sanjay Subrahmanyam, *The Portuguese Empire in Asia, 1500-1700: A Political and Economic History* (London: Longman, 1993), 97.

⁷ H. T. (Herman Theodoor) Colenbrander, ed., *Jan Pietersz. Coen, bescheiden omtrent zijn bedrijf in Indië*, vol. 1 (The Hague: Nijhoff, 1919), 605, 709–11, 795–96.

⁸ Colenbrander, 1:795.

⁹ Colenbrander, *Coen* 1, 732.

almost-exclusive privilege of the highest-ranking company servants. Much of the economic backbone of Batavia and many other VOC settlements would be formed not by Dutch settler families, but by Chinese migrants, although the latter would be excluded from both company leadership and military offices.¹⁰ The most powerful and lucrative positions within the company-dominated world of Batavia remained the prerogative of Protestant men, predominantly of Dutch descent and educated in Europe, who exchanged power, wealth and influence among each other through a closely-knit network of Christian but not necessarily European women.¹¹ The gendered colonisation policy of the Dutch East India Company was thus more informed by a desire for an orderly social hierarchy with a well-behaved and loyal group at the top than color or ethnic background per se, but the new policy did mean that ethnic identification and class became to a certain extent intertwined. The result was a complex, multi-ethnic, and highly creolized but still strongly stratified colonial society.¹²

For the West India Company, which had two decades of VOC-expansion as well as two centuries of Spanish and Portuguese colonization to look back on, it was always clear that the Americas, which formed the major part of its trade zone, would be the site of settlement as well as trade. From the 1620s through the early eighteenth century, the WIC expanded its reach in large part through a policy of allowing wealthy entrepreneurs to settle land in its charter zone and thus found their own, semi-private colonies under the WIC umbrella – a construction known as *patroonschap*.¹³ Patroons and WIC officials alike were acutely aware that attracting and maintaining settler populations to populate these fledgling colonies was a key challenge, and that women would have to form a cornerstone of the company's colonization strategy: as Susanah Shaw Romney has argued for the context of New Netherland in North America, early modern ideas of gender rendered women's bodies and homemaking activities key in the claiming of land,

¹⁰ Leonard Blussé, "Batavia, 1619–1740: The Rise and Fall of a Chinese Colonial Town," *Journal of Southeast Asian Studies* 12, no. 1 (March 1981): 170–171.

¹¹ Only once did the VOC have a Governor-General who had neither been born nor raised in Europe: Ceylon-born P.A. van der Parra, who was in office from 1761 to 1775. Although frequently described as Eurasian, Van der Parra was in fact of fully Dutch descent, having been born to a Dutch mother and a father who hailed from the Dutch, company-employed administrative elite that had established itself on Ceylon since the early years following the VOC's takeover of the island. It is likely that Van der Parra was able to draw on both his ethnic status and his family connections in the VOC world in order to cement his unique position. Although several other company servants who spent their formative years in Asia were able to climb to the highest echelons of VOC power (Notably Rijcklof Van Goens and Joan van Hoorn), they were exceptions to the rule, and often had family that tied them to either the Dutch Republic's oligarchic elite or to powerful company servants, or both. Taylor, *The Social World of Batavia*, 58, 118.

¹² Ulbe Bosma and Remco Raben, *Being "Dutch" in the Indies: A History of Creolisation and Empire, 1500–1920*, Research in International Studies. Southeast Asia Series; No. 116 (Singapore: Athens, OH: NUS Press; Ohio University Press, 2008), 14–25. See also H. E. Niemeijer, *Batavia: een koloniale samenleving in de zeventiende eeuw*, Digital edition (Amsterdam: Balans, 2005); Jean Gelman Taylor, *The Social World of Batavia; Europeans and Eurasians in Colonial Indonesia*, 2nd rev. ed.. (Madison: University of Wisconsin Press, 2009).

¹³ Examples include Rensselaerswijck in New Netherland, Berbice under the Van Peere Family, and various failed colonization attempts on the Wild Coast. Jaap Jacobs, "Dutch Proprietary Manors In America: The Patroonships In New Netherland," in *Constructing Early Modern Empires*, ed. Louis Roper and Bertrand van Ruymbeke (Leiden: Brill, 2007), 301–26; Henk den Heijer, "'Over Warme En Koude Landen': Mislukte Nederlandse Volksplantingen Op de Wilde Kust in de Zeventiende Eeuw," *De Zeventiende Eeuw* 21 (2005): 79–90; Geert Stroo, "Zeeuwen op de Wilde Kust, Berbice," *Den Spiegel* 37, no. 3 (2019): 8–15.

as their physical presence made the difference between sojourning and a civil, settled territory.¹⁴ Indeed, although Dutch settlements in the Americas, like the Dutch East Indies and many other, non-Dutch American colonies, had trouble attracting (female) settlers from any class other than the lower classes of Europe, the WIC never restricted the migration of European women the way the VOC had done. This choice may have been informed by the experience in Dutch Brazil where, in absence of sufficient Dutch brides, many Dutch WIC employees had married local (Portuguese) women, a fact which would in part be blamed for the failure to create a sufficiently 'Dutch', loyal, and stable community in the colony and subsequent loss of 'New Holland' to Portugal in 1654.¹⁵

As Dutch colonial efforts shifted from Brazil and New Netherland (where Dutch colonization had been considerably more successful) towards the Caribbean, the WIC and colonial authorities would continue to encourage white female migration, with mixed results. As late as 1762, the Society of Suriname pitched a plan similar to the Company Daughters project of the early seventeenth-century VOC: citing the problem of an insufficient number of "white womenfolk" moving to Suriname, which prevented the colony's growth, the Directors began negotiations with Amsterdam's *Aalmoezeniersweeshuis*, the orphanage for the city's poorest, and devised a plan. An initial number of twelve orphan girls, aged fourteen to twenty, would be sent to Paramaribo under chaperone, where they would reside and be educated in the local Reformed orphanage until they would marry. Upon her marriage, each girl would receive a dowry of 100 acres of land from the Society.¹⁶ Governor Crommelin of Suriname was tentatively enthusiastic upon hearing of the plan, citing the lack of European girls in the colony and the "mixing with black women" that occurred as a result, but consulted with others in the colony.¹⁷ A report that came out of this consultation expressed reservations, writing, in a sentiment that echoed the Batavians' disdain for the lower-class brides that had traveled to the East Indies the century prior, that the children from urban orphanages such as the *Aalmoezeniersweeshuis* were "listless and of unworkable nature due to an overly permissive education." The report did stress that the colony was in dire need of more (skilled) colonists, but that attracting them was difficult, especially since a recent settlement attempt involving a group of Swiss families had ended in disaster, with the newly founded village decimated by disease, starvation, and maroon attacks.¹⁸ There is no evidence that the Society's plan ever came to fruition, although no less than 28 orphan girls volunteered to go.¹⁹ The proposal is emblematic of the fact, however, that colonial authorities, where plantation societies such as Suriname were concerned, never quite let go of

¹⁴ Susanah Shaw Romney, "'With & alongside His Housewife': Claiming Ground in New Netherland and the Early Modern Dutch Empire," *The William and Mary Quarterly* 73, no. 2 (2016): 191.

¹⁵ Boxer, *The Dutch Seaborne Empire*, 227–28; Deborah Hamer, "Creating an Orderly Society: The Regulation of Marriage and Sex in the Dutch Atlantic World, 1621-1674" (Columbia University, 2014), 67.

¹⁶ NL-HaNA, Sociëteit van Suriname, 1.05.03 inv.no. 52, 15 December 1762, scan 255-256. Conversely, around the same time, plans were being made to send boys from Suriname to the same orphanage in Amsterdam so they could be raised and educated there. NL-HaNA, Sociëteit van Suriname, 1.05.03 inv.no. 154, 8 February 1762, scan 17.

¹⁷ NL-HaNA, Sociëteit van Suriname, 1.05.03 inv.no. 319, 13 July 1763, scan 253.

¹⁸ NL-HaNA, Sociëteit van Suriname, 1.05.03 inv.no. 321, December 1763, scan 69-73. See also Karwan Fatah-Black, "A Swiss Village in the Dutch Tropics: The Limitations of Empire-Centred Approaches to the Early Modern Atlantic World," *BMGN - Low Countries Historical Review* 128, no. 1 (March 19, 2013): 31–52.

¹⁹ NL-HaNA, Sociëteit van Suriname, 1.05.03 inv.no. 52, scan 75.

the ideal of using racially and culturally white settler families as a tool in maintaining control over land and enslaved workers, even if this ideal was never fully reflected in colonial reality.

Just how closely Dutch women and Dutch families were associated with settlement and territorial control, in contrast to a more transient, male-dominated trade presence, becomes clear from a quickly shut down proposal for Elmina on the African Gold Coast. In 1727, a plan was made by the WIC directors in the Netherlands to found a *volksplanting* [colony – literally, ‘planting of people’] on the Gold coast, near castle Hollandia (formerly the Prussian fortress Groß-Friedrichsburg). A “large number of men, women, and children” was to be sent from the Netherlands. Their settlement was to be supported for two years, and any gold mines the settlers would find would belong to them and their descendants, as long as the Company would receive 20 percent of the extracted gold.²⁰ The plan was proposed to Director-General Robert Norré in Elmina, who gently but firmly robbed his employers of their illusions about the possibility of sending Dutch families into the hinterland. The African inhabitants beyond the coast, he wrote,

do not care in the least about Europeans unless it is in accordance with their own interests, and Your Honors can be assured that they will never, ever, allow Europeans to insert themselves into the hinterland; undertaking this through violence is impossible, because even if troops were to be sent out, what protection can be offered here? Very little, as the authority of Europeans in these lands does not stretch further than the reach of a cannonball. As a result, one would be surrendering such people to fall victim to a party of cruel Barbarians!²¹

Indeed, throughout the WIC’s tenure on the West-African coast, very few Dutch women ever traveled to Elmina or any of the Company’s other outposts in Africa, and virtually no European man started a Christian family through formal marriage. Thus, if we take Christian marriage and the subsequent perpetuation of settled Christian communities as a marker of colonization, indicative of policy as well as power, then Dutch West-Africa, in this framework, can be seen as the least ‘colonial’, and marked by the most tenuous Dutch power.²² On the other side of the spectrum are the early examples of New Netherland and, arguably, the VOC-controlled Cape Colony on the Southern tip of Africa, where a veritable white settler community formed.²³ In-between these two extremes are the VOC settlements in South and Southeast Asia and the WIC-colonies in the Caribbean that form the primary locus of this study and which were marked, in varying degrees, by a combination of settlement and transience, captured in the East Indies

²⁰ NL-HaNA, WIC, 1.05.01.02, inv.no. 7, Plan to found a colony under Castle Hollandia on the coast of Africa, October 1727, folio 129.

²¹ NL-HaNA, WIC, 1.05.01.02, inv.no. 108, Missive from Director-General Robert Norré, 14 April 1728.

²² We might even suggest, with Pernille Ipsen, that eighteenth-century European (slave) trading posts such as the WIC’s did not constitute colonial societies at all. Pernille Ipsen, *Daughters of the Trade: Atlantic Slavers and Interracial Marriage on the Gold Coast* (Philadelphia, PA: University of Pennsylvania Press, 2015), 8.

²³ For more on the process of settlement and the reproduction of the white community in the Cape Colony, see Robert Ross, “The ‘White’ Population of the Cape Colony in the Eighteenth Century,” *The Societies of Southern Africa in the 19th and 20th Centuries*, 1976, 15–23; Gerald Groenewald, “‘A Mother Makes No Bastard’: Family Law, Sexual Relations and Illegitimacy in Dutch Colonial Cape Town, c. 1652–1795,” *African Historical Review* 39, no. 2 (November 2007): 58–90; Laura J. Mitchell, *Belongings: Property, Family, and Identity in Colonial South Africa (an Exploration of Frontiers, 1725-c. 1830)* (New York: Columbia University Press, 2009).

literature in the dual figures of the *blijver* or ‘stayer’ and the *trekker* or sojourner.²⁴ We can see some of this dynamic reflected in the marriage data recorded by the Dutch Reformed Church in Batavia, Cochin, Suriname and Curaçao. For each couple that wished to wed in church, local pastors wrote down the bride and groom’s names, witnesses, prior marital status, and – usually – place of birth. Although they do not give a comprehensive overview of the entire population, the distinct trends in places of birth in these *ondertrouwregisters* can give an indication of the relative ‘localization’ and dynamism of the Christian marriage market in these places, and thus of patterns in colonization.

