

The Emergence of a Civil Service in the Dutch Towns of Haarlem and Leiden during the Early Modern Period, ca. 1430-1570

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The (...) duty of the sovereign or commonwealth is that of erecting and maintaining those public institutions and those public works, which, though they may be in the highest degree advantageous to a great society, are, however, of such a nature, that the profit could never repay the expense to any individual or small number of individuals, and which it therefore cannot be expected that any individual or small number of individuals should erect or maintain.¹

Adam Smith had to acknowledge that, at a certain point, *the invisible hand* fails to bring together the interests of the egocentric individual and the good of society as whole. Here, the rules of the market and the division of labour fall short, and government intervention is required to erect and maintain the public institutions and works that facilitate the defence of society, the administration of justice and the people's commerce. The expenses of these institutions and public works, beneficial to the whole of society, he argued, should be defrayed by all members of society, in accordance to their abilities.

The provision of public goods is an example of a social dilemma in which individual rationality would lead to collective irrationality. Public goods are to a varying degree *non-excludable*, in the sense that one may benefit from them without actively contributing to, and *non-rival*, meaning that the use of the resources does not affect its availability to others. For this reason, it is tempting to enjoy public goods without paying a due share of the expenses. In the worst case this rational strategy of so-called free riders could result in the collapse of the provision of public goods. The occurrence of the free rider problem varies in accordance to the relationship between the contribution to public goods and the availability of these goods. Several motivational, strategic or structural solutions can be given to this social dilemma, but at a certain point all possible strategies fall short. That is when the size of the group of players involved permits individuals to defect anonymously without being retaliated against.² The final answer to the social dilemma is an external coercive authority that imposes sanctions to enforce cooperation among the players. However, an undesirable consequence of this authority is that it may use its powers to detriment of the subjects, giving rise the question

¹ Adam Smith, *The Wealth of Nations*, ed. Edwin Cannan (1776; New York: Bantam Dell, 2003), 916.

² Peter Kollock, "Social dilemmas. The anatomy of cooperation," *Annual Review of Sociology* 24 (1998): 188-90, 203; Mancur Olson, *The Logic of Collective Action. Public Goods and the Theory of Groups* (Cambridge, Mass.: Harvard University Press, 1965), 9-16, 60-5.

Quis custodiet ipsos custodes? Furthermore, the subjects are in general less willing to comply with the financial demands of a central authority when the number of tax-financed agents increases.

The sketched dilemma regarding the provision of public goods was solved in two ways in the late medieval cities and towns: cooperation was either enforced by (corporate) civic institutions and organisations, such as guilds, religious and private care organisations, militias, fraternities, and neighbourhoods, or by (public) municipal authorities, that is the town council and its agents. Accordingly, the framework within which public services were provided, comprised of a number of suppliers, and the allocation of tasks among them was to a great extent determined by local factors and conditions. The position of the town councils within this institutional framework, however, changed considerably across Western Europe during the late medieval and early modern period, as historians have pointed out, mainly to cope with demographic developments and as a dimension of the expansion of the town council's authority and competences.³ In general, this change meant that the town councils eventually emerged as the most important providers of municipal public services and in the course of this process also gained control over the other religious and secular providers.⁴ The specific outcomes of this process were to some extent subjected to the logic of path dependence, and therefore varied from place to place.

The question what role the town councils fulfilled in the provision of public goods in the late medieval and early modern cities and towns can only be adequately answered if an integral approach is adopted, taking external (e.g. economic and demographic developments, the emergence of a central state) and internal (e.g. the role of corporate institutions, the local balance of power) factors into account. This has recently been illustrated by Caroline Barron in her study on the government and people of London.⁵ The tasks and responsibilities of the London magistracy grew steadily, providing administration, urban infrastructure, and welfare

³ E.g. Jacques le Goff (ed.), *La ville en France au Moyen Âge. Des Carolingiens à la Renaissance* (1980; Paris: Seuil, 1998), 512-5, 537-40; Thierry Dutour, *La ville médiévale. Origines et triomphe de l'Europe urbaine* (Paris: Éditions Odile Jacob, 2003), 218-26; Evamaria Engel, *Die deutsche Stadt des Mittelalters* (München: Verlag C.H. Beck, 1993), 87-104; David Nicholas, *The Later Medieval City, 1300-1500* (London, New York: Longman, 1997); Eberhard Isenmann, *Die deutsche Stadt im Spätmittelalter, 1350-1500. Stadtgestalt, Recht, Stadregiment, Kirche, Gesellschaft, Wirtschaft* (Stuttgart: Verlag Eugen Ulmer, 1988), 131-79; Heinz Schilling, *Die Stadt in der frühen Neuzeit* (München: Oldenbourg, 1993), 38-9, 46-7; Herbert Knittler, *Die europäische Stadt in der frühen Neuzeit. Institutionen, Strukturen, Entwicklungen* (München: Oldenbourg, 2000), 81-91; Christopher R. Friedrichs, *The Early Modern City, 1450-1750* (London etc.: Longman, 1995), 261-74.

⁴ Walter Prevenier, "Synthèse du Colloque," in *L'initiative publique des communes en Belgique. Fondements historiques (Ancien Régime) 11^e Colloque International. Spa, 1-4 sept. 1982. Actes* (Brussels: Credit Communal de Belgique, 1984), 711-3.

⁵ Caroline M. Barron, *London in the Later Middle Ages. Government and People, 1200-1500* (Oxford and New York: Oxford University Press, 2004).

services, while dealing with the demands from the king and its citizenry. Simultaneously, the structure of the government became more formal and an administrative bureaucracy developed with the duties and remuneration of town officials and civil servants well defined. Some responsibilities were shared with the church, secular charitable institutions, or craft guilds, which required an effective system of coordination. The civic institutions together shaped the urban public space, while the magistracy emerged as being responsible for a general oversight as well as for the draw up and implementation of regulation.

The provision of public services by the town council (i.e. the secular municipal authority or government) in the late medieval and early modern period concerned the public and private domain and took several forms, ranging from direct provision and financing to coordination and monitoring.⁶ This paper focuses on just one indicator of the growing involvement of the town council in the provision of public services and the broadening of its tasks: the emergence of a civil service in the Dutch towns of Haarlem and Leiden in the late medieval and early modern period. Gradually, more officials and personnel were appointed to support the burgomasters and aldermen in their tasks. The scale of this development will be mapped and analysed on the basis of archival sources, and next the characteristics of the surfacing civil service or municipal apparatus examined. Finally, the various factors explaining the emergence and specific organisation of the civil service in Haarlem and Leiden will be discussed briefly. The choice for both towns is dictated by their representative political and economic position within Holland in the fifteenth and sixteenth century, when the county was integrated into the Burgundian-Habsburg personal union. Furthermore, contrasting the circumstances in both towns may shed more light on the development of the municipal civil service, and the analysis should provide a case study for further comparative studies.

