

Summary

The history of rural society, and in particular its governing institutions, has been rather neglected in the Netherlands for some time now. Local history didn't really attract attention until the end of the nineteenth century. However, the books published during that period were mostly written by teachers and ministers who had a particular interest in local details and village life in days gone by. Even though a number of legal history studies appeared during the first half of the twentieth century, scholarly interest in rural society didn't really take off until after the Second World War. Rural society was studied from various angles, inspired by examples from other countries. A great deal of attention was devoted to the agricultural sector, whilst the government received relatively little attention.

Despite the diversity of perspectives, three common images have emerged from the various studies of rural society. Firstly, they regularly portray an image of immutability. However, we need to question whether this image isn't oversimplified. People in the early modern era, including those living in villages, had to deal with enormous changes where economic, ecclesiastical and political matters were concerned. Secondly, the studies often pose a contrast between the static village and the dynamic town. But didn't the towns and villages display many more similarities from a governmental perspective? Finally, there is so much focus on the research object in many local histories that the surrounding world is simply forgotten. This creates the image of the village as an island, where the jurisdiction boundaries often function like the rural population's spiritual horizon.

This book explores the governmental changes, the dynamics within the governmental structure and the horizons of those governing the villages in the seventeenth and eighteenth centuries. This is done through placing a well-documented case study, the Cromstrijen Fiefdom, situated in the south of the Netherlands, a little southwest of Dordrecht, in a broader perspective and comparing it to other locations in the west of the Republic.

The local government structure at the time of the Republic was strongly built on long-standing developments and traditions. Since medieval times Dutch rural society had been divided into a large number of so-called main lordships (*ambachten*). These were the shires of a *schout* (or *officier*), who was in charge of the administration of justice on behalf of the sovereign. He was chairman of a board of aldermen (*schepenen*) and acted as the prosecutor. The aldermen, who represented the residents of the main lordships, would pass the sentence.

However, over time, the sovereigns opted to give a subordinate, a vassal, the feudal rights in their respective regions. They used this method to try and bind these vassals to them. We use the term seignior (*heerlijkheid*) to indicate the main feudal rights. So strictly speaking, this term did not designate a geographical area, but a law which was in force within a carefully defined territory. The key element was jurisdiction, which was traditionally divided into three layers: high or criminal jurisdiction, secondary jurisdiction, and low or daily jurisdiction. The high jurisdiction included the authority to try and sentence criminal offences against life and limb and to punish these with fines, corporal punishment, exile or the death penalty. Less serious offenses formed part of the secondary jurisdiction, which could be subject to higher or lower fines. And finally, the low jurisdiction was administrative in nature. This included, for example, the registration of all sorts of documents.

In addition to jurisdiction, a seignior law complex, granted by the sovereign, could also encompass other laws, including the so-called '*regalia*', such as the right to hunt, the right to collect a toll or the right to appoint various officials. There was also a group of laws which weren't derived from any regal or sovereign law, which included, for example, the tithe and the patronage laws. The latter involved the lord's legal powers to appoint a pastor, and – after the Reformation – a minister, for a church situated in a seignior or to approve the choice of such a person.

When a sovereign granted the low and secondary jurisdictions to a vassal, people referred to this complex of laws in the Netherlands and Zeeland as a seigniorie (*ambachtsheerlijkheid*). The area within which the laws applied was also referred to by this term. However, it's better to use the term main lordship (*ambacht*) as an indication of the territory. The person who was granted the feudal rights was allowed to call himself a seigneurial lord (*ambachtsheer*).

A number of main lordships together formed another larger rural district, a bailiwick (*baljuwschap*). This is where the bailiff (*baljuw* or *hoofdofficier*), also on behalf of the sovereign, exercised judicial powers. He was the prosecutor during criminal trials and chairman of the so-called *hoge vierschaar*, a board which passed the sentences. In addition to granting the low and secondary jurisdictions, the sovereign would sometimes also grant the high jurisdiction. In such cases both the complex of laws as well as the territory would be referred to as a high seigniorie (*hoge heerlijkheid*). Not all seigniories were given the feudal rights of seigniorie or high seigniorie. This meant the sovereign retained the control over appointing various officials and exercising the seigniorie rights.