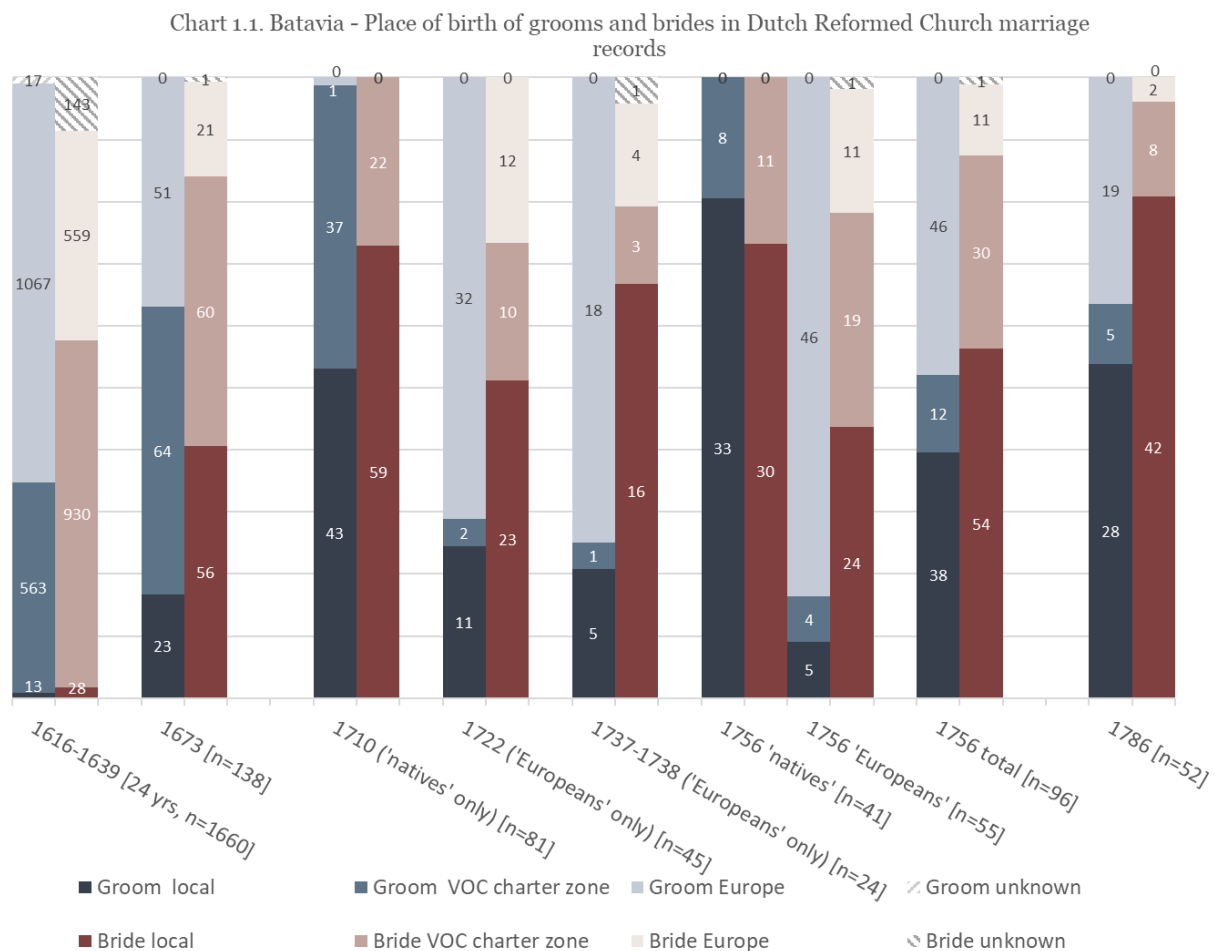


Chart 1.1. *Source 1616-1639:* H. E. Niemeijer, “Calvinisme en koloniale stadscultuur, Batavia 1619-1725” (Unpublished PhD Dissertation, Amsterdam, Vrije Universiteit Amsterdam, 1996), 42–43. Nb the 117 grooms and 43 brides classified by Niemeijer based on their surname or patronym are listed under ‘unknown’ in this graph, as their place of birth cannot be determined with certainty (although it is likely they were born in Asia). *Source other years:* ANRI Burgerlijke Stand inv.nos. 84, 90, 91, 95, Ondertrouwregisters. ‘n’ in all tables stands for the total number of couples listed. ‘Europeans’ and ‘natives’ refers to distinctions made in the original source (*Europeanen* and *inlanders*).

The data for Batavia (Chart 1.1.) supports the general picture given in the literature of increasing, strongly gendered, creolization: following an initial phase in which the majority of grooms and

²⁴ This distinction was first coined in the late nineteenth century by planter-turned-activist G.A. Andriessse to disparage the extractive practices of upper-class ‘sojourners’. Bosma and Raben, *Being “Dutch” in the Indies*, 302; A comparable bifurcation has been used by Anthony Reid for the Chinese diaspora throughout the early modern to modern period: Anthony Reid, *Sojourners and Settlers: Histories of Southeast Asia and the Chinese* (University of Hawaii Press, 2001).

over a third of brides hailed from Europe, the pattern shifted, starting in the second half of the seventeenth century: with the change in policy regarding European female migration, the proportion of European brides dropped drastically and continued to fall throughout the eighteenth century.²⁵ The number of European-born grooms also declined in both a relative and an absolute sense, but never dropped below one-third of all Christian men marrying in Batavia. The share of locally-born grooms and especially brides, conversely, grew steadily, in line with Jean Gelman Taylor and Leonard Blussé's identification of Batavian girls – daughters and grand-daughters of VOC servants and earlier generations of European, South Asian, and South-East Asian brides in Batavia – as the 'social glue' of the Christian sub-set of Batavian society.²⁶

Notably, in the middle part of the eighteenth century, the church records segregate couples into lists of 'European' and 'native' (*inlandse*) marriages, which offers us a unique insight into institutional perceptions of ethnic belonging. We see that, by the 1720s, European status was not exclusively determined by place of birth, as around a quarter of grooms and three quarters or more of brides on the 'European' list were born either in Batavia or elsewhere within the VOC's charter zone. A closer look at the data, moreover, confirms that while men of European origin and designation married women of a variety of backgrounds, including formerly enslaved women, European women never married men designated as *inlands*, showing Batavian creolization was clearly gendered.

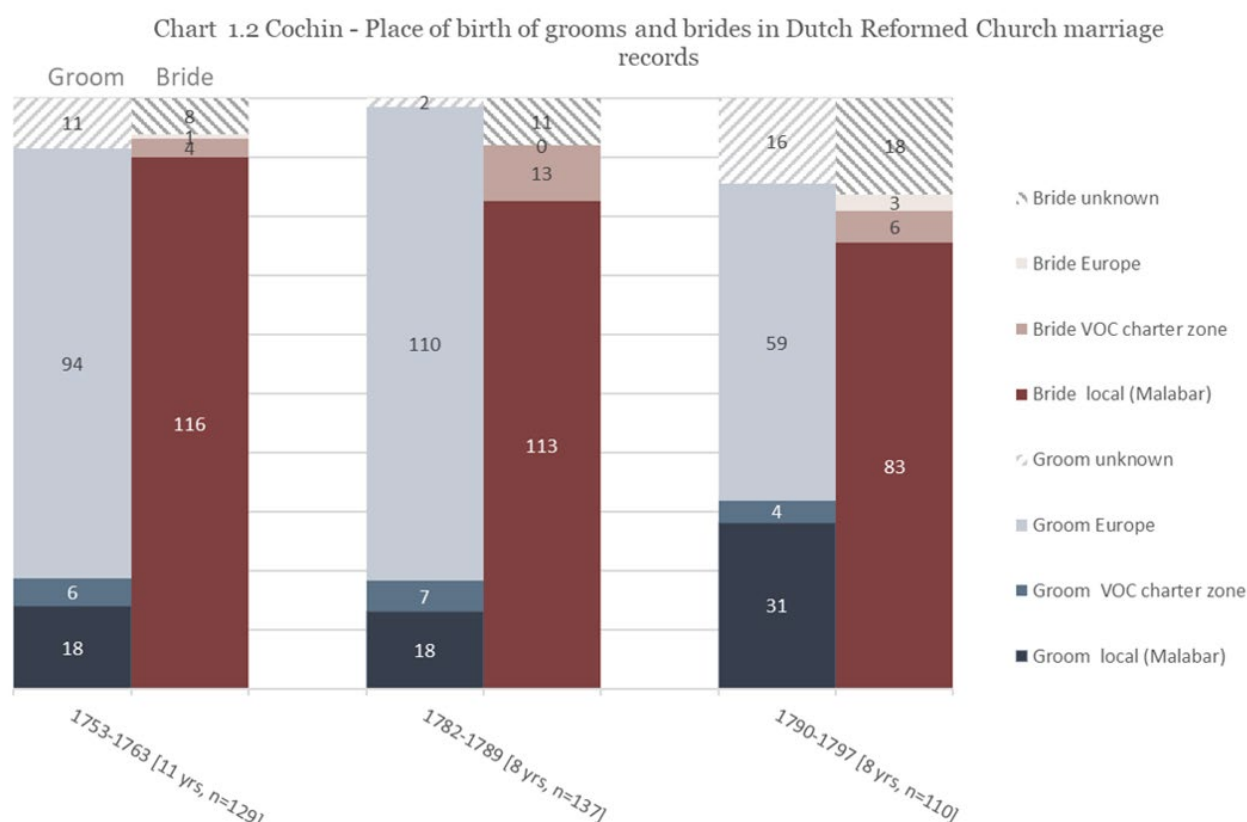


Chart 1.2. Source: 'Het Doop/Trouwboek van Cochin,' *Gens Nostra* XLVII (January 1992), 1-31.

²⁵ Niemeijer, "Calvinisme en koloniale stadscultuur"; Taylor, *The Social World of Batavia*; Van Wamelen, *Family life*; Blussé, "The Caryatids of Batavia"; Michel Ketelaars, *Compagniesdochteren: vrouwen en de VOC* (Amsterdam: Uitgeverij Balans, 2014).

²⁶ Taylor, *The Social World of Batavia*; Blussé, "The Caryatids of Batavia."

The data for Cochin (Chart 1.2), which is only available starting in the mid-eighteenth century, shows a pattern of even stronger (female) ‘localization’ and gender disparity than Batavia: the vast majority of brides hailed from the city of Cochin or elsewhere on the Malabar coast while the majority of grooms originated from Europe, consistent with the idea of a port city absorbing a steady stream of male newcomers (predominantly company servants), where continuity was provided by locally-born women of mixed descent.²⁷ A remarkably similar pattern is shown for the port city of Willemstad in Curaçao (chart 1.3) where brides, as early as the 1710s, were overwhelmingly locally born, while grooms were more likely to have crossed the Atlantic, especially in the first half of the eighteenth century. A notable difference between the Cochin and Willemstad records, however, is that while the former never make mention of a couple’s ethnicity, the Curaçao register, in the late eighteenth century, occasionally offers racial descriptors (*mestice* or *mulat*) for non-white partners, suggesting inter-racial marriage within the Dutch Reformed community took place but was still considered remarkable, and that most spouses were at least of partially European ancestry. As Han Jordaan has pointed out, it is likely that there were more brides and grooms who had some African or Amerindian ancestry, but that these were considered light-skinned enough (or perhaps of high enough socio-economic status) to ‘pass’ as white and thus not have their ethnicity remarked upon in the records.²⁸

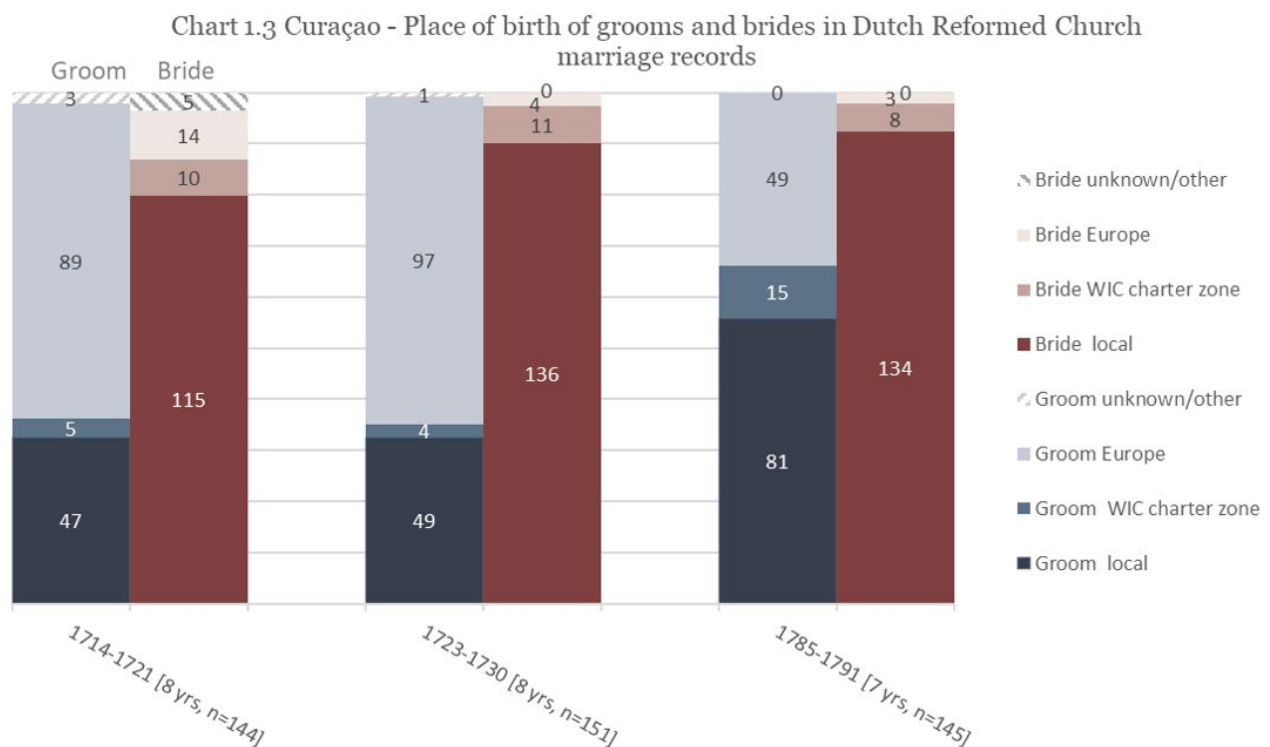


Chart 1.3. *Source 1714-1721:* “Extract Uit Het Trouwboek Der Gereformeerde Gemeente Op Het Eiland Curaçao van de Jaren 1714 Tot En Met 1722.,” in *Vijfde Jaarlijksch Verslag van Het Geschied-, Taal-, Land- En Volkenkundig Genootschap, Gevestigd Te Willemstad, Curaçao* (Amsterdam: J.H de Bussy, 1901), 38–50.