Haarlem and Leiden in Fifteenth and Sixteenth Century

The county of Holland was effectively integrated into the Burgundian personal union by duke Philip the Good (1396-1467) in 1428, after a fierce struggle with the incumbent countess Jacqueline of Bavaria and her supporters. The dukes of Burgundy and Habsburg successors gradually expanded their authority in the county, establishing the Council and *Chambre des Comptes* of Holland in The Hague, while central institutions were founded in Brussels and

⁶ Marc Boone, "Openbare diensten en initiatieven te Gent tijdens de late Middeleeuwen (14^{de}-15^{de} eeuw)," in *L'initiative publique*, 101-5.

Mechelen, such as the Great Council and the financial council.⁷ The process of centralisation and bureaucratisation of rule was just one side of the picture of state formation; on the other side, the subjects organised themselves to stand up against the claims of the new state and to take advantage of the evolving institutional structures. The States of Holland, dominated by the often mutually suspicious towns, emerged as major representative body politic in the second half of the fifteenth century, with which the princes bargained for financial support in exchange for the security of the land and the protection of economic interests.⁸

Haarlem and Leiden belonged to the oldest and most important towns of Holland, initially surpassed by Dordrecht in terms of political and economic power and subsequently by Amsterdam in the sixteenth century. The two towns emerged as important industrial centres during the take off of the Dutch economy from the second half of the fourteenth century onwards and attracted a lot of migrants from other towns and the countryside.⁹ Holland belonged to the most urbanised parts of Europe, but the towns were rather modest in terms of size if compared to Flemish cities as Bruges and Ghent. Haarlem only counted about 7.000 inhabitants around 1430, a number that gradually rose to 16.000 around 1560. The population of Leiden increased from roughly 6.000 to 13.000 people between 1430 and 1514, but slightly decreased during the sixteenth century and the town numbered 12.500 residents around 1560. The demographic developments reflected the economic conditions in the towns. The economy of Leiden was almost solely grounded on the cloth industry. A drop in demand for this high quality product from the second quarter of the sixteenth century onwards had harsh economic and social consequences for the citizens of Leiden. Several industries were of importance for the economy of Haarlem, although the brewery was of more significance than

⁷ Wim P. Blockmans and Walter Prevenier, *The Promised Lands. The Low Countries under Burgundian rule, 1369-1530* (Philadelphia, PA: University of Pennsylvania Press, 1999), 88-91, 116-23, 232-34; Richard Vaughan, *Philip the Good. The Apogee of Burgundy* (new edition; Woodbridge: Boydell Press, 2002), 35-51; Jan van Rompaey, *De Grote Raad van de hertogen van Boergondië en het Parlement van Mechelen* (Brussel: Paleis der Academieën, 1973); Mario Damen, *De staat van dienst. De gewestelijke ambtenaren van Holland en Zeeland in de Bourgondische periode (1425-1482)* (Hilversum: Verloren, 2000); Serge ter Braake, *Met recht en rekenschap de ambtenaren van het Hof van Holland en de Haagse Rekenkamer in de Habsburgse tijd (1483-1558)* (Hilversum: Verloren, 2007).

⁸ James D. Tracy, *Holland under Habsburg Rule, 1506-1566. The Formation of a Body-Politic* (Berkeley etc.: University of California Press, 1990); H. Kokken, *Steden en Staten. Dagvaarten van steden en Staten van Holland onder Maria van Bourgondië en het eerste regentschap van Maximiliaan van Oostenrijk (1477-1494)* (Den Haag: Stichting Hollandse Historische Reeks, 1991); James P. Ward, *The Cities and States of Holland (1506-1515). A participative System of Government under Strain* (unpublished dissertation, Leiden University, 2001); J.W. Koopmans, *De Staten van Holland en de Opstand. De ontwikkeling van hun functies en organisatie in de periode 1544-1588* (Den Haag: Stichting Hollandse Historische Reeks, 1990).

⁹ Wim P. Blockmans, "The economic expansion of Holland and Zeeland in the fourteenth-sixteenth centuries," in *Studia historica oeconomica. Liber amicorum Herman van der Wee*, ed. Erik Aerts et al. (Leuven: Leuven Universitaire Pers, 1993), 41-58; Bas J.P. Bavel and Jan L. van Zanden, "The jump-start of the Holland economy during the late-medieval crisis, c.1350-c.1500," *Economic History Review* 57 (2004): 503-32.

the drapery and shipbuilding.¹⁰ Both towns experienced severe financial problems during the last two decades of the fifteenth century, which were marked by war, social-political instability, and a growing tax burden.

There was a strong overlap between the economic and political elites in Haarlem and in Leiden. Both towns were governed by a magistracy, comprising of a sheriff, four burgomasters and seven respectively eight aldermen. The sheriff was appointed by the count or the office was leased out by him. As local representative of the count, the sheriff bore responsibility for the maintenance of public order and the administration of law. In the latter he was assisted by the aldermen who acted as judges as well as notaries public. The burgomasters were in charge of the town administration, maintaining external contacts, controlling the finances, looking after public works and supervising the orphan relief among other things. It was not until the middle of fifteenth century before the procedure of appointment of magistrates was arranged between the count and the towns. Haarlem and Leiden obtained a privilege from the count to form a council that annually nominated pairs of candidates, while the final appointment was concluded by the count or his representative. All magistrates were selected this way, with the exception of the Leiden burgomasters who were elected by the town council. Both towns lost this privilege in 1497 and from that year the burgomasters and aldermen were directly appointed by the count or his officers, only Leiden regained the privilege in 1510. Even though there was a relatively high mobility among the magistrates, they all originated from a few powerful and rich families collectively known as the *Rijkdom* (the wealthy) of the town.¹¹ Furthermore, the continuity in the policies of the magistracy was ensured by the town council (*vroedschap*), which enjoyed an advisory, supervising and decision making role in important matters. All former magistrates were initially member of this council, but membership was restricted to former burgomasters during the sixteenth century.¹²

¹⁰ J.W. Marsilje, "Een ontlukende stad. Economisch en sociaal leven in het middeleeuws Haarlem," in *Deugd boven geweld. Een geschiedenis van Haarlem, 1245-1995*, ed. G.F. van der Ree-Scholten et al. (Hilversum: Verloren, 1995), 46-62; J.W., "Het economische leven," in *Leiden. De geschiedenis van een Hollandse stad. Vol. 1: Leiden tot 1574*, ed. J.W. Marsilje et al. (Leiden: Stichting Geschiedschrijving Leiden, 2002), 96-111; P.H. Trembath, "Haarlem in de 16e eeuw. Voorspel van een opstand," *Jaarboek Haerlem* (1971): 207-27.

