

How to Become a Loyalist: Petitions, Self-Fashioning, and the Repression of Unrest (East Frisia, 1725–1727)

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ON January 21, 1727, several communes in the Nordbrookmerland region of East Frisia, a small principality located on the North Sea coast of Germany and hard by the Dutch border, were granted what amounted to immunity from prosecution for acts of rebellion.¹ How and why this happened is a story that has a great deal to tell about the influence ordinary people could exert, through petitioning, on the practice of state power in early modern Europe. In the months and years before 1727, the prince of East Frisia, Georg Albrecht, had become embroiled in an increasingly hostile confrontation with the Estates of his province for control over the administration of taxes in the land. In their efforts to gain the upper hand, both the prince and the Estates had tried to forge alliances among the rural population and mobilized these networks against each other. The Nordbrookmerlanders tended to ally with the prince, but felt increasingly isolated and endangered. Throughout the autumn of 1726, they had been petitioning the chancellor, Enno R. Brenneysen, for protection against attacks perpetrated by the Estates' allies on their "wives and children, houses and farms."² In light of the chancellor's inability to preserve them from further destruction, the village elders asked that they be allowed to obey the Estates' commands until order was restored. Doing this, they pointed out, would force them to commit several "rebellious" acts, such

¹ See a marginal notation in the hand of Chancellor Enno R. Brenneysen on Niedersächsisches Staatsarchiv Aurich, hereafter referred to as StAA, Rep. 4 C III b 5 (b), Petition of Sunntke Poppinga of Uppgant-Utwarfer Hörn, presented January 21, 1727: "[SHD] laßen es bey der in den Kayserlichen respectivè und Commissarischen Patenten denen gehohrsahmen Unterthanen, darunter die Supplicanten mitgehöhren, enthaltener Versicherung bewenden und wenden . . . daß die Supplicanten deren Genuß würcklich erhalten mögen" (i.e., "was sie etwa hinführo gezwungen thun müsten, ihnen solches condoniret werden möge").

² StAA Rep. 4 C III b 30, Jibbo Poppinga and Dirk Imels Agena, "Klag und Bitt-Schriefft der Eingesessenen im Nord-Brockmer-Land, wegen der von denen Rebellen ihnen angedrohten Gewalt," presented December 6, 1726.

as signing manifestos, supplying recruits for the rebels' militia, and paying an extraordinary war tax that had been levied by the Estates, the so-called *Wochengeld*.³ But the supplicants insisted that the coercion they were experiencing should release them of any responsibility for these actions, for no loyal subject should be held accountable for actions taken under duress. The chancellor agreed, and the villagers did what they claimed they had to do. In the end, these petitions seemed to have had the desired effect. Later in 1727, after the prince had managed to defeat the Estates militarily, only a handful of Nordbrookmerlanders—thirteen—were classified as rebellious and penalized accordingly.⁴ In the next-door district, Südbrookmerland, the corresponding number of rebels was sixty-two.

The point of this story has been to suggest that the exercise of state power, even in its most extreme manifestation, bore the imprint of rural society, its alliances and enmities, and that petitions were the main instruments of that influence. By itself, the proposition that petitioning influenced decision-making at the highest levels should come as no great surprise. Petitioning was a privileged medium of communication between subject and authority, both at law and as a means of legitimating power.⁵ As one eighteenth-century author noted, "those who think to do away with petitions would overthrow the entire

³ For the ban against signing rebellious manifestos or paying *Wochengeld*, see StAA Rep. 4 C III b 32, February 20, 1726. A marginal note on this document indicates that the ban was announced with a ringing of the church bell and posted on church doors in villages of Pogum, Ditzum, Critzum, and Hatzum. Ten days later, the ban went out to villages in the rural districts of Emden and Greetsiel and was posted in the villages of Pewsum, Canum, Freepsum, Midlum, Hinte, Westerhusen, Loppersum, Larrelt, Twixlum, and Woltzetzen. See StAA Rep. 4 C III b 32, "Fürstl. Mandat an die Eingeseßenen Embder- und Greetmer Ampts," March 1, 1726.

⁴ StAA Rep. 4 C III b 61, "Acta in Regierungs-Sachen contra Abbo Poppinga und Peter Abben, item Hinrich Jansen von Osteel 1727."

⁵ For Europe in general, see Peter Blickle, Steven Ellis, and Eva Österberg, "The Commons and the State: Representation, Influence, and the Legislative Process, in *Resistance, Representation, and Community*, ed. Peter Blickle (Oxford: Clarendon, 1997), 115–54. For the Empire and its territories, see Andreas Würzler, "Voices from Among the 'Silent Masses': Humble Petitions and Social Conflicts in Early Modern Central Europe," *International Review of Social History* 46 Supplement (2001): 11–34; Helmut Neuhaus, *Reichstag und Supplikationsausschuß* (Berlin: Dunker & Humblot, 1977), esp. 87–147; Robert W. Scribner, "Police and the Territorial State in Sixteenth-Century Württemberg," in *Politics and Society in Reformation Europe: Essays for Sir Geoffrey Elton*, eds. E. I. Kouri and Tom Scott (New York: St. Martin's, 1987), 103–20; Michaela Hohkamp, *Herrschaft in der Herrschaft: Die vorderösterreichische Obervogtei Tübingen von 1737 bis 1780* (Göttingen: Vandenhoeck & Ruprecht, 1998); Achim Landwehr, *Policey im Alltag: Die Implementation frühneuzeitlicher Policeyordnungen in Leonberg* (Frankfurt: Vittorio Klostermann, 2000); and the studies by Rosi Fuhrmann, Andreas Würzler, and André Holenstein in *Gemeinde und Staat im Alten Europa*, ed. Peter Blickle (Munich: Oldenbourg, 1998). For France, see Beat Hodler, "Doléances, Requête und Ordonnances: Kommunale Einflußnahme auf den Staat in Frankreich im 16. Jahrhundert," in *Gemeinde und Staat*, ed. P. Blickle, 23–67; and John Markoff, *The Abolition of Feudalism: Peasants, Lords, and Legislators in the French Revolution* (University Park: Pennsylvania State University Press, 1996). For Britain, see David Zaret, "Petitions and the 'Invention' of Public Opinion in the English Revolution," *American Journal of Sociology* 10 (1996): 1497–55; David Zaret, *Origins of Democratic Culture: Printing, Petitions, and the Public Sphere in Early-Modern England* (Princeton: Princeton University Press, 2000); James S. Hart, *Justice upon Petition: The House of Lords and the Reformation of Justice, 1621–1675*