Source other years: NL-HaNA, Curaçao, Bonaire en Aruba tot 1828, 1.05.12.01 inv.no. 1468 (1723-1730), inv.no. 1472 (1785-1791).

²⁷ Singh, *Fort Cochin in Kerala*, 35, 94.

²⁸ H. R. Jordaan, “Slavernij en vrijheid op Curaçao: de dynamiek van een achttiende-eeuws Atlantisch handelsknooppunt” (PhD Dissertation, Leiden University, 2012), 172.

The marriage records of Suriname's Dutch Reformed Church, meanwhile (chart 1.4), show a different pattern: here, European-born women continued to make up a significant share of brides until well into the eighteenth century, only becoming a minority in its final quarter, a period in which simultaneously the absolute number of marriages dropped.²⁹ This is consistent with Rudolph van Lier's observation of a shift in Suriname's Dutch Reformed planter elite following the crisis of the 1770s, after which absentee ownership became the norm and plantations were generally managed by bachelor administrators and overseers, giving rise to a wide-spread pattern of unmarried partnership with free or enslaved black women that became colloquially known as 'Surinamese Marriage'.³⁰

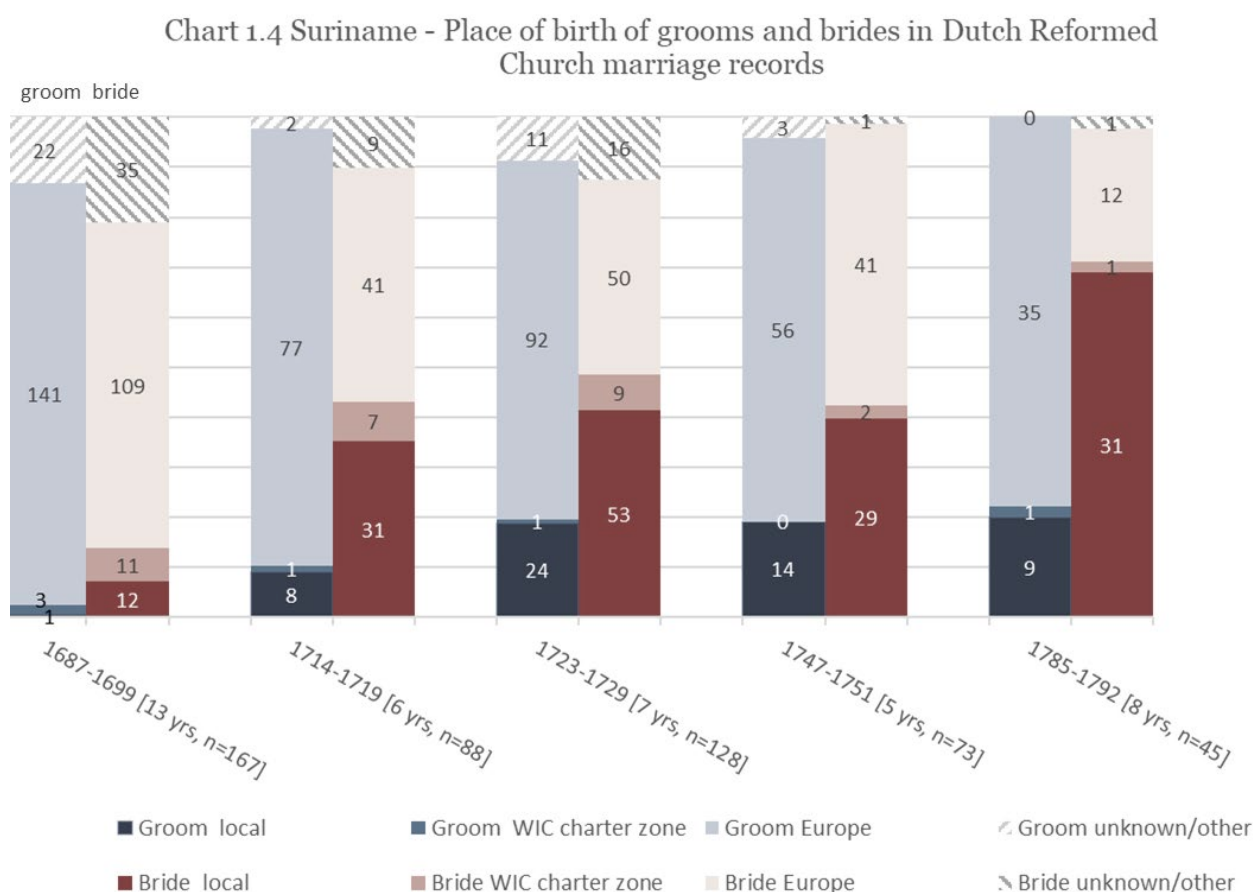


Chart 1.4 Source: Nationaal Archief, Den Haag, Digitaal Duplicaat Suriname: Doop-, Trouw- en Begraafboeken (DTB), access number 1.05.11.16, inventory numbers 1 (1747-1766), 2 (1766-1801), 9 (1687-1730).

Although these data give us a first glance into the dynamism of Dutch colonial societies, they only reveal the behavior of a very small portion of their populations, and hide a range of differences even within this select group. At each point along the transience-settlement spectrum, Dutch colonial societies and their respective marriage marts were marked by ethnic, religious, and

²⁹ It should be noted that the Dutch Reformed congregation represented only a limited portion of the free white population in Suriname: in addition to the substantial Jewish populations of Paramaribo and Jodensavanne, Suriname was also home (from the eighteenth century onwards) to a growing Lutheran congregation as well as several other Christian minorities.

³⁰ R. A. J. van Lier, *Frontier Society: A Social Analysis of the History of Surinam*, trans. Maria J. L. Yperen (Dordrecht: Springer, 1971), 42-43.

broader social diversity. If marriage was key in the formation of allied communities and the shaping, re-shaping and retaining of social hierarchies, this meant that choices were to be made – about which marriage law would apply to whom, and who would be allowed to marry and to whom – choices that would naturally have consequences for how communities under VOC and WIC rule would develop. Colonial authorities could not build up marriage regimes to shape the populations under their rule from the ground up: as extensions of the Dutch state, the companies and the settlements were beholden to the pre-existing legal framework that shaped marriage in the Dutch Republic, whose foundations dated back to long before the Republic itself, let alone its overseas colonies, existed.

Dutch marriage legislation

The early modern period can be seen as one characterized by an increasing institutionalisation of marriage, with couples facing growing pressure to go through increasingly regulated procedures to formalize their union. In Europe, this transition was closely tied to the Reformation and Counter-Reformation, which radically altered the meaning of marriage in both a theological and a legal sense. In the Catholic doctrine which dominated most of medieval Europe, marriage was a sacrament and therefore under the spiritual jurisdiction of the church. What set it apart from the other six sacraments, however, was that as a contract whose binding nature stemmed from the mutual consent of two willing partners, marriage required no priestly mediation: a simple exchange of vows – even just in the form of a promise to marry – followed by sexual intercourse was enough to irrevocably bind husband and wife together. The church had the power to declare certain marriages illicit, by prohibiting specific people from marrying and punishing transgressors, or even invalid, by setting conditions under which a marriage would be null and void (such as bigamy or an absence of freely given consent). But barring such disqualifying circumstances there was little either secular or clerical authorities could do to keep people from taking their nuptials into their own hands.³¹

The situation changed with the Reformation. Martin Luther explicitly rejected the idea of marriage as a sacrament, and secular authorities of newly Protestant polities were more than willing to draw jurisdiction over marriage from the church to themselves, although they did so to varying degrees. In the Calvinist tradition, marriage became a matter shared between worldly and religious authorities, the latter now in the form of local consistories, although the ultimate *legal* jurisdiction over marriage came to lie with the secular government. Generally speaking, the Reformation opened up avenues for restriction and regulation of marriage through non-religious law. The Catholic Church, meanwhile, passed its own reforms with the council of Trent (1545-1563), which on the one hand formalized the theological doctrines of marriage that had crystalized in the centuries prior, affirming both the consensus doctrine and the sacramental nature of marriage, but on the other hand also introducing institutional requirements that made clandestine marriage impossible. Couples-to-be now had to publicly announce their plans to wed

³¹ John Witte, *From Sacrament to Contract: Marriage, Religion, and Law in the Western Tradition*, First edition (Louisville, KY: Westminster John Knox Press, 1997); Manon van der Heijden, *Huwelijk in Holland: stedelijke rechtspraak en kerkelijke tucht, 1550-1700* (Amsterdam: Bert Bakker, 1998), 30–37.

three subsequent times in church and needed the cooperation of a priest and of two witnesses to make their marriage valid.³²

Right around this time, in the Netherlands, laws putting restrictions on marriage started emerging, both at the local level and in sweeping top-down edicts, such as that by Charles V in 1540, which stated that brides aged twenty or younger and grooms aged twenty-five or younger had to obtain consent from their parents, family, or magistrates if they wanted to marry, or be denied their inheritance.³³ Although the Edict technically remained in place after the Dutch Republic declared itself independent from the Spanish Crown, the States of Holland soon after the Revolt issued their own sweeping legislation that would be highly influential throughout the entire Dutch Republic. Regarding marriage the 'Political Ordinance' stated that henceforth everyone who wished to get married had to go through the formal channels – they could choose to turn to the local magistrate or the (Dutch Reformed) church – to have their engagement publicly announced on three consecutive Sundays – the so-called *geboden* or 'banns' – so that anyone who knew of any objections, such as prior engagements or forbidden degrees of kinship (which were specified in the Ordinance), could voice them. The Ordinance repeated Charles V's ban on the marriage of minors without parental consent, but now with increased legal thrust: young couples that went against their parents' wishes would now not only lose their inheritance, but their marriage would be null and void. If they proceeded to live like husband and wife they could be prosecuted as fornicators, with punishments ranging from a fine to a ten-year banishment.³⁴

Another influential document, that like the Political Ordinance would come to be used in Dutch overseas settlements, was the *Echt-Reglement* ('marriage regulations'), which was enacted by the States-General in 1656 for the non-sovereign territories on the Southern edges of the Republic, the 'Generality Lands'. These regulations were stricter and more extensive than the Political Ordinance: they set more specific demands for the registration of engagements, banned the solemnization of marriages by Catholic priests, and gave explicit instructions for the commissioners in charge of registering couples. They were to record names, ages, 'quality', place of residence and how long the couple had lived there, whether they were "free persons, free from others", whether they had their parents' consent (if they were underage), whether and how they were related to each other, and the details or any prior marriages. The requirements for familial consent for minors, moreover, was expanded: whereas the Political Ordinance only required the consent of any surviving parents, the *Echt-Reglement* specified that underage orphans would need the consent of guardians or other relatives. The Regulations also institutionalized the marriage ceremony itself, including the vows the bride and groom made to each other: the groom was to promise to "never leave [the bride], but stay with her for life, love her, faithfully care and

³² Rolf Hage, *Eer tegen eer: een cultuurhistorische studie van schaking tijdens de Republiek, 1580-1795* (Hilversum: Verloren, 2019), 60-63

³³ "Eeuwich Edict van Keyser Karel in date den 4 october 1540," in *Groot placaet-boeck, vervattende de placaten, ordonnantien ende edicten van de Staten Generael der Vereenighde Nederlanden, ende van de Staten van Hollandt en West-Vrieslandt, mitsgaders van de Staten van Zeelandt*, vol. Vol 1 (The Hague, 1658).