¹¹ J.W. Marsilje, "De geografische, institutionele en politieke ontwikkelingen," in Idem, *Leiden*, 19-45; Trembath, "Haarlem," 188-95; J.W. Marsilje, "Bestuur en rechtswezen," in Van der Ree-Scholten, *Deugd boven geweld*, 59-95; Hanno Brand, *Over macht en overwicht. Stedelijke elites in Leiden (1420-1510)* (Leuven and Apeldoorn: Garant, 1996), 40-67; Sterling A. Lamet, *Men in Government. The Patriciate of Leiden, 1550-1600* (unpublished dissertation, University of Massachusetts, 1979), 86-95.

¹² J.W. Marsilje, "Aspecten van de Haarlemse vroedschap in de middeleeuwen," in *Hart voor Haarlem. Liber Amicorum voor Jaap Temminck*, ed. H. Brokken, F. Koorn and A. van der Steur (Haarlem: Schuyt, 1996), 72-84; Jaco Zuijderduijn, "De secrete vroedschap. Een informeel Leids adviescollege tussen 1530 en 1551," *Historisch Tijdschrift Holland* 34 (2002): 207-25.

Town Officials and Personnel

The magistracies of Haarlem and Leiden were tasked with providing or facilitating security, public order, economic regulation, health care and other public services for their citizenry. Already during the fourteenth century the towns appointed officials and personnel on an *ad hoc* basis to support the burgomasters and aldermen, which were honorary and essentially amateur functions, in specialist or time-consuming matters. Their number rose gradually and the appointments became more structural and formalised. The rudimentary structure of a municipal civil service becomes visible in the sources just before the middle of the fifteenth century; its organisation was refined and expanded in the course of the following century.¹³ Tracing the evolution of the municipal apparatus in Haarlem and Leiden gives a clear image of the origins and the extent of the direct involvement of the magistracies in the provision of public services.

The late medieval town officials and personnel were far away from Max Weber's ideal bureaucratic civil servant, who was appointed for a fixed term on account of proficiency, received a regular salary, and functioned within a strict hierarchy with a uniform control system. That is not to say that the town officials lacked all these features, but they acted in a period of transition from a patrimonial to a bureaucratic administration. Besides, in contrast to their state counterparts, the town officials were appointed by a public body and were subjected to the direct control of the magistracy.¹⁴ The town officials and personnel drew a fixed salary or received clothing from the treasurers, and for this reason they can be easily retrieved in the accounts where the payments were recorded.¹⁵ The elected magistrates and the honorary officials who were only appointed by the town council, such as the church and district wardens, are therefore not counted as members of the civil service.

For analytical purposes, three domains of the municipal civil service are distinguished, namely the administrative and legal, the public works and order, and the public welfare sector. As shown in diagrams 1 and 2, the number of town officials in Haarlem and Leiden doubled from 1430 to 1570. The number of officials, however, fluctuated in the fifteenth century, and it must be taken into account that the number of offices increased at the same

¹³ Arie van Steensel, "Het personeel van de laatmiddeleeuwse steden Haarlem en Leiden, 1428-1572," *Jaarboek voor Middeleeuwse Geschiedenis* 9 (2006):199-201; cf. Baron, *London*, 173.

¹⁴ Max Weber, *Grundriss der Sozialökonomik. III. Abteilung. Wirtschaft und Gesellschaft* (revised edition; Tübingen: Mohr, 1925), 126-7, 532-5, 695; Hilde de Ridder-Symoens, "Jan van Rompaey, Max Weber en Bourgondische ambtenaren," in *Een rijk gerecht. Opstellen aangeboden aan prof. mr. P.L. Nève*, ed. B.C.M. Jacobs and E.C. Coppens (Nijmegen: Gerard Noodt Instituut, 1998), 337-9.

¹⁵ Cf. Raymond van Uytven, "Stedelijke openbare diensten te Leuven tijdens het Ancien Régime," in *L'initiative publique*, 22-4.

time. Haarlem counted 11 paid offices in 1430 against 26 in 1570, while this number increased in Leiden from 13 in 1433 to 23 in 1570. Leiden in comparison with Haarlem clearly appointed fewer officials in the administrative sector and more personnel for public works and order. Some differences can be explained by accidental circumstances, but a more structural factor was the way officials were paid. For instance, the town secretary of Leiden paid his own assistants, while they appear on the payroll of Haarlem by themselves. Conversely, Leiden paid their six gatekeepers from the last quarter of the fifteenth century onwards, whereas no gatekeepers appear in the accounts of Haarlem. Finally, it must be noted that the number of town officials alone says little about their actual workload and labour costs, which depended on the type of contract and the way of remuneration.

[Diagram 1 and 2]

One of the first paid officials to be found in the accounts of the medieval towns of Holland was a clerk, who took care of the growing paperwork generated by the administration and assisted the members of the magistracy during official journeys.¹⁶ The secretarial duties expanded rapidly and several more (assistant) clerks were appointed in Haarlem and Leiden during the fifteenth and sixteenth century. Some of them held specific tasks, for instance, the office was formally split into two in Leiden in 1497, when Ambrosius Colen was appointed as clerk of the treasury to aid the treasures in complex financial matters. He worked beside the town secretary, Jan Filipsz, who supported the magistrates. A similar process of specialisation was formally laid down in an ordinance by the town council of Haarlem in 1562, which stipulated that one secretary would assist the burgomasters and treasures, another would assist the orphan guards, while the remaining two clerks of justice would work for the aldermen.¹⁷ Within the context of a greater professionalism of government and administration of justice, the towns also required a representative and legal advisor with an academic degree. In the third quarter of the fifteenth century both Haarlem and Leiden employed a pensionary, who was sent as envoy to the various Burgundian state institutions and attended the assemblies of

¹⁶ F.W.N. Hugenholtz, "Clerc (secretaris) en pensionaris van de stad Leiden. Bijdrage tot de kennis van de stedelijke ambtenaren in de late Middeleeuwen," *Tijdschrift voor Geschiedenis* 66 (1953): 220-234; Geertrui van Synghel, 'Actum in camera scriptorum oppidi de Buscoducis.' *De stedelijke secretarie van 's-Hertogenbosch tot ca. 1450* (Hilversum: Verloren, 2007), ???.