system of state.”⁶ Petitions and supplications were also indispensable as sensors of local conditions and as indices for the success or failure of laws and ordinances, but this meant that early modern governance was heavily dependent on sources of information having a structure and substance that was beyond its capacity to regulate. These were organized around the needs of supplicants, not the needs of their addressees.⁷ And because of this informational dependence, petitions opened a channel through which subjects could exert influence on official decision-making and on the formation of state institutions generally, even in the majority of territories that lacked institutions for the corporative representation of peasants’ interests. Similarly inquests and visitations—those paradigmatic lenses of official vision—were tinted by what village elders and their intermediaries allowed the state to see.⁸ In everyday life, governance was bound up in a circular process of communication, in which the content and structure of information was never wholly free from conditioning by subject populations with their varied interests and agendas.⁹

The repression of unrest is normally treated as a violent exception to this rule. But it, too, can be viewed as a dialectical process in which official knowledge was given shape by petitioners as the suppliers of local knowledge.¹⁰ Most historians of social conflict in late medieval and early modern Europe characterize

(London: HarperCollins, 1991); Beat Kümin, “Parish und Local Government: Die englische Kirchengemeinde als politische Institution, 1350–1650,” in *Gemeinde und Staat*, ed. P. Blicke, 209–238. For the Dutch Republic, see Henk van Nierop, “Popular Participation in Politics in the Dutch Republic,” in *Resistance, Representation, and Community*, ed. P. Blicke, 272–90; Nierop, “Private Interests, Public Policies: Petitions in the Dutch Republic,” in *The Public and Private in Dutch Culture of the Golden Age*, eds. Arthur K. Wheelock, Jr. and Adele Seef (Newark, DE: University of Delaware Press, 2000), 33–39.

⁶ Quoted in Cecilia Nubola, “Supplications between Politics and Justice: The Northern and Central Italian States in the Early Modern Age,” *International Review of Social History* 46 Supplement (2001): 25–56, here 25.

⁷ Rosi Fuhrmann, Beat Kümin, and Andreas Würzler, “Supplizierende Gemeinden: Aspekte einer vergleichenden Quellenbetrachtung,” in *Gemeinde und Staat*, ed. P. Blicke, 319–321.

⁸ André Holenstein, “‘Local-Untersuchung’ und ‘Augenschein’: Reflexionen auf die Lokalität im Verwaltungsdanken und -handeln des Ancien Régime,” *WerkstattGeschichte* 16 (1997): 19–33; Helga Schnabel-Schüle, “Kirchenvisitationen und Landesvisitationen als Mittel der Kommunikation zwischen Herrscher und Untertanen,” in *Im Spannungsfeld von Recht und Ritual. Soziale Kommunikation in Mittelalter und Früher Neuzeit*, eds. Heinz Duchhardt and Gerd Melville (Cologne: Böhlau, 1997), 173–86; and David W. Sabean, “The Sins of Belief: A Village Remedy for Hoof-and-Mouth Disease (1796),” in his *Power in the Blood: Village Discourses in Early Modern Germany* (Cambridge: Cambridge University Press, 1984), 174–98.

⁹ Landwehr, *Policy im Alltag*, 97–140; Robert Jütte, “Sprachliches Handeln und kommunikative Situation: Der Diskurs zwischen Obrigkeit und Untertan am Beginn der Neuzeit,” in *Kommunikation und Alltag in Spätmittelalter und Früher Neuzeit: Internationaler Kongress—Krems an der Donau, 9. bis 12. Oktober 1990* [Österreichische Akademie der Wissenschaften, Philosophisch-Historische Klasse, Sitzungsberichte, vol. 596] (Vienna: Akademie der Wissenschaften, 1992), 159–82.