Seigniories were most commonly found in the west of the Netherlands. Yet there were some striking differences between the Holland and Zeeland seigniories. The most important difference concerned the divisibility of inheritances. A seigniorie was in principle indivisible according to Holland's feudal rights. When a vassal died, the inheritance would pass down to the eldest son or daughter. However, in Zeeland the seigniories would be divided amongst the deceased's sons and would be infinitely divisible. Slowly but surely a disorderly situation was created, which was even hard for contemporaries to keep track of. A situation had therefore developed during the course of the sixteenth century whereby a seigniorie wouldn't be divided after the death of a seigneurial lord, but instead the heirs would form a collectivity and jointly govern the seigniorie.

Even though the dividing up of a seigniorie was contrary to Holland's feudal rights, these split seigniories would still occur in Holland. The explanation must be sought in what these areas were being used for. This is because these were all newly diked

polder areas, situated in the Delta. The construction of these polder areas was incredibly capital intensive and involved high risk. It was virtually impossible for this work to be carried out by a single individual. This is why a joint investment was nearly always required. This type of collective financing, sometimes also referred to as part ownership (*partenrederij*), was an important foundation for the Dutch economy. Ships, but also mills and mead furnaces, were often jointly financed by dividing the ownership into parts or shares. The splitting of the seigniories in Holland revealed not only how varied the governmental arrangements of rural society could be, but also how pragmatically people dealt with the existing legislation. It gave the participants the opportunity to not only share the burden of the costs and risks, but to also collectively manage the fiefdom rights. They were literally shareholders in the polder.

One of these special seigniories was Cromstrijen. Maximilian I of Austria granted the feudal rights to this area to his secretary Gerard Numan in 1492. Numan soon sold shares to others, with the aim of jointly developing the land which was, as yet, undiked. An increasing number of participants were added over time, who together formed an executive council and allowed a manager to look after their interests. The shareholders constructed additional polders during the sixteenth and seventeenth centuries and built two new villages on the new land: Klaaswaal and Numansdorp.

In the mid-sixteenth century the lords of the various seigniories across the province of Holland enjoyed good relations with the residents. However, we should note that the lords were often absent and, more importantly, that there was a major difference in social standing between the lords and the residents. It was without a doubt a relationship between unequals. The rural population was often reasonably politically autonomous. The lords rarely used their legislative powers and also left the appointment of local officials to the villagers. However, this doesn't alter the fact that there had been an ongoing trend for quite some time whereby the rural population was losing some of its influence in local government, especially in the administration of justice.

The Dutch Revolt brought about a major turnaround in rural

society. Power, although temporarily and informally, came to lie with the sovereign States after the removal of Philip II. A large group of seigneurial lords formed part of those States and even though the feudal link with the count's authority was formally maintained, in reality this was just a formality. The lords themselves became the primary owners of their seignories and the associated rights. The new rulers also held other constitutional ideas. They saw the States, the guardians of freedom and privileges, as being tasked with exercising sovereignty. They did this in the name of the 'nation', a term which indicated a complex of old institutions, councils, parliaments, boards and classes. In this way of thinking, the nobility was the ultimate sovereign representative in rural Holland because this class owned most of the seignories at the end of the sixteenth century.

The seigneurial lords' attitude towards their seignories changed considerably as a result of the changed political constellation. They became more autonomous and would increasingly take control of the reins of government themselves. Many of the seignories had to deal with a steady stream of new laws and rules during the last quarter of the sixteenth century and the first half of the seventeenth century. The seigneurial lords in Cromstrijen were also becoming increasingly involved with local administration and everyday life. One particularly important feature of this administration was the so-called board of delegates (*college van gecommiteerden*), a committee consisting of two, and at a later stage three, seigneurial lords. This board would closely monitor the state of affairs as well as the government within the seignory.