³⁴ "Ordonnantie van de Policien binnen Holland, in date den eersen Aprilis 1580," in *Groot placaet-boeck, vervattende de placaten, ordonnantien ende edicten van de Staten Generael der Vereenighde Nederlanden, ende van de Staten van Hollandt en West-Vrieslandt, mitsgaders van de Staten van Zeelandt*, vol. Vol 1 (The Hague, 1658), 329–42. II-III.

provide for her, live and keep a household with her with reason, piety and honor, and be faithful to her in all things, as befits an honest man and as he owes to his housewife.” The bride, in this formalization of gender roles in matrimony, also vowed to never leave her husband and keep an honest household with him, and to “obey, serve, and help him in all just and reasonable things”.³⁵

An aspect of Dutch marriage law that would become particularly important in Dutch overseas settlements was the regulation of ‘mixed’ marriages, which primarily meant unions between people of different religious denominations. In the Dutch Republic, religious diversity was limited to various Christian confessions and a small Jewish minority. Although the Reformed Church was politically dominant, Calvinists were never an absolute majority, instead living alongside considerable groups of Catholics (especially in the South where Catholics were the majority) and other Protestant denominations (such as Lutherans, Mennonites and Remonstrants). Although marriage between these groups was not the norm, it was also not unheard of, and laws restricting these pairings varied both regionally and based on the denomination involved. The Political Ordinance made no impediments based on religion, but some local legislation did ban marriages between Christians and Jews, and there seems to have been a legal consensus across Holland that such unions were not valid unless the Jewish bride or groom converted to Christianity first.³⁶ Marriages among different Christian groups were not prohibited, although by the eighteenth century the States of Holland and the States General alike started passing legislation that nonetheless made Catholic-Protestant unions as unattractive as possible.

In Holland, any Protestant man who married a Catholic woman would be excluded from any public office just as Catholics were, and be fired if he was a military officer.³⁷ The States General, in 1750, banned all minors from forming these mixed unions even if their parents consented, and in Holland the age of majority for women in these situations was put on par with men at 25. Even if these hurdles were met, actually tying the knot was discouraged: whereas normally wedding proclamations were made on three consecutive Sundays, meaning couples could get married on the third week after registering with the authorities, Catholic-Protestant couples had to wait six week between each proclamation, and in Holland both parties were free to walk away from their commitment at any point up until the wedding day.³⁸

By the time the States General published the *Echt-Reglement* in 1656, Dutch colonial expansion was already well underway, and indeed overseas circumstances seem to have been on the minds of States General legislators: they banned marriages of Christians to not only Jews, but also to Muslims and “Heathens”, on punishment of banishment.³⁹ There is evidence that (elements of) both the Political Ordinance and the *Echt-Reglement* were used in Dutch overseas

³⁵ Cornelis Cau, ed., “Echt-Reglement, Over de Steden, ende ten platten Lande inde Heerlijckheden, ende Dorpen, staende onder de Generaliteyt. In Date den 18 Martij 1656,” in *Groot plaacet-boeck, vervattende de placaten, ordonnantien ende edicten van de Staten Generael der Vereenighde Nederlanden, ende van de Staten van Hollandt en West-Vrieslandt, mitsgaders van de Staten van Zeelandt*, vol. 2 (The Hague, 1664), 2429–48.

³⁶ Van Wamelen, *Family life*, 222; Haks, *Huwelijk en gezin*, 115; Van der Heijden, *Huwelijk in Holland*, 201–2.

³⁷ Van Wamelen, *Family life*, 223.

³⁸ Ibid, 223.

³⁹ Cau, “Echt-Reglement,” sec. L.

settlements, just as other sources of Dutch law were.⁴⁰ This is not surprising, as both the VOC and the WIC, beginning with their founding charters, were instituted as extensions of the Dutch State. For the WIC, the principle of legal concordance was made explicit in the 1629 Order of Government, which, although initially designed with Dutch Brazil in mind, would continue to serve as a constitutional document establishing legal uniformity across the WIC charter zone: where family law was concerned, the order stated, the Political Ordinance was to be observed.⁴¹ However, because the Dutch legal tradition that colonies were expected to abide by was highly pluriform and decentralized, with many competing and complementary, locally issued regulations available, colonial authorities, both in governmental and judicial capacities, still had considerable leeway about which legal sources to apply. The governing councils of Berbice and Curaçao, for example, decided in 1736 and 1752, respectively, to henceforth apply the *Echt-Reglement* in the regulation of marriage, rather than just the Political Ordinance.⁴² Even where no such decision had been pronounced, prosecutors would make references to it along with other legal sources, such as the work of famous jurists. The decentralized structure of the Dutch Republic and Roman-Dutch law, while establishing certain basic principles, thus translated into local variation in the governance of marriage overseas. This was amplified by the fact that, just as cities issued their own local legislation in the Republic, local colonial governments could respond to specific events and conditions by publishing locally targeted ordinances, or so-called *plakaten*, giving rise to a new body of legislation that was ‘Dutch’ in form, but specifically colonial in content.

Colonial expansions, marital restrictions

The will of parents and family on the one hand, and legislation issued by secular authorities on the other (entangled through the latter’s institutionalization of the former) were the primary modes through which the formation of marriages could be restricted or regulated in the Dutch Republic, and this was no different in Dutch overseas settlements. The way in which they did so, however, took on new meaning in the hierarchically complex, multi-ethnic and multi-religious societies ruled by Dutch colonial authorities. This applies first and foremost to inter-faith marriages, as Christians, and especially Protestants, were usually a minority in ‘Dutch’ settlements across the globe.

Because religion was a key marker of political allegiance and cultural belonging and because married couples tend to raise their children in their own religious tradition, inter-faith marriages were a battle ground for the reproduction of communities. To have a member of one’s religious group marry outside the group and convert to the outsider’s religion was to lose people and therefore power. The reverse scenario, on the other hand, meant an expansion of influence, but also potentially a change in the make-up and behavior of the group. This dual concern is reflected in the quick pace at which Dutch legislators started to restrict and regulate religiously mixed marriages, often as one of the first orders of business after arrival. In the early years of the VOC,

⁴⁰ Nadeera Rupesinghe, “Navigating Pluralities Reluctantly: The Marriage Contract in Dutch Galle,” *Itinerario* 42, no. 2 (August 2018): 225.

⁴¹ “Ordre van Regieringe soo in Policie als Justitie, inde Plaetsen veroverd ende te veroveren in West-Indien, IN date den 13 October 1629”, art. LIX, in Cau, ed., *Groot placcaet-boeck* vol 2, 1245.

⁴² NL-HaNA, Sociëteit van Berbice, 1.05.05, inv.no. 13, scan 500; Jordaen, “Slavernij en vrijheid op Curaçao,” 2012, 174.

when its fledgling government was still centered on the Moluccas, Governor-General Matelief allowed his soldiers to marry local women on the condition that the brides were Christian, and a 1617 instruction for the Governor and Council asserted that former company servants who stayed in Asia as private citizens would be allowed to wed local women only with permission of the government, after said women were baptized and the couple promised to raise their children in the Christian faith.⁴³

By 1621, shortly after the conquest of Jacatra, all inhabitants of the city were required to obtain consent from the government to marry, or face a fine and possible further prosecution.⁴⁴ By 1641, after the plan to bring in Dutch ‘Company Daughters’ as brides had been definitively abandoned in favor of a policy that promoted marriage with converted Asian women, VOC authorities seem to have had some concerns about these unions too, and particularly about the cultural impact of these women as new members and future mothers of the ‘Dutch’ community in Asia. Governor-General Van Diemen issued a law mandating that “native women, who do not adequately understand and speak our Dutch language” were not allowed to marry Dutch men.⁴⁵ This stipulation, which would be included in the first issue of the codification of locally issued laws known as the *Statuten van Batavia*, applicable across the VOC charter zone, was part of a larger effort to promote the use of Dutch among the population in Batavia.⁴⁶

The so-called *Commissarissen* of Matrimonial Affairs (a board of two VOC servants and two *burghers*) were charged with issuing written certification of Dutch proficiency not only to brides, but also to enslaved Batavians who wished to wear hats – a visual marker of social and ethnic status – and to those who were about to be manumitted by Christian owners and thus join the free Christian population.⁴⁷ Over time, however, it became clear that the Company’s vision of fostering a large Dutch-speaking Eurasian community in VOC settlements was impossible to enforce in practice: generations of Asian-born Christians – the majority of which were women – proved to be culturally more influential than the European newcomers these women married, and creolized Portuguese and Malay became the languages of everyday life.⁴⁸ Significantly, by the time the *Statuten* were re-issued in 1766, the Dutch language requirement had disappeared from the marriage prescriptions.⁴⁹

In Curaçao, the very first instructions for a Governor, those for Jacob Pietersz Tolck, mandated that no Christians be allowed to marry indigenous or African women unless the latter had been baptised and incorporated into the Christian community.⁵⁰ This was repeated almost verbatim a century later, in the instructions for Isaack Faesch in 1739.⁵¹ Like in many Dutch colonies that had previously been under Iberian control, it was not a given that this Christian community would be Protestant, and Catholicism was perceived as a political threat. Nowhere

⁴³ NIP vol I, ‘Instructie voor den Gouverneur en de Raden van Indië,’ 22-08-1617, 46-47.

⁴⁴ NIP vol I, ‘Verbod tegen het trouwen en doopen zonder consent,’ 15-01-1612, 89.

⁴⁵ NIP vol I, “Middelen tot het bevorderen van de kennis en het gebruik der Nederduitsche Taal,” 8/11 June 1641. 459-460.

⁴⁶ *Statuten van Batavia* 1642, in NIP vol I p 542.

⁴⁷ NIP vol I, 460.

⁴⁸ Taylor, *The Social World of Batavia*, 18; in Cochin, Malayam, rather than Malay, formed the main component of the creolized linguistic world along with Portuguese Singh, *Fort Cochin in Kerala*, 117.

⁴⁹ NIP vol IX, 88.

⁵⁰ Instructie voor Jacob Pietersz Tolck, Directeur van Curaçao,’ 1638, in WIP-C-I,6.

⁵¹ “Instructie voor Isaack Faesch, aangesteld tot Directeur over de Eylanden van Curaçao”, 1739, in WIP-C vol I 187-201.

did local Dutch authorities issue outright bans on marriages between Protestants and Catholics, but in places where significant Catholic populations were already present when the Dutch arrived they did attempt to place Catholic and Catholic-Protestant marriages under Dutch (Reformed) institutional control.

In Dutch-ruled coastal Ceylon, the secular authorities actively joined the church in promoting a 'Reformation' of local people's marriages. Christians living in and around Colombo were repeatedly called on to register their (pre-existing) marriage in the Dutch Reformed Church, and various pressures, from fines to labor requirements, were put on young couples to incentivize them to marry in church.⁵² A 1754 ordinance, moreover, mirrored the *Echt-Reglement* in banning Catholic priests from solemnizing marriages, and even went so far as to declare children born of these unions illegitimate and unable to inherit.⁵³ Instead, Catholics' weddings were to be performed by the worldly authorities, and for a fee.⁵⁴ In addition to these attempts to wrest jurisdiction over marriage from the Catholic Church, some measures explicitly addressing inter-confessional marriage also appeared in the eighteenth century: a 1759 ordinance proclaimed that mixed Protestant-Catholic marriages would only be allowed under exceptional circumstances, and only if the children would be raised in the Reformed tradition.⁵⁵ In 1788, Ceylon officially took over the regulations issued by the Dutch States-General in 1750, which had raised the minimum age for mixed-faith couples, put six weeks between proclamations, and excluded anyone who married a Catholic from political or military office.⁵⁶ As Nadeera Rupesinghe has shown, however, Dutch success at 'reforming' Sri Lankan family formation was limited in practice, with both Catholicism and local customary marriage practices remaining influential.⁵⁷

In Cochin, the VOC took a slightly different approach: it allowed denominationally mixed marriages – in fact the Cochin marriage records show that many weddings officiated in the Reformed Church in the fort were between Catholics and Protestants, as well as between two Catholics – but tried to cut those of European status off from Catholic services, thus institutionally confining them to formally 'Protestant' marriages and baptisms. It did so by coming to an agreement with Catholic priests of the region in 1665: the priests would continue to serve the "*naturellen*" (natives) of the region – notably in Vaipin island just across the estuary on which Cochin lay, where many Luso-Indians and Catholic converts resided – but had to promise to refuse service to "white Portuguese, Dutch, English, Spaniards, Italians, French, or any other European nation."⁵⁸ Only an eighteenth-century copy of the agreement remains, but if it is true to the original, it hints at a conception of 'whiteness' and ancestry (rather than just place of origin) as constitutive of European status emerging in VOC parlance as early as 1665.

It is clear, however, that in the years to come, this new view of 'European' belonging would lead to conflicts between the Company and the Catholic priests concerning the status of creolized

⁵² CP #15 (08-01-1647), #187 (13-06-1692), #473 (10-12-1762), #502 (11-02-1768), #684 (19-05-1795).

⁵³ CP vol. II #400 (07-09-1754), 574.

⁵⁴ CP vol. II #473 (10-12-1762), 710.