¹⁰ A note on terminology for clarity’s sake: My use of “repression” refers to the application of state violence, loosely defined to include judicial penalization, within the broader context of “pacification,” a term I use to encompass the entire panoply of tactics employed to restore order, including symbolic action, social bribery, and the redress of grievances deemed “legitimate.”

the process of pacification—if indeed they analyze it at all¹¹—in a manner consistent with its prosecutorial function: as a one-sided, top-down intervention, in which individual behaviors were measured against objective standards of criminal culpability so as to distinguish “ringleaders” from mere hangers-on and the “well-intentioned,” “obedient” subjects.¹² This framework also defines understandings of pacification as a cultural transformation. Because repression was, in this view, a violent rupture in the otherwise peaceable continuity of interactions between lord and subject, particular emphasis was placed on reasserting control over political symbolism and on the restoration of legal order through ritual acts of humiliation and submission. In 1437, to cite an early Flemish example, the burghers of Ghent expiated their rebellion by receiving duke Philip the Good in a kneeling posture of contrition, barefoot and bare-headed, at the city gates.¹³ Another frequently used device was the swearing of “fresh” homage oaths, such as that demanded of the inhabitants of Lucerne, Bern, and Solothurn after the Swiss Peasants’ War of 1653.¹⁴ In these rituals and others like them, rulers and subjects alike paid tribute to the idea that resistance constituted a fundamental rift in the continuities of rule and an interruption in the communicative processes that made them work.¹⁵

The Nordbrookmerlanders’ petitions should warn against taking such rituals literally to describe the restoration of “normal” exchange in the aftermath of rupture. The very fact that Nordbrookmerlanders were able to write up their petitions and send them off, for one, indicates that despite the intensity of the conflict between prince, diet, and their respective clienteles, villages remained essentially porous. Communal solidarity, whether voluntary or compulsory, proved difficult if not impossible to achieve, with the result that

¹¹ Most do not analyze repression at all or relegate it to narrative epilogue. See, for example, Hugues Neveux, *Les révoltes paysannes en Europe (XIV^e–XVII^e siècles)* (Paris: Albin Michel, 1997). Some notable exceptions are Andreas Suter, *Der Schweizerische Bauernkrieg von 1653: Politische Sozialgeschichte—Sozialgeschichte eines politischen Ereignisses* (Tübingen: Bibliotheca Academica, 1997), 525–34; and Niklaus Landolt, *Untertanenrevolten und Widerstand auf der Basler Landschaft im sechszehnten und siebzehnten Jahrhundert* (Liestal: Verlag des Kantons Basel-Landschaft, 1996), 654–91, both of which treat the Swiss Peasants’ War of 1653. The situation is no better with respect to late medieval repressions; see the lament of Jan Dumolyn in “The Legal Repression of Revolts in Late Medieval Flanders,” *Tijdschrift voor Rechtsgeschiedenis* 68 (2000): 479–521.

¹² For the use of “well-intentioned” (*wohlintentioniert*) to describe the prince’s loyalists, see, for example, StAA Rep. 4 C III b 29, “Bericht der Beamten zu Greetsiehl,” August 5, 1726. Another term was *wohlgemnet*; *ibid.*, “Bericht der Beamten und des Rentmeisters zu Greetsiehl,” August 6, 1726.

¹³ Peter J. Arnade, *Realms of Ritual: Burgundian Ceremony and Civic Life in Late Medieval Ghent* (Ithaca, NY: Cornell University Press, 1996), 199.

¹⁴ Suter, *Der Schweizerische Bauernkrieg*, 529–30; Andreas Heusler, *Der Bauernkrieg von 1653 in der Landschaft Basel* (Basel: Neukirch, 1854), 145–46.

¹⁵ Peter Bierbrauer, “Bäuerliche Revolten im Alten Reich: Ein Forschungsbericht,” in *Aufbruch und Empörung? Studien zum bäuerlichen Widerstand im Alten Reich*, ed. Peter Blickle (Munich: Beck, 1980), 1–68; André Holenstein, *Die Huldigung der Untertanen. Rechtskultur und Herrschaftsordnung (800–1800)* (Stuttgart and New York: G. Fischer, 1991), 409–17.

communication between villages and outside authorities was never wholly interrupted. Second, their petitions also point to the ways in which political identities were produced in the first place. Historians are accustomed to inquire after the social or economic causes of rebellion, which is another way of asking what clusters of material interest or utopian imaginings prompted an individual or group to cross the many thresholds that distinguished peaceable self-assertion from “manifest” and “violent” forms of resistance to authority.¹⁶ But rarely do we ask how a person managed to become a “loyalist”: we take it for the default mode, so to speak, a state of passive inaction, on the unspoken assumption that only a defiant stance toward authority could reflect truly communal interests.¹⁷ But this is to conflate description with the self-exculpatory language of petitions. As the Nordbrookmerlanders’ petitions show, such identities were not attributed after the rebellion, nor were they simply imposed from above and outside the world of the village; nor, for that matter, were they the consequence of passivity in the face of social conflict; nor, finally, were they produced outside the modalities of normal communal decision-making. Rather, political personae were fabricated within the tumult itself: The petitions show people actively engaged in an ongoing process of their own political and judicial classification as loyalists, a process in which petitioning was understood to establish continuity between a turbulent present and a placid future.

To conceive of pacification as nothing more than the cruel product of prosecutorial vision is, therefore, to overlook much of a larger and more nuanced picture. A better and more interesting approach, I think, is to analyze pacification as a dialectical process of self-fashioning and information exchange, in which petitioning and policy-making evolved in tandem, affecting each other at every stage. The organization of this essay, accordingly, corresponds to the sequential phases of this dialectic, as it played out in the coastal lowlands of East Frisia. In the first section, I show how petitions for relief supplied the princely administration with the elements of a hypothesis about the social and organizational bases of factional division in rural East Frisia, a hypothesis that I will call the “social interpretation” of rural factionalism. The second part examines the rhetorical strategies that many subjects deployed in order to encourage the perception that they were “loyalists” and shows how protestations of helplessness

¹⁶ By far the most sophisticated analysis of such border-crossings is Suter, *Der Schweizerische Bauernkrieg*. For the distinction between “latent,” “manifest,” and “violent” forms of resistance, see Winfried Schulze’s seminal *Bäuerlicher Widerstand und feudale Herrschaft in der frühen Neuzeit* (Bad Canstatt: Frommann-Holzboog, 1980), 89–114.