It would be an exaggeration to describe this new governmental culture as authoritarian. It would be more accurate to label it as patriarchal. The seigneurial lords' power was certainly not unlimited. Plus they still demonstrated a high level of involvement. They cherished their family property and saw it as a kind of moral obligation to contribute to the welfare of the villagers. They did this through giving gifts to the poor or renovating the church. It has to be said that such actions weren't purely charitable, but also served to earn the lord more glory and honour. The local population was divided about how they felt about the new situation. On the one hand, they could clearly

see that things had changed and they had obviously become subjects. But, on the other hand, they realised the new rules certainly wouldn't just be a burden to them. Sometimes they would even ask for stricter stipulations themselves.

Governmental culture in rural Holland underwent another change at the end of the seventeenth century. Many regents wanted to get rid of their estates as a result of the serious agricultural crisis. Roughly at the same time, the declining interest in agricultural activities went hand in hand with a declining interest in governmental affairs in the seignories. Even though many of the lords were still closely involved with governing matters in the seventeenth century, they were now showing less interest. Many also felt a seignory no longer represented a status symbol, but was instead increasingly seen as a burdensome possession. They entered a period of pragmatism. The relationships between the seigneurial lord and the villagers mostly became business-like, whereby the position and the governmental importance of the *schout* as an intermediary increased and resulted in a trend toward centralization. However, this situation wasn't applicable everywhere. In some of the main lordships, especially when these were under the authority of the States, those governing the village knew exactly how to safeguard their position in relation to the *schout*, which sometimes even led to the *schout's* latitude becoming smaller rather than larger.

We can also observe, in addition to the changes in governmental culture, a clear professionalising of the civil service in rural society during the eighteenth century. Competence was measured by wealth for a long period of time and officials, especially within the field of finance, could often go about their business undisturbed. There was no supervision and a distinct lack of any formally established rules. There were quite a few officials, especially *schouten* and bailiffs, who could more often be found outside of their jurisdiction than inside. They named a 'substitute' (*substituut*), also referred to as a 'stadtholder' (*stadhouder*) to replace them during their absence. In reality this substitution system repeatedly led to excesses. Many of the substitutes would fulfil their roles for a fraction of the income linked to the actual position, whilst the majority of the earnings would

end up in the principal's pocket. This changed in many villages during the eighteenth century. Governing was less frequently seen as a side job, but instead turned into a full-time position for officials who took responsibility for their own portfolios and who carried out their tasks on the basis of instructions and fixed rules. However, one of the most important characteristics of the early modern official changed little or not at all: the dividing line between public and private, especially where finances were concerned, remained extremely vague.

The Republic's political system wasn't just varied in form; it was also made up of a multitude of bodies. People needed to reach consensus at all governmental levels through discussions and negotiations. Meetings therefore formed the foundation of the political culture, in rural society as elsewhere. The governing officials would usually meet together in the local inn. There was, unfortunately, an important drawback attached to this practice: meetings often ended up in bouts of hard drinking. It's certainly not implausible to think that the incidents led to many village governments reaching a decision to build a courthouse or town hall at the start of the seventeenth century, in order to ensure that justice could be administered efficiently and correctly. Increased self-awareness also played a major role at that time. A town hall, preferably richly decorated, considerably increased a town or village's image and reputation.

Meetings would be conducted in accordance with fixed rules, where local habits and customs would play an important role. Matters dealing with civil law – the vast majority of the cases – were often dealt with quickly and efficiently. The same could have applied to criminal matters, but in reality these were often subject to quite a slow process. Decisions were carefully recorded and the motivation behind the government's actions was often omitted.