⁵⁵ CP vol. II #442 (30-07-1759), 645.

⁵⁶ CP vol. II #624 (18-02-1788), 892-894.

⁵⁷ Nadeera Rupesinghe, "Navigating Pluralities Reluctantly: The Marriage Contract in Dutch Galle," *Itinerario* 42, no. 2 (August 2018): 220–37.

⁵⁸ NL-HaNA VOC 1.04.02 inv.no. 3668 (1785), Form for Roman Catholic Priests of 12 June 1665, folio 392.

inhabitants of Cochin. In 1717, the Dutch authorities in Cochin complained that the priests of Vaipin had broken the 1665 agreement by welcoming “a mass of castizo and mestizo women from this city” into the Catholic Church. Although these women of combined European and Asian descent were locally born, the Cochin Council was adamant that, at least as far as expectations of religious adherence were concerned, “we do not count Mestizos and Castizos among the natives of the land, but directly among our nation.”⁵⁹ As such, they were expected to be Protestant. Although the reason the VOC agreed to Catholic priests working with non-European populations outside the citadel was likely pragmatic – the Dutch Reformed Church simply did not have the institutional apparatus to take charge of all Christian congregations in the region, most crucially in the form of ministers who spoke Portuguese or Malayalam – the result was a codification of ethnic difference in religion, with Catholicism increasingly joining Islam and Hinduism as a marker of Asian status and Protestantism as a container for a jealously guarded ‘Dutch’ community.

A similar divide occurred in Curaçao, although for very different reasons. The island had some Catholic heritage when the Dutch arrived because it had initially been colonized by Spain, but what ultimately cemented Catholic presence on the island was its role in the slave trade. Curaçao’s primary economic function for the WIC was as an *entrepot* in the slave trade, a hub from which to re-export captured Africans to various American colonies. By and large the most lucrative export destination was the territory under the Spanish crown, which regulated its supply of enslaved labor through the much-coveted *asiento*. To dip into this market the WIC had to make concessions to Spain, which included allowing Catholic priests on the islands to minister to Africans that were to be sold in Spanish colonies.⁶⁰ As a result, Catholics had far more leeway in openly practicing and spreading their religion in Curaçao than in any other Dutch colony.

In theory, Catholics, along with the island’s large Jewish population and other non-conformist groups, had to marry either in the Dutch Reformed Church or before the secular authorities, just like in the Dutch Republic and other colonies such as Ceylon.⁶¹ In practice, however, this rule does not seem to have been enforced: when, in 1784, the island’s *fiscaal* (being the chief legal officer) reportedly attempted to enforce the requirement, after years of authorities turning a blind eye, and to levy the accompanying fee for courthouse nuptials, the Catholic Church sent a papal nuncio to the States General in The Hague to complain. The nuncio argued that the fees would unfairly burden poorer Catholic residents of the island, and the States General forwarded the matter to the WIC, which immediately began to make inquiries in order to ensure the nuncio that “proper attention is paid to the Roman religion on Curaçao, and its members are not excessively burdened”⁶². Mixed Catholic-Protestant marriages were permitted, with little to no explicit restrictions placed on them through local ordinances. Local church

⁵⁹ NL-HaNA VOC inv.no. 8999, “Twee extract Cochimse resoluties wegens de stoutheijt der pausgesinde,” April 25, 1717, folio 205-208. These racial classifications – taken over from Portuguese – can also be found in the Dutch Caribbean. A Mestizo was generally understood as someone with one European parent and one ‘indigenous’ parent, whereas a Castizo was understood as the offspring of a European and a Mestizo.

⁶⁰ Linda M. Rupert, *Creolization and Contraband: Curaçao in the Early Modern Atlantic World* (University of Georgia Press, 2012) 87-89.

⁶¹ WIP-C-I, #176 (10-12-1743), 234-235; WIP-C-II, #364 (19004-1785), 435.

⁶² NL-HaNA, WIC, 1.05.01.02, inv.no. 439, Amsterdam Chamber resolutions, 30 November 1784, folio 245; inv.no. 440, 16 August 1785, folio 230-231.

leadership, however, did attempt to regulate mixed pairings in such a way that would help preserve the Reformed congregation: the *predikant* Rasvelt wrote to his superiors, the *Classis* of Amsterdam, that he had instituted a policy of making Catholic-Protestant couples who wished to wed in his church swear an oath, promising to baptize and raise their future children in the Calvinist faith.⁶³ There was little he could do, however, to enforce this promise. Over the centuries, a considerable Catholic population formed, which was largely comprised of manumitted people and their children, along with Catholics of mixed descent from the Spanish-controlled mainland, while the Protestant community remained relatively small and predominantly white.⁶⁴

This raises the question of race and ethnicity in marriage policies: to what extent did they play a role in restrictions placed on who was allowed to marry whom? Was there an attempt by colonial elites and governments to preserve the ‘whiteness’ of European communities in VOC and Dutch Atlantic settlements through obstructions to inter-racial marriage? Based on strictly legal impediments to marriage itself the answer would seem to be no – or at least, not directly: religion remained the primary lens through which the validity of inter-group unions were judged and although this clearly had ethnic and racial implications – besides Jews, non-Christians and even the majority of Catholics tended to be non-European – no legislation explicitly banning marriages based on racial categorization emerged during the companies’ tenure. However, colonial elites and legislators did use other means – more informal and indirect than outright anti-miscegenation laws – to introduce modes of exclusion and restrictions to marriage which ultimately contributed to more or less explicitly racialized social hierarchies. To see how this worked, we will start with a specific case study that has been conspicuously absent in this discussion of marriage legislation so far: eighteenth-century Suriname.

Marriage and race: the case of Suriname

Legislation explicitly addressing inter-group marriage is virtually absent in the *Plakaatboek* of Suriname. This is somewhat surprising considering the colony’s sizeable Jewish population living alongside Christian settlers and the colony’s tense racial configuration, with a minority of whites (predominantly Northern-European Protestant and Sephardic Jewish) seeking to maintain control over a majority of enslaved Africans, and an ambivalent social position for various Amerindian groups as well as free Africans and Eurafricans. A possible explanation for this absence of formal regulation is the relative strength of indirect and informal control mechanisms, in which communal self-control, religious leadership, and state intervention converged to exclude those considered inferior to join the ranks of white colonial elites through marriage.

A striking example that underscores this theory is the case of a black woman named Isabella, who in 1726 had been one of the first enslaved Africans in Suriname to be baptized and join the Dutch Reformed Church and who had reportedly even visited the Netherlands. She was

⁶³ Gemeente Archief Amsterdam - Archief van de Nederlandse Hervormde Kerk; Classis Amsterdam, access number 379, inv.no. 224, folio 37-38. The island of Curaçao, as this example shows, was strongly institutionally tied to the city of Amsterdam, with both the Protestant and the Jewish leadership reporting to their respective councils in Amsterdam.

⁶⁴ Jordaen, “Slavernij en vrijheid op Curaçao,” 2012, 8, 231.

manumitted after her master's death and joined communion at the Cottica-Perica church. Her newly free and Christian status did not mean that she was accepted into the congregation as a full, equal, and marriageable member, however. Instead, as she would relate in 1733 to Jan Willem Kals, a Dutch minister who became famous for his polemic writings advocating for the conversion of enslaved Africans, she was met with scorn and mockery from the white congregants, as well as with sexual advances, but none with the intention to wed. "The whites would not have married me; they only wanted to enact their lust and malevolence with me one after the other," she asserted.⁶⁵ After refusing the propositions and being called a "black beast destined for the devil" in response, Isabella had returned to the father of her children, who was unbaptized and still enslaved, and was consequently not only expelled from the church, but also re-enslaved.⁶⁶ Her case was used by opponents of Kals, who saw her as proof that Africans, once converted to Christianity, would "inevitably return to their race, and become worse than they were before."⁶⁷

Several factors are at play in this case. One is the role of the church as communal gatekeeper, with the power to set conditions for access to the community, and by extension to marriage. Another is an informal barrier to the marriage market through highly racialized notions of honor and desirability that can be found across Atlantic slavery societies: the white congregants' attitude towards Isabella reflects a well-documented pattern of racial stereotyping of black women as simultaneously hyper-sexualized and unattractive – even monstrous – or as sexually desirable but unfit for the role of virtuous wife.⁶⁸ This designation of Isabella as 'unmarriageable' stands in stark contrast with the apparent ease with which, if the comments of several colonial authorities are to be believed, even notoriously unruly young white women found husbands in Suriname, whereas those same girls might have been treated with more derision in the Dutch Republic or in Atlantic colonies where there was a substantial white female underclass.⁶⁹ The formal and informal factors were intertwined: as the planters' argument against Christianization shows – and indeed the larger unwillingness of slaveholders to promote Christianity among their enslaved African workforce – exclusion from and by religious institutions was racially informed.⁷⁰ Conversely, informal exclusions based on race could turn people away from the

⁶⁵ Jan Willem Kals, *Neerlands Hooft- en Wortelonde, Het verzuym van de Bekerings der Heydenen* (Leeuwarden: Pieter Koumans, 1756), 84.

⁶⁶ Karwan Fatah-Black, *Eigendomsstrijd: De geschiedenis van slavernij en emancipatie in Suriname* (Amsterdam: Ambo|Anthos, 2018), 145-146.

⁶⁷ *Ibid.*, 60.

⁶⁸ Jennifer Leyle Morgan, "Male Travelers, Female Bodies, and the Gendering of Racial Ideology, 1500-1700," in *Bodies in Contact: Rethinking Colonial Encounters in World History*, ed. Tony Ballantyne and Antoinette Burton (Durham, NC/London: Duke University Press, 2005), 54-66; Beckles, "Perfect Property"; Henrice Altink, "Deviant and Dangerous: Pro-Slavery Representations of Jamaican Slave Women's Sexuality, c. 1780-1834," *Slavery & Abolition* 26, no. 2 (August 1, 2005): 271-88; Brown, *Good Wives*.

⁶⁹ Governor Crommelin, in 1763 when the plan to send Dutch orphan girls to Suriname was under discussion, cited the example of a girl who had misbehaved to such an extent she had been placed under his supervision, but who in a matter of weeks was being courted by "a respectable craftsman". NL-HaNA, Sociëteit van Suriname, 1.05.03 inv.no. 321, scan 12-13. For a comparison to other Atlantic colonies, see Hilde Neus, "Ras of ratio?: verbod op het huwelijk tussen zwarte mannen en blanke vrouwen," 2007, 312-14; Hilary Beckles, "Sex and Gender in the Historiography of Caribbean Slavery," in *Engendering History: Caribbean Women in Historical Perspective* (Kingston: Ian Randle, 1995), 133; Brown, *Good Wives*, 88, 197.

⁷⁰ On the ideological connections between race and (Protestant) Christianity as modes of exclusion, see Gerbner, *Christian Slavery*, 11, 74-75.

congregation by making it difficult to build a life within its community. Communally held norms about honor, race, and social status thus resulted in a type of self-segregation in which whites married other whites of their own religion or, if they did not, lost social standing.

This mechanism seems to have been strongest in the seventeenth and early eighteenth centuries, when white settlers almost exclusively married European women. Over the course of the eighteenth century, however, legal marriages between Europeans and daughters of white fathers and African or Eurafrican mothers became an increasingly normal occurrence, seemingly without social repercussions for the husband.⁷¹ This development was not without its discontents, both among Christians and among the white Jewish population. Aviva Ben-Ur lays out how the *Mahamad*, the governing council of the Sephardic Jewish community of Suriname, actively intervened in unions between white Jewish men and *mulatas* by invoking the racial bifurcation of membership already in place in the Surinamese Jewish community: a *jahid*, or full member by virtue of his European descent, would be relegated to the category of *congregante*, lower-ranking members of Eurafrican descent, and even be considered “mulatto” himself, if he married a Eurafrican woman.⁷² For some, however, this relegation to lower status did not go far enough. In 1722, a white member of the Jewish community named Juda Abrahams petitioned with Suriname’s colonial government, asking them to intervene in the impending nuptials of his cousin, Philip Joseph, a minor whose legal guardians lived in Holland. Philip wished to marry a daughter of Gabriel de Mattos, which outraged Abrahams because, as he wrote, “it is widely known that she is a negress or mulata, and such a marriage could only lead to great disrespect for his family.” The Suriname Council agreed with Abrahams that “such marriage can only cause chagrin and sadness among parents and friends in *Patria*”. On the ground that minors could not marry without permission from their parents or guardians, “much less with a person of illegitimate birth”, the Council ordered the Mahamad to refuse to enact the marriage or, if the pair had already wed, to declare the marriage invalid. Philip Joseph was to be urged “to avoid the mixing of whites and that sort through legal marriage” as much as possible.⁷³

The Jewish by-law explicitly mentioned *mulatas*, or women of ‘mixed’ African and European descent, which Ben-Ur interprets to mean that formal marriage between a white man and black African woman was considered so unspeakable by both the *Mahamad* and the white community that it did not merit being formally addressed. The same applies to formal unions between black men and white women: although *informal* sexual relationships (‘fornication’) between European women and African men were strictly prohibited under penalty of death in government-issued ordinances in both Suriname and neighboring Guyana, formalizations of these unions in the form of marriage are not mentioned in legislation at all, suggesting that social ostracism – whether in institutionalized form by the Consistory or Mahamad or through public scandal – was so strong

⁷¹ Rudie van van Lier, *Samenleving in een grensgebied: een sociaal-historische studie van de maatschappij in Suriname*, 4th ed. (The Hague: Martinus Nijhoff, 2013), 74; Cynthia McLeod, *Elisabeth Samson: een vrije, zwarte vrouw in het achttiende-eeuwse Suriname* (Schoorl: Conserve, 1997), 46.