¹⁷ An important exception is Andreas Würzler, “Diffamierung und Kriminalisierung von ‘Devianz’ in frühneuzeitlichen Konflikten: Für einen Dialog zwischen Protestforschung und Kriminalitätsgeschichte,” in *Devianz, Widerstand, und Herrschaftspraxis in der Vormoderne. Studien zu Konflikten im südwestdeutschen Raum (15.–18. Jahrhundert)*, ed. Mark Häberlein (Konstanz: Universitätsverlag, 1999), 317–47.

provided moral cover for negotiating the terms of subordination. A third section shows how the princely administration translated its social interpretation of civil unrest into a finely honed set of pacification tactics, and also how the process of implementing them exposed its inability to account for the full complexity of social and political relations in the countryside. Inevitably, perhaps, the implementation of pacification tactics generated unforeseen consequences—among them a number of charges to the wealth of “loyalists.” The fourth and final section unpacks a set of conceptual tensions that formed around the regime’s tendency to think about guilt and innocence in personalizing terms. Here, too, the government’s aims proved to be at loggerheads with the subjects’ more collectivizing notion of responsibility for the consequences of public actions. Once again, petitions for relief supply the crucial information on subjects’ attitudes. My conclusion will situate these findings in the important but badly understudied history of pacification in early modern Europe.

Petitions and the “Social Interpretation” of Rural Factions

On Christmas Day, 1717, a storm flood broke through East Frisia’s outer dike, temporarily submerging about one third of its territory and killing nearly three thousand people and more than fifteen thousand head of livestock—horses, cattle, pigs, and sheep. Nine hundred twenty-two houses were swept away and another sixteen hundred were damaged.¹⁸ Renewed flooding in February 1718 exacerbated the calamity further; the New Year’s flood of December 31, 1720 eliminated months of repairs to dikes and drainage canals. Indeed, damage to East Frisia’s defenses against the sea was so severe that parts of the territory remained under water for years afterward. As if flooding were not enough, these disasters had been preceded in 1715 by an outbreak of rinderpest, which carried off sixty thousand head of livestock, and in 1716 by a plague that “filled our fields with thousands, even millions” of mice.¹⁹ For East Frisia, the late teens were a time of calamities on a pharaonic scale.

As the brutal logic of ecological disaster required, the inundation generated immense new costs to public finances at the same time that it wrecked the region’s economic foundation. Under the circumstances, East Frisia was compelled to borrow millions of gulden and to impose a special head tax to finance

¹⁸ Manfred Jakobowski-Tiessen, *Sturmflut 1717. Die Bewältigung einer Naturkatastrophe in der frühen Neuzeit* (Munich: Oldenbourg, 1992), Tabellen, 270–84; Jakobowski-Tiessen, “Ostfriesland in der Krise: Die große Flut von 1717 und ihre Folgen,” in *Kopfschatzung 1719*, ed. Erhard Schulte (Aurich: Upstalsboom-Gesellschaft, 1999), 7–11.

¹⁹ Rolf Uphoff, “Viehseuche in Ostfriesland im 18. Jahrhundert,” *Ostfreesland. Ein Kalender für Jedermann* (1997): 121–131; (1998): 125–30; and Walter Hollweg, *Die Geschichte des älteren Pietismus in den Reformierten Gemeinden Ostfrieslands von den Anfängen bis zur Grossen Erweckungsbewegung (um 1650–1750)* (Aurich: Ostfriesische Landschaft, 1978), 58–61. The quotation is from Hollweg.

dike repairs. Not surprisingly, the inundation also generated a political crisis: In an effort to expedite repairs, the newly appointed chancellor, Enno Brenneysen, tried to assert the authority of Prince Georg Albrecht to oversee the county's fiscal administration; this in turn sparked conflict with the territorial Estates, which since 1611 had enjoyed a near monopoly over administration of the county fisc. Caught between the two parties was a class of well-to-do freeholding farmers, the so-called *Hausmannstand*, which was represented by communally elected delegates to the Third Chamber of the territorial diet. By 1726, civil administration in East Frisia was on the verge of collapse. The conflict between prince and diet had soon escalated to civil war, with each side vying for access to the political loyalties, labor, livestock, and moneybags of the rural population.²⁰ Eventually the prince prevailed militarily in April 1727. But no outcome was inevitable, and in 1726, it looked as though the prince might very well lose the fight—so much so in fact that the Privy Council seriously considered parlaying with the forces arrayed against it.²¹ Either way, success would depend on each side's ability to enlist the material and ideological support of rural folk or to destabilize the other side's supports.