In seigniories with a shareholder structure, such as Cromstrijen, we can observe evidence of this meeting culture in the village council, but even more so among the board of seigneurial lords. They would travel to the seigniorie every year in order to hold a meeting about the finances, the petitions, the posts and any other current affairs. A strict hierarchy would prevail

during these meetings, recalling the meetings of the provincial States or the States General. We can clearly recognise the Republic's governmental culture throughout the entire procedure. The ranking was determined by the number of shares someone owned, but this certainly wasn't always decisive. A lord's relative social standing was of at least equal importance in determining how he ranked in the meeting. Social standing was of greater importance than religious background in determining rank. Indeed, the most important shareholders were Catholics. They were excluded from the public government but still managed to acquire a certain status in this way. In the corridors discussions were continually held about all sorts of different subjects. The lords would try to forge coalitions beforehand, especially when it came to important matters, in order to be in a position to influence the decision-making process.

Studies of the Republic's governmental culture should not be limited to looking only at meetings. Matters outside of these meetings were certainly also worthy of attention. The annual seigneurial lords' meeting in Cromstrijen was accompanied by plenty of ostentation, which was no different from seigniories with just one seigneurial lord. Elsewhere the lords would often have themselves inaugurated in their seigniories with a great deal of splendour. It seems as if such entrance ceremonies were not common practice during the Count's Period, and if they were conducted, this was mostly in the south. However, they became increasingly more frequent at the end of the sixteenth century and beginning of the seventeenth century. This was probably linked to the changing attitude of the seigneurial lords towards their seigniories. The lords and ladies would allow themselves to be welcomed like royalty, thus emphasising the social distance between them and their subjects more than ever before.

The seigneurial lords' inaugurations showed clear relationships with the urban Triumphal Entries (*Blijde Inkomsten*) of the landlords, governors and archdukes in the Netherlands. The inaugurations had a contractual aspect in both cases. The residents would pledge their loyalty to the lord, who, in turn, would promise to respect the rights and privileges. However, this doesn't take anything away from the fact that the entrance cer-

emonies in rural society, much more clearly than in the towns, had a real patriarchal tone, whereby the villagers would often end up paying for the enormous costs associated with the festivities.

The seigneurial lords in Cromstrijen were never officially inaugurated. However, the differences in rank became visible here too, especially during the meal which would be held after the annual meeting. The difference in social status was expressed in the seating arrangements and even in the dishes which those present would be served. Part of the village population would also be present during these meals until the beginning of the seventeenth century. However, the meal became much more exclusive over the course of time, and by the end of the century only the seigneurial lords and the most prominent village governors would attend. This was a clear indication of the fact that a more patriarchal situation was prevalent in rural society during this period.

Emphasising the difference in status during meals was quite a common phenomenon in early modern times, something which we have also seen with other executive councils and royal courts. The same applied to the rituals linked to the dinner, with the drinking out of a special goblet, the '*hensbeker*', definitely being the most important one. This was a symbol of ultimate friendship; it linked those present with each other and symbolised unity. The *hensbekers* were frequently beautifully decorated and often included clear imagery. They were therefore more than just a symbol of friendship and union, but often also functioned as manifestations and legitimisation of power. We can see a clear development in the eighteenth century, whereby the messages on the glasses became much more explicit. Goblets would be dedicated, for example, to the stadtholder or the States. Other objects, like cushions and wall maps, would also emphasise the government's honour and worth.

Meetings in the Republic were a complicated game, whereby those governing would need to reach agreement through cooperation. Not just internally, but also between the executive councils. For example, there was a strong interdependence between the seigneurial lords and the various different polder boards in Cromstrijen. As the lords had the author-

ity to appoint dike wardens (*dijkgraven*) and the members of the polder boards (*heemraden*), they exercised a considerable amount of influence within the polders. However, the positions were increasingly awarded to the same people during the second half of the seventeenth century and the first half of the eighteenth century. We start noticing some resistance against this trend after 1750. The landowners no longer felt they were effectively being represented by an ever-shrinking group of governors and would begin to react against this situation more frequently and more fiercely. In addition, they demanded more influence, indicating the emergence of the Enlightenment with its emphasis on equality. These were the first cracks which started to appear in Cromstrijen's seigneurial power and formed the prelude to the turbulent 1790s. This area certainly wasn't unique in this regard; similar situations were also starting to appear elsewhere during this period. However, the nature of the conflicts did differ between locations and polders, which can probably be explained by the varied governmental organisation in early modern rural society.