⁷² Aviva Ben-Ur, “A Matriarchal Matter: Slavery, Conversion, and Upward Mobility in Colonial Suriname,” *Atlantic Diasporas: Jews, Conversos, and Crypto-Jews in the Age of Mercantilism, 1500–1800*, 2008, 154–5.

⁷³ NL-HaNA, Sociëteit van Suriname, 1.05.03 inv.no. 131, 29 January 1722, scan 209–211. This was not the first such intervention; a year prior, a married Jewish woman named Mariana Abrahams had intervened in her underage brother’s intended nuptials on the same grounds. Nationaal Archief, Den Haag, Digitaal Duplicaat: Oud Archief Suriname: Raad van Politie, access number 1.05.10.02, inventory number 9, 19 April 1721, folio 27–28.

that it rendered these marriages virtually impossible and legislation unnecessary.⁷⁴ Only where there was friction between publicly held norms, daily practice, and authorities' expectations do inter-racial relationships pop up in the archive. In this light, the very fact that the *Mahamad* found it necessary to regulate marriages between European men and Eurafrican women shows that these unions were socially acceptable enough to be common, and the same was true among Christians.

As inter-racial relationships became more common, so did institutional responses to them – not just from the church and synagogue, but also from the colony in its capacity as employer. Military officers and plantation directors employed by the colony were arguably less free in their partner choice than private planters, because they could be directly penalized for marrying a mixed-race woman. In both Suriname and in neighboring colonies such as Berbice, officers were occasionally dismissed, demoted, or denied promotion because of the color and ancestry of their (intended) wife. In 1772, Berbice's governor S.H. de la Sabloniere reported to the Society of Berbice, for example, that he had passed on further promoting a capable sergeant named Jacob Zwinne due to the latter's marriage to a *mulattin*, because "the other officers and their wives could not be on equal terms with her".⁷⁵ Two years before, De La Sabloniere had moved to dismiss J.F. Eiffel, the director of the sugar plantation Cornelia Jacoba, owned by the Society of Berbice, because Eiffel was about to marry a mixed-race girl whose family lived next to the plantation. This, the governor ensured the colony directors, was detrimental to them because he was certain that "Eiffel will be supporting the entire family of his wife-to-be using the furnace of the Cornelia Jacoba".⁷⁶

The question of the acceptability of inter-racial marriage in West-Indian plantation societies thus was closely intertwined with questions of property and social class. This becomes clear, in a different way, from the famous case of Elisabeth Samson. She was a free-born black woman – her mother had been enslaved but manumitted prior to Elisabeth's birth – who over the course of her life had become extremely wealthy and made plans to marry Christoph Braband, a white man of considerably more modest means and several decades her junior. When the pair turned to the *Commissarissen* to register their intended marriage, the latter were unsure whether such a union would be legal – the fact that Samson was black, rather than mixed-race, was relevant here – and referred the case to the Governor and Council. The magistrates, too, were unsure how to respond, and they forwarded the case to the *Societeit van Suriname* in Amsterdam. The accompanying letter reveals that in all the considerations made by the Governor and Council, both those for and against the marriage, a concern with protecting the socially, politically, and economically dominant position of the white community prevailed. Summarizing their arguments in favor of the marriage, they wrote:

"[...] this black Elisabeth Samson is already very rich, and stands to get even richer through her sisters and other family, and [these] goods may in time come to be under the

⁷⁴ The criminalization of interracial relationships outside of marriage will be discussed in chapter four.

⁷⁵ NL-HaNA, Sociëteit van Berbice, 1.05.05, inv.no. 149, Letter 2 February 1772, folio 128.

⁷⁶ NL-HaNA, Sociëteit van Berbice, 1.05.05, inv.no. 194, Letter 28 January 1770, scan 198. Eiffel, who complained about his pending dismissal to the Directors, seems not to have been aware of the reason behind his fall from grace. NL-HaNA, Sociëteit van Berbice, 1.05.05, inv.no. 147, Letter 14 May 1770, #87, scan 232.

whites because of this marriage, which would not be wrong; for to have overly powerful free people here among the negroes is a thing to be feared, because it gives our slaves the idea that they can rise to our level.”⁷⁷

Economically speaking, the match could thus neutralize the threat that Samson and her family posed to the colony’s racial hierarchy, in the magistrates’ eyes. Theologically, too, there was no objection to the marriage – it should even be encouraged as an alternative to the sin of concubinage. Simultaneously, however, the Council considered the proposed marriage “repugnant” and a threat to social order because it would humiliate Braband, who, as the younger and less powerful partner in the match, would turn the expected schema for inter-racial relationships in the colony (stereotypically involving a wealthier, older white man and a younger woman of color who depended financially on him) on its head. The optics of this reversal of roles was a threat to the dominant position of the white community as a whole, which the magistrates recognized as being based on perception more than reality:

It is certain that it’s more through a sense the negroes have of our pre-eminence over them, that we are people of a better and more noble nature than they, that we must maintain ourselves amidst such a strange twisted race, rather than through any real power we have; and what will they believe of that excellent nature once they see that they just have to be free to form a formal union with us, so that their children are on par with ours, would that lapse of whites who humiliate themselves so not be noted?⁷⁸

The letter named two possible legal grounds on which to block the marriage: an alleged law issued in the seventeenth century by Governor Cornelis van Aerssen van Sommelsdijck, ‘founding father’ of the Society of Suriname, and the Political Ordinance of Holland.⁷⁹ The former was nowhere to be found, however, and the latter required a rather broad interpretation to apply to interracial marriage, based on the fact that it “not only banned marriages which are sinful to God and incestuous, but all marriages that are considered to be harmful to society, both those which are held to be incestuous and those which though God’s law or our morals are naturally incestuous.” Based on this, the magistrates asserted they could issue an ordinance banning this type of union, but “in a matter as tender and serious as marriage” they thought it best to consult the directors. If no outright ban was to be issued, they proposed an alternative measure comparable to that of the *Mahamad*, demoting white men who married black women to a state of dishonor and ineligibility for public offices reserved for whites.⁸⁰ Although no such ordinance remains among Suriname’s *plakaten*, the examples cited above show that this idea was occasionally put in practice. As for Samson, she – after three years of litigation and a final ruling

⁷⁷ Letter from Governor Crommelin and Council to Society of Suriname, February 23 1764. In McLeod, *Elisabeth Samson*, 93-97.

⁷⁸ Ibid.

⁷⁹ The letter claims the law banned marriages with blacks, based on a 1718 book on Suriname. The actual publication this likely referred to, however – a body of rules for plantation servants issued by Sommelsdijck in 1686, makes no mention of marriage to free black women, only of sexual relations with enslaved Africans and Amerindians and free Amerindian women. The letter writers seem to have been aware of this ambiguity, however, simply using the reference to illustrate that “since day and age righteous Europeans have abhorred such mixing.” For the 1686 rules, see Jacob Adriaan Schiltkamp and J. Th. de Smidt, *West Indisch plakaatboek. Plakaten, ordonnantiën en andere wetten uitgevaardigd in Suriname* (Amsterdam: S. Emmering, 1973) vol I [Hereafter: WIP-S Vol I], #134 (May 1686) 168.

⁸⁰ McLeod, *Elisabeth Samson*, 93-97.

by the States General –obtained consent to marry Braband, but by this time the latter had died, and she would marry a different white man.⁸¹

The case of Samson demonstrates the discretionary power of the colonial authorities within an ambiguous legal landscape to significantly obstruct legal marriages which they considered a threat to the colonial hierarchy, but also shows the ability of those of generous means to challenge this hierarchy and to go over local administrators' heads to do so.

Race across the Dutch empire

The Suriname case shows how the triple force of government intervention, exclusion through religious membership, and informal social control intertwined to govern inter-group marriage in such a way as to sharpen the boundaries between the white elite on the one hand and the free and enslaved black population on the other, while incorporating lighter-skinned individuals of African descent in the former group to a limited degree. Suriname was not unique in this, although the precise ways in which these factors of control functioned in specific settings across the Dutch empire highlight the strongly context-dependent nature of social difference as it was negotiated through marriage.

In Curaçao, like in Suriname and Guyana, no law explicitly banning inter-racial marriage ever materialized. However, as Han Jordaan has shown, white Curaçao elites were most definitely concerned with maintaining the 'whiteness' of their families by preventing marriages with people of color.⁸² In the 1750s a group of white islanders lobbied with both the island's council and the States General in the Netherlands to restrict inter-racial marriage by declaring all marriages between a non-white person and a white person without the latter's family's consent to be null and void.⁸³ After deliberation between the States General, the WIC, and the island council, such a move was deemed too politically risky, because it would affront the significant number of prominent island families whose members were not entirely white. Instead, it was decided that the *Echt-reglement* of the Generality lands would henceforth be applied on the island, which increased the reach of relatives in consenting to or preventing the marriages of young family members (younger than twenty for brides and twenty-five for grooms) without specifying race.⁸⁴

In the years to come, however, white authorities would continue to complain about the growing number, prominence, and self-confidence of free non-white islanders, and link this development to inter-racial marriage. In 1789, in a report commissioned to compile all previously issued local legislation on the island, council member Michiel Römer and prominent *burgher* Gerrard Striddels commented that a 1761 decision to include "*mestiezen, castisen, and poestisen*" in the records among the *burghers* (a category that had thus far been synonymous with white islanders) had been a mistake, and wished that "they had always been kept at a

⁸¹ McLeod, *Elisabeth Samson*, 101.

⁸² Jordaan, "Slavernij en vrijheid op Curaçao," 2012, 171–74.

⁸³ NL-HaNA, WIC, 1.05.01.02, inv.no. 475, Letter to the Governor and Council of Curaçao, 22 August 1752, folio 96.

⁸⁴ J.A Schiltkamp, *Bestuur en rechtspraak in de Nederlandse Antillen ten tijde van de West-Indische Compagnie* (Willemstad: Rechtshogeschool van de Nederlandse Antillen, 1972); Jordaan, "Slavernij en vrijheid op Curaçao," 2012, 173; Han Jordaan, "Free Blacks and Coloreds and the Administration of Justice in Eighteenth-Century Curaçao," *New West Indian Guide / Nieuwe West-Indische Gids* 84, no. 1–2 (January 1, 2010): 83.

certain distance from the whites”.⁸⁵ They concluded their findings, moreover, with a note expressing concern over the growing number of manumitted people whom they considered to be useless for the island and “whose white-bastardized offspring is the cause of ruin of many of our incautious youth, and who even seduce them into marriage”.⁸⁶ This sentiment was echoed by two commissioners sent by Stadtholder William V that same year, who wrote that the large number of non-white islanders was a grave political threat: should the Republic become embroiled in war with Spain, they asserted, “most negros and mestizos should be seen as our enemies,” because they were Catholic and thus easily manipulated by Spanish priests. The threat was aggravated by the fact that

whites are not ashamed to wed women *de couleur*, and because of the familiarity that takes place with the rest of the family of such a woman, they no longer display the subservience for whites that they ought to have. On this island there are no more than seven families that one can count as purely white, which is the reason why those people of color enjoy much protection.⁸⁷

Like in Suriname, the reality of mixed marriage and inter-racial sociability that had become part of daily life on Curaçao clashed with the political concerns of white elites, who saw in the upwards social mobility of formerly enslaved people and their descendants a potential threat to the social order. Where exactly this threat lay, however, differed between Curaçao and the Guyanese mainland. In Curaçao, Catholicism, as a marker of potential political disloyalty, rendered the entire non-white majority – both free and enslaved – a threat in colonial authorities’ eyes. In Suriname and the Guyanas, on the other hand, the main concern lay with maintaining control over the enslaved (non-Christian) majority: in Suriname – and even more so in Berbice which unlike Suriname did not form an urban population of freed people – the free, mixed-race group was much smaller than in Willemstad and not predominantly Catholic.

Although they certainly faced discrimination, there seems to have been less concern from Surinamese authorities with keeping these free people of color separate from the enslaved population, rather than separate from whites.⁸⁸ This becomes clear from the regulations for manumission issued in 1733, which stipulated that manumitted people were free to marry both each other and others, with the exception of people still enslaved.⁸⁹ Those who “mixed” with enslaved men or women and had children with them could even be re-enslaved, as was the case with Isabella who was re-enslaved exactly around this time – if not slightly *before* the manumission rules were published, suggesting her case informed the contents of the new law.⁹⁰ A 1761 expansion of the law discouraged socializing between free and enslaved people more broadly, warning manumitted people that if they were caught participating in *balliaren* (dancing

⁸⁵ NL-HaNA, WIC, 1.05.01.02, inv.no. 1176, Report Römer and Striddels, 4 November 1789, folio 453.