Brenneysen's method centered on undermining the Estates' basis of support among the rural population. It was predicated on a "social interpretation" of East Frisia's domestic conflicts, a hypothesis that I argue was derived from information contained in petitions for relief from villages throughout East Frisia. The social interpretation was based on the twin propositions, first, that non-noble, freeholding farmers—the *Hausmannstand*—constituted the backbone of support for the territorial Estates against the prince, and second, that the deepest and most easily exploited rift in rural society was that which ran between freeholders and their tenants. Membership in the *Hausmannstand* was restricted to adults who owned outright twenty-five *Grasen* of cropland (about 9.2 hectares).²² Even though many domain tenants tilled far more than this, their status as tenants excluded them from any formal role in the village's

²⁰ The definitive account of these events is Bernd Kappelhoff, *Absolutistisches Regiment oder Ständeherrschaft? Landesherr und Landstände in Ostfriesland im ersten Drittel des 18. Jahrhunderts* (Hildesheim: August Lax, 1982). Much was at stake in maintaining these distinctions, since two members of the *Hausmannstand* sat on a committee that oversaw the day-to-day administration of county finances.

²¹ StAA Rep. 4 B II w 13, "Conferenz Protocoll consilii intimi dd 11. Mart. 1726 wegen des den vormahligen Administratoren erregten Auftruhrs w. der im Amte Lehr und sonst continuirenden Streittereyen und Gewalthätigkeiten, und dagegen vorzukehrenden Anstalten."

²² According to rules laid down in 1620, franchise also extended to any male who owned full or half hide (*Herd*) in East Frisia's poorer sandy hinterlands. These provisions excluded poorer freeholders, village artisans, and all rent-paying tenant farmers. For overviews of territorial law governing the electoral franchise of the Third Estate, see Joseph König, *Verwaltungsgeschichte bis zum Aussterben seines Fürstenhauses* (Göttingen: Vandenhoeck & Ruprecht, 1955), 326–28; Harm Wiemann, "Die Bauern in der ostfriesischen Landschaft im 16. bis 18. Jahrhundert," in *Bauernschaft und Bauerstand 1500–1970. Büdinger Vorträge 1971–1972*, ed. Günther Franz (Limburg: August Starke,

decision-making or corporative representation. The Hausmannstand therefore constituted a socio-political as well as an economic village elite. In contrast to seigneurial tenants on noble estates or the prince's domain lands, people who rented farms from freeholders could claim no secure right of usage over the lands they tilled and enjoyed neither reciprocal protections nor the advantage of rents fixed under custom or territorial law. By setting tenant against freeholder, Brenneysen thought he could undermine the social foundation of political support for the Estates in the East Frisian countryside. Because rents were a major source of wealth for several leading figures in the opposition, moreover, he could also exploit those tensions to punish his opponents personally as well. As we shall see, the pacification scheme that Brenneysen crafted was designed to achieve all these objectives at once.

But where did this interpretation come from? It is a question that points to important problems of official knowledge and the communicative circumstances under which it was produced in early modern Germany. Here, memory of the freeholders' past behavior presented no unequivocal guide to action. Sabine Heissler has shown that in the late seventeenth century, the Hausmannstand and its representatives in the territorial estates had not proven to be an especially predictable ally for opponents of the prince.²³ Sometimes the Hausmannstand allied itself with the representatives of the East Frisian nobility or the chamber of cities, but sometimes they did not. Rather, the Third Chamber tended to align itself with any group that would help diminish the threat of ecological disaster and against any policy that might encumber communes and the governing elites within them. This could produce alliances with the prince against Emden as often as the reverse. For example, the city's notorious reputation for foisting the burden of dike repairs onto the rural population meant that the rural representatives' tendency to ally with the prince was strongest in the aftermath of flooding. The result of these instabilities was what contemporaries referred to as the "East Frisian singularity," i.e., the tendency of its territorial estates to collapse into poorly organized coalitions of *curiae* and individual delegates. In addition, these experiences offered little indication of tensions within the rural population, let alone how they might be exploited.

Far more detailed and pertinent than memory, petitions provided an ideal source for this kind of local, social knowledge. The advantage they presented to people in distress was the prospect, however remote, of provoking princely intervention. In East Frisia, petitions were submitted directly to a Privy Council (*Geheimer Rat*), a body that had only two regular members, the chancellor and the princely *Hofmarschall*. When the latter office was allowed to go vacant in

1975), 153–64; Kappelhoff, *Absolutistisches Regiment*, 32–34; and Sabine Heissler, "Die 'ostfriesische Singularität': Die politische und soziale Stellung der ostfriesischen Landstände im beginnenden Absolutismus, 1660–1690" (Ph.D. diss., University of Mannheim, 1995), 81–85.

²³ Heissler, "Ostfriesische Singularität."

1725, only Chancellor Brenneysen remained.²⁴ In East Frisia as elsewhere in the face-to-face world of Germany's small states, access to the loftiest authorities was often available for the asking. It should come as no surprise that as the constitutional struggle heated up, petitions for relief began streaming toward the Privy Council's address in Aurich. In the loamy, coastal districts of Emden, Leer, and Greetsiel, especially, relief petitions indicated to Brenneysen both the depth of involvement by freeholders in mobilizing resources for the territorial estates and the costs of these interventions to the freeholders' tenants.

In 1726, for example, the Estates pressured villagers to boycott the payment of excise taxes to princely assessors, to pay them to the estates' own collectors instead, and also to contribute a weekly war tax, or *Wochengeld*, assessed at the rate of one *Witte* [= 1/200 East Frisian gulden] for every *Gras* (0.368 hectares) of land under cultivation.²⁵ This *Wochengeld* had been enacted by an ad hoc assembly of the *Hausmannstand* in the two rural administrative districts headquartered in Greetsiel and Emden on February 26, 1726.²⁶ Between them, these two districts comprised almost all villages in coastal terrain north of the city of Emden up to the Norden sound, the most agriculturally fertile region in East Frisia and one of the wealthiest. If war taxes were to be had anywhere in East Frisia, this was the place. Not surprisingly, petitions requesting protection from these imposts began arriving on the chancellor's desk almost immediately.²⁷ These, in turn, revealed that the *Wochengeld* was being assessed not against the *owner-proprietors* of landed property but against its actual *cultivators*, who of course included tenants. To put the matter bluntly, landowners, including a large segment of the *Hausmannstand*, were shunting *Wochengeld* payments onto their tenants.