¹⁷ Van Steensel, "Het personeel," 210-2; J.W. Marsilje, "Het Haarlemse klerkambt in de 15^e eeuw," in *De Nederlanden in de late Middeleeuwen*, ed. D.E.H. de Boer and J.W. Marsilje (Utrecht: Het Spectrum, 1987), 182-198; F.W.N. Hugenholtz, "Clerc (secretaris) en pensionaris van de stad Leiden. Bijdrage tot de kennis van de stedelijke ambtenaren in de late Middeleeuwen," *Tijdschrift voor Geschiedenis* 66 (1953): 220-234; cf. Engel, *Die deutsche Stadt*, 70-73.

the Cities and States of Holland. The town pensionaries, who were present at the meetings of the town council, became influential councillors in legal and political matters of growing complexity, and to some extent relieved the burgomasters of the burden of travelling around the country.¹⁸ With the emergence of the Council of Holland and the Great Council in Mechelen, the towns also felt the need of putting solicitors and lawyers attached to these institutions on their payroll. These jurists would normally look after the interests of several towns simultaneously. Finally, the towns appointed several messengers, the *busdraggers* ('tin carriers') travelled throughout the country carrying official messages, while the *roedragers* ('rod carriers') were involved in the execution of law.¹⁹

The town officials classified under the sector of public works and order made up a mixed bunch. Some of them took over specific tasks from the burgomasters, monitoring the urban space and environment, for example, the officials who were in charge of the defence infrastructure and water management system. Others exercised supervising duties, as the officials that checked the quality of the produced cloth or imported grain did. These officials were supported by several paid servants and other supporting personnel, such as road workers, street cleaners, waterway guards, and the caretaker of the town hall. Several craftsmen were designated by the government to carry out maintenance work for the town. The artillery master and the clockmaker were among the more skilled employees compared to, say, the locksmith and the producer of fire buckets. Several guards, led by a captain, held permanent appointments. Haarlem decided to appoint two fulltime night watches in 1565, because the citizens were loose in fulfilling their civil duties, 'sitting by the fire in the town hall rather than going through the streets'. A watchman, tasked with ringing the bells hourly and sounding fire alarm if needed, stood guard on the tower of the church or town hall every night. The security measures absorbed a major part of town's fixed spending on public order. The watchmen were generally also employed as town musicians, playing the trumpet or shawm on days of religious or secular celebrations. These musicians played in the open air, for example, on the stairs of the town hall in Haarlem, but the magistracy also paid an organ player for the worship services in the church.²⁰

¹⁸ Tracy, *Holland*, 124-6; Arie van Steensel, "De middeleeuwse stadspensionarissen van Haarlem en Leiden, circa 1447-1572," *Historisch Tijdschrift Holland* 38 (2006): 76-96; Hilde de Ridder-Symoens, "De universitaire vorming van de Brabantse stadsmagistraten en stadsfunktionarissen - Leuven en Antwerpen, 1430-1580," *Varia historica Brabantica* 6-7 (1978): 39-40, 104-5.

¹⁹ Van Steensel, "Het personeel," 207-8, 212; Harm von Seggern, *Herrschermedien im Spätmittelalter. Studien zur Informationsübermittlung im burgundischen Staat unter Karl dem Kühnen* (Ostfildern: Thorbecke, 2003), 218-26.

²⁰ Van Steensel, "Het personeel," 218-22; C. Lingbeek-Schalekamp, *Overheid en muziek in Holland tot 1672* (Rotterdam: Blok en Flohr, 1984); cf. Isenmann, *Die deutsche Stadt*, 154-60.

The third domain in which the town councils deemed it necessary to assign employees was that of health care and education. The towns already had surgeons on their payroll in 1430, and in the second half of the fifteenth century they were joined by professional midwives and academically trained doctors. Haarlem and Leiden did so to improve the medical care for the citizens, and the paid medical practitioners were charged to treat the poor residents for free.²¹ Finally, both towns awarded the headmaster (*rector*) of the Latin school a salary in the first decade of the sixteenth century. The school was considered as the cornerstone of the town by the members of the town council of Leiden, where the youth developed the intellectual skills and virtues necessary to rule the town.²² However, the Latin schools required financial support as they experienced growing competition from private schools where pupils were trained with a career as merchant or craftsman in view.

The structure of the municipal apparatus was strikingly similar in Haarlem and Leiden on the whole, besides minor differences in its precise organisation. Although the expansion of the civil service proceeded step by step as new functions emerged and some (temporarily) disappeared again, the trend line shows a clear growth in size and scope. Political instability during the forties of the fifteenth century, financial difficulties at the end of the same century, economic stagnation and demographic decline in Leiden during the second quarter of the sixteenth had no structural effects on this course. The magistracy only incidentally tried to curb the number of officials, especially in the domain of public works and order. A closer look at the organisation of the municipal apparatus can reveal to what extent one could argue that there was a process of greater professionalism and increasing specialisation of the officials appointed in the period in question.

Characteristics of the Municipal Civil Service

With the benefit of hindsight, it is certainly possible to trace the medieval origins of a municipal bureaucracy and welfare system. However, it must be stressed that the outcome of the process of bureaucratisation and rationalisation of administrative organisations was not

²¹ Van Steensel, "Het personeel," 224-7; Jan van Herwaarden, "Medici in de Nederlandse samenleving in de late Middeleeuwen (veertiende-zestiende eeuw)," *Tijdschrift voor Geschiedenis* 96 (1983): 348-78; Martin Kintzinger, "Status medicorum. Mediziner in der städtischen Gesellschaft des 14. bis 16. Jahrhunderts," in *Städtische Gesundheits- und Fürsorgewesen vor 1800*, ed. Peter Johanek (Cologne, Weimar and Vienna: Böhlau Verlag, 2000) 63-91.