The government in the Republic was partly based on laws and privileges. However, a number of unwritten rules, the generally accepted customs, were equally strong. Submitting a petition, generally indicated as a 'request' (*rekest*) in early modern terms, was one of the most important informal customs at all executive levels. This was certainly not a uniquely Dutch phenomenon, as it could also be found in other European countries.

These petitions were usually prepared in line with fixed formulas and then submitted to an executive council, which in Cromstrijen usually meant the seigneurial lords. The people submitting the petitions would be from all walks of life. Many of the petitions consisted of applications for specific positions and jobs within the village. The seigneurial lords would also receive plenty of petitions of an economic nature. A third and last group of petitions consisted of requests to farm a piece of land within the seignior and build a house or possibly a barn on this plot of land. The petitioners would often emphasise the general interests rather than their own in many of these petitions. They tried to demonstrate the relevance of their request by showing that it

wouldn't just be them, but also their neighbours, or sometimes even the entire village or seignior who would benefit if their request was honoured. Here we can see the early modern idea that the good of the community was paramount.

There was only a single request from a collective in Cromstrijen, which is remarkably different from the urban situation where a great many petitions came from organisations and groups of citizens. A petition signed by quite a substantial number of people would often carry a great deal more political weight. The absence of such petitions in Cromstrijen, as a result of a lack of larger social links, might very well also apply to other rural communities. There was also a marked difference where the content was concerned. Cromstrijen's residents were almost always seeking one-off help. They would hardly ever demand a more structural approach to a problem – a noticeable difference when compared to the Dutch cities and towns. Quite a few requests asked for new legislation, and often new laws were established on the citizens' initiative.

Decisions regarding petitions would often be made quite quickly, and this was often linked to certain conditions. The most important factor was that many decisions had a strong ad-hoc character, a phenomenon we can identify at all administrative levels. Many petitioners would explicitly refer to another petition or would present earlier decisions as a reason for a favourable decision. And this was no coincidence. While a petition would be dealt with as an individual case, people would often refer back to earlier decisions. Policy-making didn't mean establishing the main lines, but would rather be like creating a large number of precedents. This may seem like ad-hoc politics, but there were definitely some broader ideas behind it too. Incidental decisions had a clear example function, while certain unwritten customs would more or less take on the status of a fixed policy. And finally, this system of dealing with petitions meant that every petitioner needed to show his appreciation towards the people dealing with his request.

So the ordinary man definitely did have a voice in political matters. However, it wouldn't be correct to label this situation as a type of early modern democracy. Submitting a petition was not subject to any written laws. It was more of a habit which had

grown, one which clearly showed that the governors were the ones making the decisions and that they were the ones who would establish the boundaries. The governors felt the ordinary man should simply allow himself to be governed. However, this didn't mean the local population didn't have any ideas about good governmental policies. The rural population, like their urban counterparts, would think about how the government should function. At first glance it might seem as if this remained limited to quite a basic level. Criticism in Cromstrijen often arose from unhappiness about matters which were directly troubling the villagers, and chiefly they complained about the quality of the governors. Pamphlets demonstrated that people most definitely knew how to substantiate any grievances. People would regularly, be it rightly or wrongly, invoke old laws and privileges.

We gradually start to see a change of tone in commentary during the eighteenth century. The number of complaints about officials not performing their functions well declined thanks to the growing professionalism. At the same time, the villages began increasingly to criticise the system itself, perhaps where certain forms of inequality were concerned. The rural population certainly wouldn't just blindly accept how certain legal matters were being dealt with. They didn't want only a well-functioning government; they also wanted it to be just.