⁸⁶ Ibid., folio 468.

⁸⁷ NL-HaNA, WIC, 1.05.01.02, inv.no. 1328, Report by Grovestins en Boeij for William V, 2 December 1789.

⁸⁸ Fatah-Black details the ambiguous social position of the small free black community in eighteenth-century Suriname: while they were largely excluded from many aspects of white society and frequently operated outside the control of colonial authorities, free non-whites were nonetheless seen as political allies in the struggle to maintain control over the overwhelming majority of enslaved Africans in the colony. Fatah-Black, *Eigendomsstrijd*, 116.

⁸⁹ “Reglement van Manumissie.” #350 (July 1733) in WIP-S-I, 411-412.

⁹⁰ J.M. van der Linde, *Jan Willem Kals: leraar der Hervormden; advocaat van indiaan en neger* (Kampen: Kok, 1987), 63.

by enslaved people that the colonial authorities designated as a form of “uproar”) they would be forced to watch the execution of the enslaved man or woman involved (suggesting the legislators were specifically concerned with interpersonal relationships between free and enslaved people) and if caught a second time they would be re-enslaved.⁹¹ The new law also specified that manumitted people “while enjoying equal rights to those born free in other respects” were expected to behave in a subservient and deferential manner when it came to interacting with whites. Free people of color in the Dutch Guyanas were thus expected to live in a state of ‘subservient inclusion’ with some – especially those who were well-connected, female, and lighter-skinned – able to integrate into the white community through marriage.⁹² In Curaçao, by contrast, the much larger and often economically influential free non-white population lived in what can be described as ‘excluded independence’ from whites, facing more opposition where they integrated with white families rather than with enslaved populations.⁹³

The situation was entirely different on the West-African Gold Coast, where any notion of a self-reproducing ‘white’ community was absent, and thus the policing of such a community through marriage restrictions was largely irrelevant. This did not mean that concerns about inter-communal pairings were not raised, especially where the church was concerned: as will become clear in chapter four, generations of Elmina-based pastors would lament at the pervasive pattern of non-marital sex between Europeans stationed on the West-African coast and local women. Marriage, too, however, could become an object of concern in this setting. Just how different the role of race in and around Elmina was from the Caribbean context becomes clear from the case of Jacobus Elisa Johannes Capitein (1717-1747), the famous black Reformed pastor who was born in West-Africa, captured and enslaved as a child, and who ended up studying Theology in Leiden before returning to his native continent as a *Predikant* in service of the WIC. Capitein was an adamant proponent of marriage as an alternative to the local, non-Christian institution of *calicharen* which he considered a form of concubinage, and in order to set a good example for his flock, set out to marry a local Elminan girl. The idea of a Reformed pastor marrying a ‘Heathen’ woman, even if Capitein arranged for her to convert to Christianity, however, outraged his superiors in Amsterdam, and arrangements were made for Capitein to marry a European Christian woman, The Hague-born Anthonia Ginderdros.⁹⁴ This scenario, of a black man being encouraged to marry a (presumably) white woman rather than an African woman of non-Christian origin, would have been unthinkable in the Caribbean, but because of

⁹¹ “Plakaat. Aanvulling van het reglement van manumissie.” #597 (February 1761) in WIP-S-II, 726-727.

⁹² Eighteenth-century Suriname, in this sense, fits the pattern that Orlando Patterson has called ‘plantocratic co-optation’. Orlando Patterson, “Three Notes of Freedom: The Nature and Consequences of Manumission,” in *Paths to Freedom: Manumission in the Atlantic World*, ed. Rosemary Brana-Shute and Randy J. Sparks (Columbia, SC: Univ of South Carolina Press, 2021), 24.

⁹³ Jessica Vance Roitman, “‘A Mass of Mestiezen, Castiezen, and Mulatten’: Contending with Color in the Netherlands Antilles, 1750–1850,” *Atlantic Studies* 14, no. 3 (July 3, 2017): 399–417. This distinction between Suriname and Curaçao traces back to 1958 with the work of Harmannus Hoetink, who traced Curaçao’s social dynamics to its higher manumission rates, arguing that this led to the creation of a free non-white group in an economically precarious position whom whites feared more than slaves. Although recent work (such as by Roitman and Jordaan) has corrected some of Hoetink’s assumptions, such as the relative ‘mildness’ of Curaçao slavery and non-whites’ (lack of) economic possibilities, his insight into the subtle differences in the ‘color line’ still largely hold.

⁹⁴ David Nii Anum Kpobi, “Mission in Chains: The Life, Theology and Ministry of the Ex-Slave Jacobus E.J. Capitein (1717-1747) with a Translation of His Major Publications” (Unpublished PhD Dissertation, Zoetermeer, Utrecht University, 1993), 73–74.

the particular status of Capitein as well as the specific social context of Elmina, religious affiliation took precedence over color here: Capitein, for all intents and purposes, was a representative of the Dutch Reformed Church, and his marriage was to reflect that affiliation.

In the East Indies, meanwhile, the role of race was no less intertwined with questions of religion and social class when it came to marriage than in the Atlantic. This becomes clear in a section from the 1642 *Statuten van Batavia* which set rules for the Commissioners of Matrimonial Affairs, who were charged with administering all Christian marriages-to-be.⁹⁵ The *Statuten* shared much with the *Echt-Reglement* that would be passed in the Dutch Republic fourteen years later: it banned marriages between Christians and Jews, Muslims, or “Heathens”, expanded the information couples registering their banns had to provide, and, significantly, also already contained the sharpened requirements of consent from parents and wider family members that would become crucial in Curaçao a century later. Unlike the *Echt-Reglement* applied in Curaçao which originated in the Netherlands and which made no distinctions based on race or ethnicity, the *Statuten* explicitly considered social hierarchies in both the Indies and in Europe. If the bride or groom was younger than 18 or 21, respectively, and had family in the Indies, the regulations stated, the couple always needed to obtain their family’s consent to get married. If the parents lived in Europe and consent was therefore harder to obtain, however, the VOC made a distinction based on social class and nationality:

In case any young people, not yet of age and having parents in Europe, request to get married, distinction will be made as to whether these reside within the United Netherlands and are honorable people or not; for if they are living elsewhere and are lowly people, the commissioners will approve the request without making it too grave a matter, unless there is any notable reason to the contrary.

But if [the parents] live in the Fatherland and are people of honor, attention will be paid to how he who requests the banns departed from them and what party he wants to wed; because if they came here against their parents’ wishes or want to marry an unequal party, black [woman], dishonorable or other lowly [vuyt] person, such will not be permitted by the commissioners for weighty reasons.⁹⁶

Communal gate-keeping through marriage restrictions thus primarily targeted a specific subsection of Europeans: those of higher social status and Dutch origin. In the eighteenth century, however, a more sweeping restriction was issued that suggests an increasing concern with the status and prestige of the European community as a whole: an old requirement that company servants obtain permission from the Governor-General before marrying was expanded in 1773 to “all European *burghers* and those of European blood”. The reason given was the scandal caused by “*burghers* of respectable descent” who married “vile and despicable womenfolk to the dishonor and chagrin of their family and to their own misfortune.”⁹⁷ Notably, while the reference to “European blood” shows that race was far from an irrelevant factor in the eighteenth-century

⁹⁵ NIP Vol I, 536-542. Unlike in the Dutch Republic, where couples could choose to register with either the Reformed Church or the secular authorities, as long as the marriage was finalized by the same institution as where the marriage plans were recorded, the VOC made it a rule as of 1636 that for all Christians the *ondertrouw* (initial registration) had to be done at the *Commissarissen* while the wedding had to be performed in church. NIP vol I 227.

⁹⁶ NIP Vol I, 540-541.

⁹⁷ NIP Vol IIX, 790; Van Wamelen, *Family life*, 252.

VOC-world, the framing of the potential marriage partners in terms of respectability rather than color shows that here, too, the preservation of class hierarchies and familial property was a primary concern.

Deborah Hamer has shown how the VOC's marriage policy aimed to exclude lower-class and 'foreign' Europeans – particularly soldiers who disproportionately hailed from outside the Dutch Republic and were of impoverished background – from the upper echelons of VOC society, while simultaneously fostering a loyal labor force that was bound to the Indies.⁹⁸ Key in this policy were decisions by the Supreme Government in Batavia and the Gentlemen XVII in the Netherlands in the 1630s to prevent Europeans married to Asian women to repatriate while their wives were alive and a 1649 law that forbade all *inlandsche* women and their husbands from leaving VOC-controlled territory.⁹⁹ Carla van Wamelen has linked this to a larger set of policies blocking non-Europeans' access to Europe which she argued was at least in part motivated by company directors' desire to keep the Dutch Republic white.¹⁰⁰

Simultaneously, as we have seen, the VOC restricted lower-class white women's access to Asia, only allowing wives, brides, and daughters of higher-ranking company servants to make the passage. The result was a trans-continental racialization of class difference: on one side of the socio-economic spectrum, a mobile company elite formed that in part distinguished itself through its exclusive access to European wives and was able (although with some restrictions) to travel back and forth between Europe and Asia. This mobility was key, because it allowed for 'Europeanness' to be defined through other means than through birth: company elites, as a rule, sent their Asian-born sons to Europe at a young age for their education, and it was this European enculturation, along with the key connections in the Dutch Republic that could be gained, that enabled those who returned to Asia to enjoy the status of a Dutchman and the prospects within the Company that this offered.¹⁰¹ If they married, their (frequently) locally born-and-raised wives similarly took on 'European' status, despite never having set foot on the continent, their Dutch Christian names belying, as Dutch male travelers frequently bemoaned, a strongly creolized, locally oriented acculturation.¹⁰² On the other side of the spectrum, the VOC promoted the formation of a multi-ethnic lower and middle class of soldiers, burghers, and administrative personnel tied to Asia through either their birth or their marriage. As chapter four will show, however, this policy was only partly effective, as the company's policies rendered marriage so unattractive that many European men opted for alternatives to marriage that did not tie them to the Indies, as can already be observed in the declining absolute number of weddings from the late seventeenth century onward (table 1.1)

⁹⁸ Hamer, "Marriage and the Construction of Colonial Order."

⁹⁹ NIP Vol II, 132-134.

¹⁰⁰ Van Wamelen, *Family life*, 353. Dienne Hondius has made a similar point for the Dutch Atlantic, arguing that the low number of non-white residents of Dutch colonies that made it to the Netherlands was a result of deliberate policies. Dienne Hondius, "Access to the Netherlands of Enslaved and Free Black Africans: Exploring Legal and Social Historical Practices in the Sixteenth–Nineteenth Centuries," *Slavery & Abolition* 32, no. 3 (September 2011): 377–95.

¹⁰¹ Bosma and Raben, *Being "Dutch" in the Indies*, 54–59.

¹⁰² Bosma and Raben, 64; Taylor, *The Social World of Batavia*, 39.

Enslaved marriage

As slavery was officially foreign to the Dutch Republic, Dutch overseas settlements relied on Roman law to regulate the institution, and in this legal context slaves were not legal persons with rights. As a result, enslaved marriages had no juridical validity, but this does not mean that they were entirely impossible or of no consequence. Across the Dutch empire, enslaved men and women formed unions – both with each other and with free people – that were met with varying levels of formal recognition that frequently prompted government intervention through legislation. In addition to labor and race relations, religion is – again – key in accounting for differences between different colonies, because even if enslaved marriage was not legally recognized, it could still enjoy a certain level of social recognition by being formalized in church and thus gaining spiritual legitimacy.

In Curaçao, the possibility of enslaved people marrying either each other or a free person was considered early on: in the 1638 instructions for Governor Tolck, along with the demand that black women who wanted to marry a Christian needed to be baptized and educated in the Christian faith, the WIC directors also decreed that the control of enslaved marriages would be in the hands of the island's clerical authorities: no enslaved Africans would be allowed to get married without permission from the consistory, even if they had been baptized. This scenario seems to have remained mostly theoretical for the Dutch Reformed Church, however, for its marriage registers contain no trace of unions involving enslaved people. This is unsurprising considering the Reformed Church on the island, as a rule, did not admit enslaved people to its ranks. As minister Rasvelt wrote in 1742 in response to being admonished by the Classis of Amsterdam for failing to convert “blacks and mulattoes” as the Catholic priest was doing at a rapid pace: “which minister among my predecessors, from 1673 to 1730 has ever made a mulatto or negro a member of the church while these were still slaves?”. He blamed the problem on white slaveholders, most of whom refused to allow their slaves to convert, and went on to downplay the priest's achievement, questioning whether his converts could really be called Christians, “who know nothing of the faith in Christ and at most can mutter a handful of prayers without attention and understanding” and implying Africans had a natural inclination towards Catholicism.¹⁰³

Meanwhile, Jewish slaveholders in Curaçao did sometimes allow their slaves to be baptized, but unlike in Suriname, where enslaved people could become Jewish, in Curaçao these baptisms were Catholic.¹⁰⁴ Enslaved marriages in practice therefore largely fell under the jurisdiction of the Catholic Church. By the late eighteenth century the colonial government started expanding its control over these matrimones. As of 1753, with the application of the *Echt-reglement* in Curaçao, Catholic priests were not authorized to register banns or marry people, but in practice they continued to do so, which resulted in the 1784-1785 conflict with the Catholic Church, finally leading to *fiscaal* (prosecutor) Van Teijlingen prohibiting the local priests Brouwer and

¹⁰³ Gemeente Archief Amsterdam - Archief van de Nederlandse Hervormde Kerk; Classis Amsterdam 379, inv.no. 224, 37.