²² Van Steensel, "Het personeel," 226-8; A.M.J. van Buuren, "'Want ander konsten sijn my te hoghe.' De stadsschool in de Nederlanden in de late Middeleeuwen," in *Scholing in de Middeleeuwen*, ed. R.E.V. Stuip and C. Vellekoop (Hilversum: Verloren, 1995), 221-38; A. Uyttebrouck, "Le rôle des autorités communales dans l'organisation de l'enseignement sous l'Ancien Régime," in *L'initiative publique, 577-596*; Hilde de Ridder-Symoens, "Training and professionalization," in *Power elites and state building*, ed. W. Reinhard (Oxford: Clarendon Press 1996) 156-158.

predetermined or primarily designed, but rather the result of a gradual development shaped by local circumstances and changing institutional contexts.²³ This becomes especially clear if the development of the public administration over a longer period is taken into consideration, for example, some early modern urban administrations in the Low Countries showed trends towards patrimonialisation rather than bureaucratisation.²⁴ The emergent character of the municipal civil service in Haarlem and Leiden obviously forbids a meaningful measurement against Weber's patrimonial and bureaucratic ideal-types. Even so, some of the formal characteristics of a rational bureaucracy formulated by Weber can be used to describe the functioning of the civil service in Haarlem and Leiden in the fifteenth and sixteenth century. A closer look will be given at the way officials were recruited and their contractual duties, the requirement of education or training, the way of payment of the officials, their chances of pursuing a career, and the monitoring capacity of the magistracy.²⁵

The magistracies of Haarlem and Leiden recruited their personnel in different ways, depending on the office to be filled. It proved most difficult for the towns to find suitable academic trained officials and skilled craftsmen. The pensionaries were usually recruited among the lawyers attached to the Council of Holland or the secretaries working for the town. As their counterparts in other towns in the Low Countries, they were required to have knowledge of law and, perhaps more important, some experience with the state institutions. The appointment of new pensionaries was discussed at the town council and appears to have been a fairly open procedure with in some cases several contending candidates. Some of them submitted letters of recommendation to prove their capability. The formal duties and rights of the pensionaries were set down in a contract, which was awarded for a fixed term after a short trial period.²⁶ Both towns also made considerable efforts to attract medical professionals, school teachers, and skilled craftsmen, of whom there was a relatively shortage in Holland. For example, the first paid midwife of Leiden, Margaretha Mechels, originated from Antwerp,

²³ For a critical revision of Weber's formal contrast between patrimonial and bureaucratic administration, see: Lloyd I. Rudolph and Susanne Hoeber Rudolph, "Authority and Power in Bureaucratic and Patrimonial Administration. A Revisionist Interpretation of Weber on Bureaucracy," *World Politics* 31 (1979): 195-227; and for an alternative viewpoint: Pierre Bourdieu, "Rethinking the State. Genesis and Structure of the Bureaucratic Field," *Sociological Theory* 12 (1994): 3-5, 10-2.

²⁴ Griet Vermeesch, "Patrimonialism and Bureaucracy in the Urban Administrations of the Low Countries (ca. 1300-1800)," [Unpublished Working Paper].

²⁵ For Weber's bureaucratic criteria see: Weber, *Wirtschaft*, 124-30; and cf. Armstrong's five criteria to determine regress toward patrimonial characteristics: John A. Armstrong, "Old-Regime Governors: Bureaucratic and Patrimonial Attributes," *Comparative Studies in Society and History* 14 (1972): 2-5.

²⁶ Van Steensel, "Stadspensionarissen," 90. Cf. for the same office in the medieval German towns: Isenmann, *Die Deutsche Stadt*, 144-5.

and the burgomasters of Leiden travelled to Louvain in 1475 in search for school teachers.²⁷ Most of the officials, however, were recruited from the native citizens. The selection and appointment of messengers and supporting personnel in the public works and order sector were normally concluded by the burgomasters, though little information about the procedures is found in the sources. Patronage and kinship ties may have played a role in the appointments, but there is no evidence of nepotism and the selling of offices. The few preserved contracts indicate that instructions and arrangements between the magistracy and the officials were written down. The fixed-term contracts of the officials could be extended or renewed by the towns if they performed properly, only the town secretary of Leiden was appointed for life.

The requirements for education and training varied according to the tasks of the officials. Only a few town officials held an academic degree, for instance, some of the town secretaries held the title of *magister artium*. But a degree was required for other offices, such as that of pensionary, physician and rector of the Latin school. All 25 pensionaries appointed in Haarlem and Leiden until 1570 held an academic degree, with the exception of Baynaert Say and Jan van Dompelaar who served for relatively short terms. Thirteen of the pensionaries held a doctor's or licentiate's degree in civil and sometimes canon law, while the remaining ten only held the title of magister. With a few exceptions, all the physicians were doctor of medicine, while the rectors and school teachers bore the title of magister.²⁸ Some of the other officials serving the towns were highly skilled craftsmen, such as the master of the artillery, the clock mechanic and the musicians, who were recruited elsewhere if no apt candidate could be found among the citizens. There were no formal requirements for the remaining officials and personnel, most of them acquired the necessary training and instructions after being appointed. For instance, most of the town clerks started as juniors at the *escritoire* after completing the Latin school and gradually gained more knowledge and experience.

It must be stressed that only a few officials could make a living from their services for the town. Offices were often nothing more than a sideline activity, next to a full-time professional occupation. The officials and personnel received an annual fixed salary in combination with clothing if they performed representative duties, while some of them were given clothing only. The height of the fixed salaries corresponded with the responsibilities

²⁷ Van Steensel, "Het personeel," 231.

²⁸ Van Steensel, "Stadspensionarissen," 89-90; Van Steensel, "Het personeel," 230; Van Synghel, *Actum in camera scriptorum*, ???.

and workload of the officials as well as their possibilities to have additional sources of income. The payment of the pensionary, certainly in the sixteenth century, was comparable to that of the officials of the Council of Holland. The salaries of the town secretary and rector, but also, for instance, the watchmen and musicians, did not differ much from the annual income of a mason.²⁹ However, the salaries for most officers were low and merely symbolic, a recognition of their position. Their real earnings came from the services they performed, being paid by the day or per assignment by the magistracy or other customers, and other occupations. The senior town officials also benefited from (travel) allowances and other emoluments, such as exemption of the beer excise, and the personnel that directly supported the magistrates in their duties received small money gifts on special occasions.³⁰

The fixed expenses for the civil service were low and could hardly be economised on. In sixteenth century the total labour costs increased considerably, mainly because of the growth of the number of officials and the higher salaries of the administrative officials and rectors. The labour costs quadrupled in Haarlem from about 400 pounds in 1430 to more than 1600 pounds in 1570, while they increased from 300 pounds to 2100 pounds in Leiden during the same period. Still, these fixed expenses amounted less than an estimated 5-10% of the whole budget.³¹ The town council was cautious with pay-increases, but was also fully aware of the fact that the loyalty of the officials depended on a proper payment. Therefore, salaries and other payments were raised if officials performed well or in case other revenues dropped.