Most villagers regarded their village, their seignior or the polder where they lived as their '*patria*'. There was a strong sense of solidarity and self-awareness in the villages, just as in the towns. This was mostly evident from how they dealt with the local privileges. These determined the local community's rights where any third parties were concerned and therefore needed to be carefully preserved and respected.

The rural population, again like their urban counterparts, cherished their rights and were prepared to defend them. This was often expressed in suspicions towards higher authority officials. Local officials like the bailiff, the *schout* or the secretary were also seen as snoops or as the powerful arm of a distant lord, especially if they happened to live outside of the village or were originally from elsewhere. The villagers would express their hostility towards officials in various ways, for example by ignoring

them, by frustrating them in their work or even by attacking them.

People in authority encountered opposition not only from the common man, but even from village governors. This was often motivated through a fear of losing their independence, particularly where the bailiff was concerned. We suddenly see problems in this regard appearing everywhere at the end of the sixteenth and beginning of the seventeenth century, arising from the new balance of power after the Revolt. It wasn't just the seigneurial lords who recognised opportunities in the newly created power vacuum; the bailiffs did too. They would increasingly start acting like 'magistrates', for example by carrying out lots of inspections, which they tried to use to strengthen their power in rural society, creating complicated relationship triangles in quite a few seigniories. Local governors, seigneurial lords and bailiffs would all stand up for their own rights, leaving the villages to suffer as a result of this power battle, as for example, when the bailiff refused to carry out his tasks.

Even though the rural population felt very connected to their village, their world didn't end at its borders. They would get involved with political subjects in various ways. The same applied to the local governors. At first glance they seemed to have very little to do with the outside world. For example, unlike the towns, they had representation in the provincial States. Indeed from a government point of view, a village formed part of a bigger network. There was contact with neighbouring villages, for example about practical issues. Contact was also maintained with other villages within the bailiwick. Criminality was a problem that crossed borders and was therefore often tackled collectively. And finally, villages would work together to defend their economic interests on a higher regional level.

The cooperation between villages was sometimes had temporary but could also take on more permanent forms. Village councils would sometimes join together for various reasons to form 'unions'. Some unions were founded to defend local privileges against the bailiff, while others were more focussed on protecting local interests during times of war or economic decline. However, the objective was always the same: united we stand, divided we fall.

The term 'union' is closely linked to the regional and national

context of the Republic, and the similarities between these government levels and rural society are quite striking. The villages would send their delegates to the union meetings after consultation and under instruction. A powerful opposition could be organised here if necessary, for example against the towns. These types of collaborations required a great deal of organisation. One village would often take the initiative by inviting others. The costs would subsequently be divided up amongst the participants. The high point of governmental cooperation between villages seems to have been reached during the seventeenth century, and such cooperation was less evident during the eighteenth century, especially because rural society had less to do with the town's economic opposition during this period.

Even though the villages formed part of larger government bodies in various ways, the finding of routes into and within The Hague didn't appear to be that easy. Many village governors would turn to the nearest town or, if it concerned a seignior, to their lord. The urban governors weren't just more familiar with The Hague meeting practices; most towns also had voting rights in the States. This allowed people to get certain matters at regional level. However, lobbying could also be organised in another way. Some places employed their own lobbyists. These representatives (*agenten* or *solliciteurs*), often lawyers or notaries, would look after their clients' interests in The Hague by submitting petitions and lobbying in the corridors. In addition to the ordinary lobbying, many lobbyists would also provide their clients with political or other news.

Early modern village governors operated in the field of tension between particularism and consensus, between rivalry and solidarity. People needed to protect their own interests, on the one hand, whilst, on the other hand, they were also forced to work together in some areas. Irrespective of whether or not there was any tension, people wouldn't simply accept a subordinate position. They adopted a kind of self-awareness which didn't differ a great deal from that of their urban counterparts. This is exactly where they proved to be full and worthy participants in the Republic's political culture.