More revealing for present purposes were relief petitions that indicated the potential uses of the landlord-tenant bond as a tool of pacification. As we shall see, these petitions exerted a profound influence over the structure of pacification as it emerged in 1727 and 1728. Specifically, the regime found out that its opponents were attacking the tenants of princely officials and other "loyalists" as a means to undermine socially the fiscal foundation of the monarch's power. Emden patricians, as the chancellery learned from petitions that arrived in March 1726, were using their power over tenants to press them into service

²⁴ This according to a new *Kanzleiordnung* promulgated in 1720; see König, *Verwaltungsgeschichte*, 42, 91–92.

²⁵ On *Wochengeld*, see StAA Rep. 4 C III b 29, "Bericht des Drostens [von Specht] zu Pewsum," October 18, 1726.

²⁶ StAA Rep. 4 C III b 21, "Vereinigung der Ämter Emden und Greetsiel," February 26, 1726. Over the following months, the resolution appears to have been ratified at district assemblies and village communes. See, for example, StAA Rep. 4 C III b 34, Resolution of the Ostervogtei, Amt Greetsiel, April 11, 1726.

²⁷ See, for example, StAA Rep. 4 C III b 32, Supplication of the Niederreiderland communes, July 11, 1726.

as militiamen and sentries.²⁸ Then in August and September, the Estates' leaders launched a campaign of intimidation against domain tenants and the tenants of prominent "loyalist" freeholders, who were told to cease paying rent and to pay *Wochengeld* or suffer heavy fines if they refused to comply.²⁹ Evidence for the timing, scope, and coherence of this campaign comes mainly from petitions for relief: A compilation of petitions from domain tenants in Ditzum, for example, showed that the Estates' militia had seized livestock in value estimated at nine thousand gulden.³⁰ In September 1726, the domain tenants of Upleward sent a letter protesting that the "rebels" had confiscated Haike Gerdes' bull for falling two weeks in arrears on *Wochengeld* payments.³¹ According to a petition from Gerd Wessels, domain tenants living north of the Ems estuary had been forced to give up their horses or suffer a thirteen hundred gulden collective fine; the same threat was made against domain tenants living south of the river, as a petition from Jacob Claesen attests.³² To top it all off, the tenants of prominent "loyalists" were subjected to extraordinary fines and exactions as proxies for their landlords.³³ Thus Brenneysen's own tenant in Suiderneuland, Albert Betten, was threatened with severe fines if he dared to pay his rent.³⁴ The campaign swept throughout East Frisia, from the Reformed parishes of the Reiderland region, near the Dutch border, to the northern and predominantly Lutheran district of Berum.

²⁸ StAA Rep. 4 C III b 32, Report of Jacob Haits, Heuermann in Canhusen, March 5, 1726.

²⁹ StAA Rep. 4 C III b 29, "Des Jacob Claesen Anzeige wegen der ihm . . . zugefügten Gewaltthätigkeiten," October 9, 1726. In May 1726, it was resolved to impose *Wochengeld* on the tenants of noble lands; StAA Rep. 4 C III b 34, Report of Rentmeister Schmidt, Greetsiel, May 27, 1726. During the Estates' muster of troops and funds in July and August 1726, domain tenants came under especially intense pressure to pay *Wochengeld* or suffer the consequences. See StAA Rep. 4r C III 29, Supplication der fürstl. Heuerleute zu Dünebroeck," [July] 1726.

³⁰ StAA Rep. 4 C III b 29, "Registratur Commissionis die von denen Renitenten in Nieder-Reiderland verübte Spoliationes betr.," August 13, 1726.

³¹ ". . . bächten, daß man ihnen Instruction und Anweisung geben möchte, wie sie sich in dieser Sache zu verhalten"; StAA Rep. 4 C III b 29, Heuerleute of Grasshaus Pewsum to E. R. Brenneysen, September 5, 1726. See also *ibid.*, Supplication of Erbpächter and Heuerleute in Amt Berum, September 2, 1726.

³² StAA Rep. 4 C III b 29, Gerd Wessels to E. R. Brenneysen, September 10, 1726; *ibid.*, "Des Jacob Claesen Anzeige," October 9, 1726.

³³ StAA Rep. 4 C III b 32, Report and Petition for Relief from Pastor J. E. Emmius to "Vielgelehrter Freund" [E. R. Brenneysen], Klein Midlum, March 16, 1726. See also *ibid.*, "Des Rentmeisters zu Greetsyl . . . Bericht vom 30 Marty 1726" concerning the Estates' attempt to collect dike maintenance contributions from his tenant, Dirk Jansen of Freepsom. These supplemental exactions continued well into February 1727; see *ibid.*, "Extract uit een brief van Emden," February 14, 1727.