The careers of the town officials took various paths in accordance with their training and skills. There were some possibilities for a career in service of the towns or state institutions for the pensionaries and secretaries. Some of the pensionaries used the office as stepping-stone to a professional career as an official in service of the prince or the States of Holland, while others had worked their way up from the position of junior clerk at the secretariat to the office of pensionary as the crowning glory of their career. Mr. Lambrecht Jacobsz followed the latter path serving Haarlem for 45 years as junior clerk, secretary and pensionary, and was finally elected as alderman and burgomaster after his resignation as

²⁹ Van Steensel, "Het personeel," 204.

³⁰ Van Steensel, "Het personeel," 205-6.

³¹ Van Steensel, "Het personeel," 201-4, 235-6. Cf. the expenses of Leuven and Ghent that were comparable: Raymond van Uytven, *Stadsfinanciën en stadseconomie te Leuven. Van de XIIe tot het einde der XVIe eeuw* (Brussel: Paleis der Academiën, 1961), 157-61; Marc Boone, *Geld en macht. De Gentse stadsfinanciën en de Bourgondische staatsvorming (1384-1453)* (Gent: Maatschappij voor Geschiedenis en Oudheidkunde, 1990), 90.

pensionary in 1560.³² Only very few town officials were elected as magistrates after completing their career though.

There was geographical mobility among the trained and skilled officials, given the shortage of medical professionals, school teachers and craftsmen. They could consequently put forward extra demands during contract negotiations; for example, Maria van der Putte used a competing offer from Amsterdam to lend weight to her demand for a pay-rise from the town council of Haarlem in 1523.³³ The officials that pursued a professional career had the opportunity to obtain an improved position elsewhere, but long terms of employment were more common in Haarlem and Leiden. The situation was quite different for the remaining officials and personnel. Opportunities to enhance one's position were restricted to moving from one office to the other or to holding several offices simultaneously. Alijn van Leeuwarden, for instance, served Haarlem as care taker of the city hall and captain of the guards between 1530 and 1557.³⁴ In general, however, these offices did not require specific knowledge or technical skills and must be regarded as sideline activities for the holders. There were big differences in the duration of appointments among the members of this segment of the civil service, ranging from one year to several decades, and in some cases sons succeeded fathers in offices. To some extent, these practices brought continuity in the municipal apparatus and ensured the transfer of knowledge and skill.

Finally, the question is what means the magistracies of Haarlem and Leiden had at their disposal to monitor the town officials. The creation of new offices and the appointment of officials were normally concluded by the burgomasters. The town council was only consulted if an important office had to be filled in. Appointments were far from politicised in Haarlem and Leiden, as was the case in Ghent, for example, where the balance of power between the different social-economic groups was more fragile.³⁵ The office of pensionary was most often subjected to discussion, as some members of the town council of Haarlem were of the strong opinion that only native candidates could be trusted in important political and economic matters.³⁶ The town councils also acted regularly to straighten out problems regarding the functioning of officials. For instance, ordinances were made in Leiden in 1508

³² Van Steensel, "Stadspensionarissen," 89-94. It became less usual for officials to switch from municipal to princely service in the course of the sixteenth century.

³³ Van Steensel, "Het personeel," 230-1.

³⁴ Van Steensel, "Het personeel," 220, 222-4.

³⁵ P. Rogghé, "De Gentse klerken in de 14e en 15e eeuw. Trouw en verraad," *Appeltjes van Meetjesland* 11 (1960): 110-8, 123-4; Marc Boone, *Gent en de Bourgondische hertogen ca. 1384 - ca. 1453. Een sociaal-politieke studie van een staatsvormingsproces* (Brussel: Paleis der Academiën 1990), ???.

³⁶ Van Steensel, "Stadspensionarissen," 92-3. Eighty percent of the pensionaries in Leiden were outsiders against only twenty-five percent in Haarlem.

and in Haarlem in 1562 to solve disputes among the clerks, establishing a clear hierarchy among them, assigning tasks and revenues, and giving detailed instructions and timetables. Other examples are the efforts of Leiden to reorganise the services of the medical professions in the second half of the fifteenth century and of Haarlem that ended up paying two professional watchmen in 1565 to improve the security during the night.

The officials involved in political, legal and financial matters as well as those responsible for the public order were compelled to swear an oath when they took up their office, promising to serve the town faithfully and to remain silent about important and confidential matters.³⁷ Complaints about the functioning of town officials were rarely reported and discussed at the town council, although some contracts were not renewed due to dissatisfaction about the performance of the officials concerned. Willem Paedze, secretary of Haarlem, was the only official that committed a serious crime by embezzling public funds, and he was consequently hanged for this offence in 1459.³⁸ The opportunities for the town officials to neglect their duties or abuse their power were very limited, all the more because they stood under direct control of the magistrates in a small-scale setting. Therefore, the examples of misconduct are rare compared to the number of discredited state officials in Holland, who had more possibilities to exploit their powers and were more difficult to monitor.³⁹

The Municipal Civil Service in Context

Turning to the question what circumstances facilitated the emergence of a civil service in Haarlem and Leiden, it's first of all important to acknowledge that only the administrative and legal sector can retrospectively be attributed bureaucratic characteristics. The pensionaries and town secretaries were well-trained and specialist officials, who were recruited on basis of their experience and skills and subjected to formal rules. Technocrats, specialised in legal and financial matters, were recruited by the counts and towns of the Low Countries from the thirteenth century onwards to cope with the increasing complexity of administration and the

³⁷ Van Steensel, "Het personeel," 201.

³⁸ Marsilje, "Klerkambt," 187-8.