¹⁰⁴ Jordaen, “Slavernij en vrijheid op Curaçao,” 2012, 5.

Schenk from marrying free or enslaved non-white islanders without written permission from the Council's secretary.¹⁰⁵

In Suriname and Guyana the Catholic Church as a vehicle to marriage for enslaved people was largely absent.¹⁰⁶ Berbice especially had limited options, because it also excluded Jews, who were the religious group most likely to convert their slaves in Suriname.¹⁰⁷ In the 1730s the participation of non-whites in Christian institutions became a source of contention between the consistory, colonial government, and the directors of the Society of Berbice in Amsterdam. In June 1737, a schoolmaster for the Dutch Reformed Church in Berbice complained to the Directors that the Governor was refusing to allow slaves to be educated in the Christian faith. The latter represented the perspective of the colony's planters, who saw conversion as a threat to their enslaved workers' productivity. The directors intervened, and decided in March 1738 that the Christian education of slaves should be promoted while making sure that the religion would not be "abused" to get out of work, and asserted that baptism did not make an enslaved person free.¹⁰⁸

That same year, the Governor and Council of Berbice issued a *plakaat* ordering free Amerindian men who had taken an enslaved Amerindian woman as their wife to stay on the plantation in the service of the woman's master.¹⁰⁹ The ordinance was published on the heels of a legal conflict between two planters two years earlier, involving a free Amerindian Ivericariquammo, referred to as Ante. The latter had worked on the plantation Westzouburg, where he had formed a relationship with an enslaved African woman named Drivke. He had also had sex with an enslaved Amerindian woman on the plantation De Vrijheid, however, and this woman's master, Robertus van Weningen, demanded he come live and work on De Vrijheid. Van Weningen claimed to have a right to keep Ante on the ground that it was possible he had impregnated the enslaved Amerindian woman, which he considered a liability. Ante, when questioned by the court, said he considered neither enslaved woman to be his wife – he already had a wife "at the Indian lodge" – but he was amenable to living at De Vrijheid. A Mr. Chaille, however (likely the Director of Westzouburg), objected to this and demanded that he stay at Westzouburg. The court, judging Ante to be someone who "goes with anyone", decreed that he was to be ordered to live at the fort in service of the colony instead.¹¹⁰ The 1738 ordinance should therefore not be seen as a regulation of Christian marriages between free and enslaved people, but rather as an attempt at imposing Christian norms of monogamy on free and enslaved workers to prevent conflicts over labour. It enabled planters to tie down 'husbands' as a means

¹⁰⁵ WIP-CU vol II #364, 19 April 1785, 435. Jordaen, *Slavernij en Vrijheid op Curaçao*, 171.

¹⁰⁶ In Suriname this changed in 1785, when the ban on practicing the Roman-Catholic religion was lifted. Van Lier, *Samenleving in een grensgebied*, 2013, 82. The presence of neighboring Spanish colonies, meanwhile meant that conversion to Catholicism – and potentially freedom – was a possibility for enslaved people who were able to cross the border from Suriname or Guyana.

¹⁰⁷ Ben-Ur, "A Matriarchal Matter," 159. In 1736 the Directors of the Society of Berbice affirmed that up to that point no Jews had settled in the colony, and that this was to stay this way, explicitly banning anyone of the Jewish "nation" to move to Berbice from Suriname. NL-HaNA, Sociëteit van Berbice, 1.05.05, inv.no. 13, 18 October 1736, folio 542.

¹⁰⁸ NL-HaNA, Sociëteit van Berbice, 1.05.05, inv.no. 14 (Resolutions of the Directors of the Society of Berbice) folio 82-96, 141, 202.

¹⁰⁹ Plakaatboek Guyana, "Verbod aan Amerindianen die met toestemming van de meester een Amerindiaanse slavin trouwen, haar (en de dienst van die meester) weer te verlaten." 09-09-1739. NL-HaNA, Sociëteit van Berbice, 1.05.05, inv.no. 219 folio 38-39.

¹¹⁰ NL-HaNA, Sociëteit van Berbice, 1.05.05, inv.no. 66, folio 11-15.

of tying their labor to the plantation, regardless of whether the so-called husbands considered themselves to be married. Tellingly, the ordinance says nothing about whether the unions were solemnized, nor about any rights the couples could claim from their union – slaveholders were still free to sell enslaved wives and thus separate them from their partners. The ordinance stirred up some controversy in the colony, with some worrying that forcing free men to stay with an enslaved woman against their will might be met with resistance from indigenous groups. The Directors of the colony echoed these concerns, but nonetheless ratified the rule.¹¹¹ These worries, however, and the fact that there was no question of enslaving these Amerindian men, highlight the contrast in power positions of Amerindian groups compared to manumitted Africans: the latter were only conditionally free, and could be re-enslaved on the ground of their relationship with an enslaved person, whereas the securing of Amerindian labor was contingent on both free men's relationships and the approval of neighboring tribes with whom they had ties.¹¹²

In the East Indies, the marriages of enslaved people also became a topic of legal regulation. From the beginning, it was understood that VOC servants could only marry enslaved women after the latter had been manumitted, but beyond the company ranks the rules were not so clearly defined, at least not initially. A 1661 *plakaat* regulating living quarters for enslaved men married to free women states that at least 231 such women (many of whom had likely been initially enslaved as well) lived in Batavia.¹¹³ Four years later, free women were banned from marrying an enslaved man, unless the couple already had children.¹¹⁴ In 1696, the city's Aldermen (*Schepenen*) issued a more elaborate ruling on enslaved marriage: no slave was allowed to marry a free person, nor were enslaved servants of different masters permitted to wed, and those who could marry had to obtain permission from their master to establish a separate household together, and they would only be allowed to earn the minimum amount of "coolie wages" (i.e. working as a day laborer) outside their master's service as they would need to support their family.¹¹⁵ This arrangement could, in practice, also involve slaves and their manumitted partners. In 1765 Batavia, for example, the Buginese woman Inting or Ma Duijt and the enslaved bricklayer Elau or Saul had initially been enslaved in the same household, but continued their relationship after Inting was manumitted. Far from leading to her re-enslavement, the union was recognized by Saul's master, the burgher Pistorius, as ground on which to permit the couple to start a household together, and they took up residence south of the city walls, where 'Ma Duijt' earned a living running a food stall. This was not unusual in a city where free and enslaved people intermingled on a daily basis and where the labor demands placed on enslaved workers were not necessarily tied to masters' households.¹¹⁶

¹¹¹ NL-HaNA, Sociëteit van Berbice, 1.05.05, inv.no. 14 folio 256.

¹¹² For the importance of good relations with Amerindian groups for Guyanese plantation societies, see Bram Michael Hoonhout, "The West Indian Web: Improvising Colonial Survival in Essequibo and Demerara, 1750-1800" (PhD Dissertation, European University Institute, 2017), 41-47; Marjoleine Kars, *Blood on the River: A Chronicle of Mutiny and Freedom on the Wild Coast* (London/New York: The New Press, 2020), 222-25.

¹¹³ NIP Vol. II, 346.

¹¹⁴ NIP vol. II, 397.

¹¹⁵ NIP vol. III, 403.

¹¹⁶ Nationaal Archief, Den Haag, Schepenbank te Batavia, access number 1.04.18.03, inv.no. 11962, interrogations July 25 1765, 15 August 1765.

A notable difference between the Caribbean and Indian ocean context lay in the possibility of enslaved marriages in the Dutch Reformed Church. While in the overwhelmingly white congregations of the Caribbean such formal unions were almost unthinkable (and in this, Dutch colonies differed other Atlantic slave societies, especially those where Catholicism was dominant such as Spanish America and Brazil), the church in Batavia was more open to enslaved congregants and by extension enslaved marriages, although they did become increasingly rare as time progressed.¹¹⁷ In 1673, 10 of the 150 marriages listed in the marriage registers in Batavia were between people who were enslaved at the time, usually belonging to the same master. By 1756 it was down to two couples among a total of 98 and by 1786 there were none whose enslaved status is mentioned. Christian unions between enslaved people happened at the pleasure of masters, and for a while, it seems to have been a fashionable thing to promote as a display of piety among the upper echelons of VOC society, because the majority of the enslaved brides and grooms registered belonged to high-ranking company servants, such as Joan van Riebeeck, Cornelis Chastelijn, and Jacob Mossel. In 1673, two enslaved women, Tamar and Lea van Tonquin, both in the household of Jacob van Dam, member of the Court of Justice, married two enslaved men from Bengal: Bierom and Anthonij, respectively. Bierom was also a slave of van Dam, Anthonij of Isaack Soolmans, vice president of the Schepenbank.¹¹⁸

Conclusion

Marriage, in the Dutch early modern empire, constituted not just a contract between husband and wife and their respective communities, but also a mutual agreement between the spouses and the state, or more broadly the secular and religious authorities: in return for official sanction of their union, the status that may come with this, and the solidification of property rights for spouses and their children, people who marry agree to be recorded within the bureaucratic apparatus of the governing institution and, more importantly, to abide by any legal obligations their marriage may entail. Matrimony was thus a key institution through which an ordered and structured community could proliferate and pass on its wealth *and* through which authorities could maintain order in colonial society.

Because corporate-colonial governance and the Dutch Reformed Church were closely intertwined in the early modern Dutch empire, it is not surprising that it was Christians, and particularly Protestants, over whom colonial authorities exercised the greatest control through marriage. A Christian community of legally married families, loyal to the Dutch Republic and its chartered companies, that could control both land and enslaved workers, then, formed a central part of Dutch authorities' vision for colonial expansion and development.

¹¹⁷ For non-Dutch examples of (encouragement of) enslaved marriage in the Americas, see Silke Hensel, "Africans in Spanish-America: Slavery, Freedom and Identities in the Colonial Era," *INDIANA* 24 (January 1, 2007): 15–37; Tera W. Hunter, *Bound in Wedlock: Slave and Free Black Marriage in the Nineteenth Century* (Cambridge, MA: Harvard University Press, 2017); Manolo Florentino and José Roberto Góes, *A paz das senzalas: famílias escravas e tráfico atlântico, Rio de Janeiro, c. 1790-c. 1850* (São Paulo: Editora Unesp, 2017); Ana Silvia Volpi Scott and Dario Scott, "Between Constraint and Desire: Marriage between Enslaved People in Porto Alegre (1772-1850)," *Revista Brasileira de Estudos de População* 38 (July 26, 2021); On the seventeenth-century Dutch Atlantic, see Hamer, "Creating an Orderly Society," 217–42; Andrea C. Mosterman, *Spaces of Enslavement: A History of Slavery and Resistance in Dutch New York* (Ithaca: Cornell University Press, 2021), 39–41.

¹¹⁸ Arsip Nasional Republik Indonesia, Doop- trouw- en begraafboeken of retroacta Burgerlijke Stand (1616-1829) [hereafter: ANRI Burgerlijke Stand], inv.no. 84.

This imperial vision, however, stood in constant tension with the situation on the ground, as migrations, conversions, mixed marriages, and the social mobility of former outsiders challenged who exactly formed the 'in-group' that colonial authorities relied on and served to protect. Just how indeterminate this phantom of a loyal and stable demographic foundation of power was becomes clear from the varied and shifting terms applied to designate it: Reformed, Christian, Dutch, European, White, or even just 'respectable'. Each of these designations proved to be highly flexible and slippery: what it meant to be 'white', for instance, depended not just on color and birth, but could also be informed by social class, family connections, and education, and these determinations varied both through time and local context, and even locally were not necessarily a point of consensus.

Marriage regulations served to create order in this situation, and to some extent they were successful: in each of the company's colonial settlements (not including the Gold Coast in this designation) hierarchies formed with Christian, slave-owning elites at the top who used marriage to exchange and pass down property and status in a way that was more or less controlled by the colonial authorities. At the same time, however, the influence of local agency was such that these elites were far from completely white, let alone Dutch, of the Reformed faith, and sometimes not even completely Christian. Before we turn to the marriage regulation of this latter, non-Christian group, the following chapter will explore another crack in the phantom vision of orderly, married colonial life: what happened when married life fell apart, spousal conflict arose, and legally married Christians sought divorce?