³⁴ StAA Rep. 4 C III b 29, Albert Betten to E. R. Brenneysen, October 12, 1726. As if to drive the point home, Betten was compelled to supply fodder for the horses and cattle that the Estates' militia had confiscated from domain tenants in the nearby villages of Marienhafte and Uppant. See StAA Rep. 4 C III b 29, "Registratur von der Rauberey und Gewalt so an des H. Geh. Rat und Cantzlers Brenneysen Heuermann ausgeübet worden," December 12, 1726.

Of course, the chancellor did not rely exclusively on petitions for information about local conditions. Throughout the conflict, Brenneysen drew heavily on reports by district officers and unofficial local correspondents, such as the Reformed pastor of Klein-Midlum, Johann Emmo Emmius.³⁵ For the most part, however, these confirmed what the chancellor was hearing from tenants who lived in regions that were largely under the Estates' control: that in the rural districts of Emden, Leer, and Greetsiel, especially, the enfranchised freeholders formed the Estates' most reliable source of material aid and political capital and that tenants were especially vulnerable to coercive manipulation by them. On the other hand, the circumstances of conflict in East Frisia were such that official reports themselves were becoming more and more dependent on the observations of others for first information about local conditions. During the spring of 1726, district officers had come under increasing pressure to switch loyalties to the Estates or face the prospect of imprisonment in Emden. None turned sides, but many were compelled either to abandon their posts or retreat to the relative safety of fortified administrative headquarters. The upshot is simply this: Official reports and letters such as those of Pastor Emmius often turned out to be little more than distillations of petitions and denunciations collected locally.³⁶ Thus, the circumstances of constitutional strife transformed district reports into conduits for the indirect transmission of petitions and their contents.

The Rhetoric of Good Intentions

Two aspects of these exchanges are particularly noteworthy for exposing the influence of petition writing on pacification tactics. First, they show just how porous villages and communes remained, even in the midst of armed confrontation between prince and diet. There were, to be sure, parts of East Frisia where communal closure was achieved and epistolary traffic with the prince was effectively shut off. But this zone was relatively small and confined to the area immediately surrounding the city of Emden. Within this region, a large part of the arable land was owned by patrician families in Emden who occupied a leading role in the Estates' opposition to Georg Albrecht. From every other district of East Frisia, petitions and communications of all sorts—denunciations, publications, official reports, memoranda—streamed toward the prince. In a few cases, it is possible to reconstruct the route by which petitions for

³⁵ Pastor Emmius kept Brenneysen well informed on developments in the Niederreiderland district; see, for example, StAA Rep. 4 C III b 32, J. E. Emmius to E. R. Brenneysen, February 17, 1726. Emmius served in Klein-Midlum from 1712 to 1748.

³⁶ A good example of this is a report by the presiding officer (*Drost*) of Greetsiel district, which conveyed the information contained in a petition for relief from Arend Willems of Cirkwehrum and Wilke von Asse of Uttum, both of whom begged that their names be kept secret; StAA Rep. 4 C III b 30, Report of Drost Christian Eberhard von Specht, April 13, 1726.

relief reached their addressee: Communes on the left bank of the Ems, for example, sent their petitions via couriers who, surreptitiously and at considerable personal risk, crossed the estuary at Oldersum and continued through heathland toward the capital, Aurich.³⁷ The Estates could not impede this traffic: We know from a smuggled letter, ironically enough, that the Estates had forbidden pastors to send clandestine reports to Aurich.³⁸ Everyone knew this traffic was going on and had become grist for the mill of local recrimination. In the village of Klein-Midlum, for example, one woman blamed Emmius' plaintive letters for the harsh treatment their commune received at the hands of the Estates' militiamen.³⁹ Goeke Tholen, calling Pastor Emmius a blighter (*Kerl*) for sending "his boys around with letters," wanted "to tear the wig off his head."⁴⁰

Second, these exchanges portray rural people in the thick of crafting their own identities as "loyalists" of the prince. Many petitioners, especially domain tenants, were natural targets of the Estates' antagonism, and we should not imagine that they had much control over their own factional identities. But domain tenants were a tiny (if well-to-do) minority. For the vast majority of East Frisians, the possibilities for political self-fashioning were not exhausted with the polar alternatives of complete submission to one side or the other. Here, it is crucial to distinguish between the pressures that East Frisians faced and the way they presented their situation to the authorities. In fashioning their political personae, petitioners cultivated the impression that their options were stark and bipolar in order to account for the apparent discrepancy between "well-intentioned" attitudes and "rebellious" actions. To bridge this gap, petitioners portrayed their own will as resting on a firm motivational ground of obedience that reduced all practical options to a Hobson's choice between utter capitulation to the Estates or physical annihilation. This maneuver enabled them to displace their own agency onto the prince: Only the failure of Georg Albrecht to protect his subjects could explain their exposure to manipulation by the Estates. Their implicit assertion was that loyalty and obedience were incapacitating. The more perspicacious East Frisians began to represent their motivations in this manner as early as the spring of 1726: on March 5, for example, a letter arrived from the inhabitants of Ditzum, who asked for the chancellor's protection against the forcible collection of war taxes. Other villages had already paid up, they informed the chancellor, but

³⁷ StAA Rep. 4 C III b 32, Report and Petition for Relief from Pastor J. E. Emmius to E. R. Brenneysen, Klein-Midlum, March 16, 1726.

³⁸ StAA Rep. 4 C III b 32, J. E. Emmius to E. R. Brenneysen, Klein-Midlum, July 21, 1726.