³⁹ Wim P. Blockmans, "Privaat en openbaar domein. Hollandse ambtenaren voor de rechter onder de Bourgondiërs," in *Peasants and Townsmen in Medieval Europe. Studia in honorem Adriaan Verhulst*, ed. Jean-Marie Duvosquel and Erik Thoen (Gent: Snoeck-Ducaju, 1995), 707-19. See also; Pieter Wagenaar, Otto van der Meij and Manon van der Heijden, "Corruptie in de Nederlanden, 1400-1800," *Tijdschrift voor Sociale en Economische Geschiedenis* 2 (2005): 3-21

monetarisation of society.⁴⁰ This process accelerated in Holland from the early fifteenth century onwards due to the population growth and the integration of the county in the Burgundian personal union. The spread of the written word and literacy (the process of ‘literation’) in the late middle ages strengthened the demand for clerks too, as the usage of written documents became indispensable for magistrates and citizens.⁴¹

These developments necessitated greater professionalism and specialisation of the administrative and legal officials of Haarlem and Leiden, which came to the fore with the appointment of a pensionary and a clerk of the treasury. However, one might be careful to speak about an efficient *bureaucratic* system in Haarlem and Leiden, as De Ridder-Symoens describes the administrative organisations of the late medieval city-states in Italy. First of all, the scale of the administrative apparatus in Haarlem and Leiden was rather modest compared to that of the Italian or Flemish cities, but more important, the power structures within which the municipal administrative and legal officials functioned, relied on informal ties and practices as the authority of the magistracies themselves (but also the Burgundian-Habsburg state) were not fully grounded on rational-legal principles.⁴² Finally, the pensionaries and town secretaries in Haarlem and Leiden were never allowed to take decisions regarding their duties by themselves, although they could exert great influence on the decisions and policies of the town council as advisors.

The authority of the magistracies of Haarlem and Leiden gradually expanded in the late medieval period, which becomes clearly visible in the ever-increasing legislation recorded in the *keurboeken* (law books) and the issued ordinances.⁴³ By regulating and monitoring the public domain the magistrates guaranteed the peaceful coexistence of its citizens within the town walls. The measures of the magistracies were aimed at providing security and public order, regulating economic life, and keeping the environment clean and

⁴⁰ W. Prevenier, “Officials in town and countryside in the Low Countries. Social and professional developments from the 14th to the 16th century”, *Acta Historiae Neerlandicae* 8 (1974): 7-12; Ellen E. Kittel, *From Ad hoc to Routine. A Case Study in Medieval Bureaucracy* (Philadelphia: University of Pennsylvania Press, 1991), 204.

⁴¹ Jeroen F. Benders, *Bestuursstructuur en schriftcultuur. Een analyse van de bestuurlijke verschriftelijking in Deventer tot het eind van de 15de eeuw* (Kampen: IJsselacademie, 2004) ???; Van Syngel, *Actum in camera scriptorum*, ???.

⁴² De Ridder-Symoens, “Training and professionalization,” 154-6. Cf. Wim P. Blockmans, “Patronage, brokerage and corruption as symptoms of incipient state formation in the Burgundian-Habsburg Netherlands,” in *Klientelsysteme im Europa der frühen Neuzeit*, ed. Antoni Maćzak (München: Oldenbourg, 1988), 125-6.

⁴³ Johan Huizinga, *Rechtsbronnen der stad Haarlem* (Den Haag: Nijhoff 1911); H.G. Hamaker, *De middeneeuwsche keurboeken van de stad Leiden* (Leiden: Van Doesburgh, 1873); Hanno Brand, “Les ordonnances de la ville de Leyde. Aspects de leur genèse, de leur promulgation et de leur application,” in “*Faire bans, edict et status.*” *Légiférer dans la ville médiévale. Sources, objets et acteurs de l’activité législative communale en Occident, ca. 1200-1550. Actes de colloque international tenu à Bruxelles les 17-20 novembre 1999*, ed. J.-M. Cauchies and E. Bousmar (Brussels: Publications des Facultés universitaires Saint-Louis, 2001), 183-207.

healthy.⁴⁴ However, the magistracies of Haarlem and Leiden were not the only suppliers of public services. Guilds, religious and private charity, civic militias, fraternities, and neighbourhoods played an indispensable role in the organisation of urban life. These corporate organisations were slowly brought under supervision and control of the town council in the fifteenth and sixteenth century. The magistracy, for instance, appointed the wardens of these organisations and regulated their activities.⁴⁵

The provision of public services by religious and corporate organisations meant that the magistracies of Haarlem and Leiden only appointed officials and personnel in fields where other suppliers were lacking. The number of employees in the public order and welfare sectors was therefore limited, although it increased from the late fifteenth century onwards. In response to the greater social complexity largely caused by demographic developments and economic conditions, the town magistracies of Haarlem and Leiden took an active role in monitoring and coordinating the provision of basic services to all citizens. For instance, the magistracy of Leiden took the lead in the organisation of the privately funded poor relief in the second half of the sixteenth century, because of the increasing poverty and unemployment in the town that threatened the social order. This was a late shift compared to the southern Netherlands and Germany, where the town governments revised their policies towards the poor and needy from the early sixteenth century onwards. The new approach saw a coordinating role for the magistracy and the formation of a centralised poor relief, at the same time poverty was no longer conceived as a virtue but as a social problem.⁴⁶

The policy adopted by the town councils of Haarlem and Leiden towards the civil service must be described as piecemeal tinkering rather than specific policy. The appointment

⁴⁴ Cf. Winfried Schulze, "Gerhard Oestreichs Begriff „Sozialdisziplinierung“ in der frühen Neuzeit," *Zeitschrift für historische Forschung* 20 (1987): 265-9; Xavier Rousseau, "'Sozialdisziplinierung', Civilisation des mœurs et monopolisation du pouvoir. Elements pour une histoire du contrôle social dans les Pays-Bas méridionaux 1500-1815," in *Institutionen, Instrumente und Akteure sozialer Kontrolle und Disziplinierung im frühneuzeitlichen Europa*, ed. Heinz Schilling (Frankfurt am Main: Vittorio Klostermann, 1999), 252-4, 256-63.

⁴⁵ Marsilje, "Ontluikende stad", 57-62; Marsilje, "Economisch leven," 97-103. See also: Peter Stabel, "Guilds in late medieval Flanders. Myths and realities of guild life in an export-oriented environment," *Journal of Medieval History* 30 (2004), 189, 192-8; J.-M. Yante, "Le rôle des autorités communales dans l'organisation, la réglementation et la police des transactions commerciales (Liège, Namur, Hainaut, Luxembourg – XIVe-XVe siècle)," in *L'initiative publique*, 425-36.

⁴⁶ A. J. Brand, "Sociale omstandigheden en charitatieve zorg," in Marsilje et al., *Leiden*, 133-49. See also: Hugo Soly, "Economische ontwikkeling en sociale politiek in Europa tijdens de overgang van middeleeuwen naar nieuwe tijden," *Tijdschrift voor Geschiedenis* 88 (1975): 584-97; G. Maréchal, "Het openbaar initiatief van de gemeenten in het vlak van de openbare onderstand in het noorden van het land tijdens het Ancien Régime," in *L'initiative publique*, 538-9; Andreas Bingener, Gerhard Fouquet and Bernd Fuhrmann, "Almosen und Sozialleistungen im Haushalt Deutscher Städte des späten Mittelalters und der frühen Neuzeit," Johanek (ed.), *Städtische Gesundheits- und Fürsorgewesen*, 41-62; Robert Jütte, *Obrigkeitsliche Armenfürsorge in Deutschen Reichstädten der Frühen Neuzeit. Städtisches Armenwesen in Frankfurt am Main und Köln* (Cologne and Vienna: Böhlau Verlag, 1984), 31-9, 45, 356-67; Paul Slack, *From Reformation to Improvement. Public Welfare in Early Modern England* (Oxford: Clarendon Press, 1999), 5-6.

of new officials sparked little debate and was mostly a response to unexpected needs and new regulation. Accidental circumstances were often reason for the towns to establish new offices; however some structural external factors can be discerned that ensured the durability of the municipal apparatus in Haarlem and Leiden. First of all, social-economic developments were of great significance. The process of urbanisation that was driven by demographic change and commercialisation created the need for institutions that regulated and monitored the public space and human interaction, and for new forms of risk sharing.⁴⁷ Especially, the developing labour market, coupled with increasing flows of migration had an impact on the social structure of Haarlem and Leiden in the late medieval period. The size of the urban population and the economic situation determined the organisation of the civil service and the pace of its expansion to a great extent, but no strong correlation can be proved for Haarlem and Leiden, as the divergent demographic and economic developments in the sixteenth century did not result in significant difference in the number of town officials.⁴⁸

A second exogenous factor was the emergence of the central state, which had a tremendous impact on the political landscape. The integration of Holland into the Burgundian-Habsburg state implied the centralisation of rule, the introduction of uniform legal procedures, and a growing tax burden. Haarlem and Leiden required professional representatives to deal with the new state institutions and the time-consuming political deliberation, but also a financial expert responsible for the municipal tax revenues to meet the financial demands of the prince. However, both towns remained fairly autonomous and direct interference by the princes regarding the municipal civil service occurred rarely.⁴⁹ The right of appointment of some officials (in particular the secretaries, messengers and rectors) initially resided with the counts of Holland, but the towns had acquired most of these rights at the end of the fourteenth century. Haarlem only succeeded in leasing the important office of secretary in the second half of the fifteenth century though, after a lengthy conflict with the count. Only duke Charles the Bold tried to interfere directly with the appointment of officials, but his attempt to farm out some minor town offices again in 1469 was effectively resisted by the towns of Holland.⁵⁰ Neither was a *restriction*, as imposed by him on the town of Ghent and mainly concerning the spending of the town, extended to Haarlem and Leiden. However, both towns were placed under legal restraint at the end of the financially troublesome last

⁴⁷ Dutour, *La ville médiévale*, 220-2.

⁴⁸ Van Steensel, "Het personeel," 232.

⁴⁹ Cf. the situation in Germany where towns and cities enjoyed different degrees of autonomy: Schilling, *Die Stadt*, 38-39, 46-47.

⁵⁰ Van Steensel, "Het personeel," 207, 234. The count could not just appoint anybody as secretary, as candidates were required to have been citizens for a period of at least seven years.

decade of the fifteenth century.⁵¹ The emergence of the civil service in Haarlem and Leiden cannot be understood without taking the process of state formation into account, but it proves to be too straightforward to assume a clear-cut causal relationship.

To conclude, clear examples of professionalisation and specialisation within the municipal apparatus of Haarlem and Leiden were restricted to the administrative and legal sector. This observation does not imply that the remaining officials and personnel were not selected thoughtfully and rewarded according to their capabilities. The duties they fulfilled for the magistracy were of such a nature that a full-time appointment and a fixed salary were not required. The fact that magistracies of Haarlem and Leiden deemed it necessary to employ officials regarding the provision of public services reveals the growing authority of the town council. The creation of new offices must be understood as a response of the town councils to the growing complexity of the municipal administration, the expanding urban population and infrastructure, and the need to provide some basic services to all citizens, especially those who could not rely on other suppliers as religious and corporate organisations. Moreover, the town councils of Haarlem and Leiden made efforts to monitor and coordinate the activities of the other suppliers of public services, as the appointment of officials was not the only means of the magistracy to regulate and monitor the public and private domain. The emergence of a civil service as part of the growing authority of the town council occurred against the background of larger political and social-economic processes. Demographic developments, economic conditions, and the integration of Holland into the Burgundian-Habsburg state accounted to a large extent for the administrative complexities that faced the magistracies of Haarlem and Leiden in the fifteenth and sixteenth century.

⁵¹ Marc Boone, "Législation communale et ingérence princière. La "restriction" de Charles le Téméraire pour la ville de Gand (13 juillet 1468)," in *"Faire bans, edictz et status."*, 146-9.

Diagram 1: Number of town officials employed by Haarlem, 1430-1570

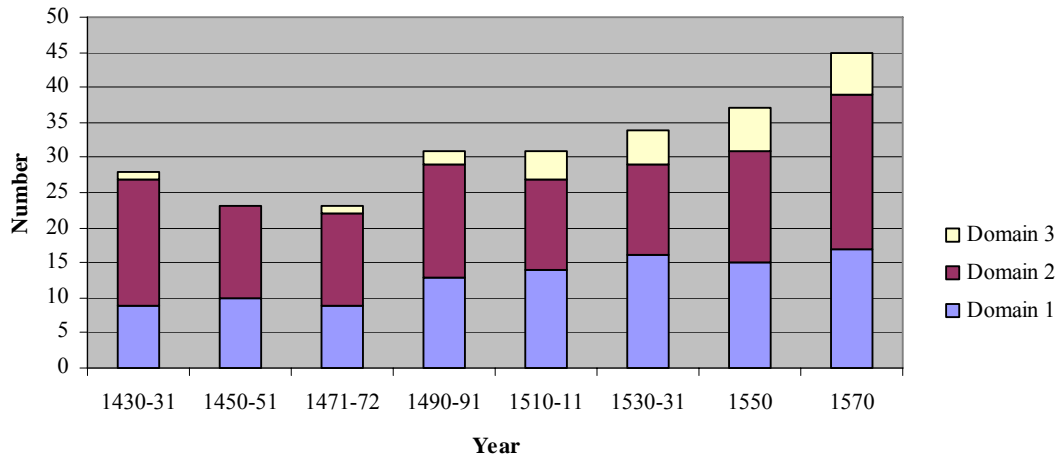


Diagram 2: Number of town officials employed by Leiden, 1433-1570