³⁹ See StAA Rep. 4 C III b 32, J. E. Emmius to "Wehrtester Freund" [E. R. Brenneysen], Klein-Midlum, March 11, 1726.

⁴⁰ StAA Rep. 4 C III b 19, "Anzeige was für gottlose Reden der Goeke Tholen und Johann Kreffting zu Kritzum von Sr. HochFr. Durchl. geführet haben," April 28, 1726.

we of Ditzum continue to resist [the Estates], indeed we resist from one week to the next, but we cannot do it any longer . . . If we must give the money [i.e., Wochengeld], we request that you will not take it badly.⁴¹

Also implicit in this plea was the suggestion that only the chancellor's neglect could fully account for his enemies' success at fundraising and with their potential for military victory against the Prince. The undertone of menace is unmistakable and reminds us that requests for protection were never far, rhetorically, from charges that the legitimating moral structure of state power had in fact collapsed. For their part, the prince's opponents were eager to suggest the consequences of this apparent rupture in the legitimating procedures of authority. Thus an Emden patrician challenged one Albert Jansen to explain his allegiances, asking "How can it help you to be a follower of the prince (*furstlick*)? [. . .] Run off with the prince, and then you will see what overwhelms you."⁴²

It should come as no surprise, then, that the loyalists' claim of incapacitation offered moral cover for evading rents and taxes. The residents of Osteel, for example, made it clear to the chancellery that duress precluded the regular payment of rents and taxes.⁴³ Coercion also precluded participating in overt demonstrations of loyalty: When a call went out to renew declarations of formal obedience to Prince Georg Albrecht in August 1726, no fewer than thirty-four communes responded with petitions begging for protection against the duress that prevented the supplicants from complying with his request.⁴⁴ Similarly, communes in the overwhelmingly "loyal" Friedeburg district resisted building breastworks in defense against invasion by the Estates' militia.⁴⁵ Several petitioners even insisted that the prince should pay for damages suffered at the hands of "rebels"; thus in February 1726, Jan Peters submitted a petition for relief, asking compensation for the destruction visited upon his house by Jacob

⁴¹ "Ferner machen ihnen auch bekant, daß wir von Ditzum es immer aufhalten, ja von einer Woche zur andern aufhalten, aber wir können es nicht länger aufhalten . . . So wir dan Geld geben müßen, so ersuchen wir Ew. Hochmögende Herr es nicht übel zu mögen nehmen"; StAA Rep. 4 C III b 32, Schreiben der Eingeseßenen zu Ditzum darinn sie sich beschwerten über die Drohungen derer von Jemgum und Ober-Reiderland wegen unrechtmäßiger Geld-Forderungen etc.," *praes.* March 5, 1726.

⁴² "Wat kan ju dat nu helpen, dat jy furstlick sind? . . . jy holen hehn wat ju nu overkunt"; StAA Rep. 4 C III b 32, "Registratur von den ärgerl. Reden, so der Rathsverwandter Haickes aus Embden auf öffentl. Teich geführet," July 15, 1726.

⁴³ StAA Rep. 4 C III b 29, "Anzeige einiger Eingeseßene Auricher Ampts," October 10, 1726.

⁴⁴ StAA Rep. 4 C III b 2, "Extract derer, von denenjenigen gehorsahmen Eingeseßenen unter derer Renitenten Zwange stehen, dem Commissarischen Patent vom 5tn Aug. 1726 zufolge eingelangten Anzeigen, worin sie anders nicht als aus Noth und Zwang es mit denenselben halten müsten, declariret, deswegen depreciret, und ihre vorige Submissions-Erklärung wiederhohlet" [ca. September 18, 1726].

⁴⁵ StAA Rep. 4 C III b 33, "Protocollum wegen des Widerstandes des Amts Friedeburg wieder den Überfall der im Lande herumerschweifenden Rebellen," August 29, 1726.

Campen, a local leader in the Estates' faction.⁴⁶ This sort of evasiveness also characterized relations between rural communes and the Estates.⁴⁷ Clearly, petitions for relief were more than helpless pleas for aid in an emergency, although many were certainly that as well.

There will be more to say in the third segment about the rhetorical structure of these petitions. For now, it is important to stress that the ambient coercion in East Frisia during the 1720s was *not* sufficiently incapacitating to prevent people who were of a generally "loyalist" disposition from using petitions to make claims against the prince through the vehicle of petitions for relief. To be sure, the penalties that people faced if they refused to pay *Wochengeld* were real. And some people were bound to receive harsh treatment by the Estates no matter how they answered the call for money, goods, and arms.⁴⁸ But the majority of subjects were thrust into a more complex situation, suspended between the mutually negating claims of two state-like agencies against their obedience and material resources.⁴⁹ All this competition made for a good deal of social and political stress, of course, but it would be misleading to argue that these circumstances rendered East Frisians helpless. On the contrary, these pressures *also* opened up opportunities to evade material exactions, to mold identities, and to renegotiate the terms of subordination. Indeed, any person who wished to avoid getting classified as a "rebel" had to engage, directly or indirectly, in a kind of impression management. These opportunities they proved only too willing to exploit. We cannot take these identities either as undifferentiated, predetermined, or simply attributive. Rather, political personae were fictional in the sense that they were at least partially subject to manipulation and narration by the people who bore them.⁵⁰

The point is full of implications for the historical study of pacification and the role of subjects' agency in its early modern manifestation. If we are going

⁴⁶ StAA Rep. 4 B V f, 10I, 281r–284v, "Supplicatio . . . an Seiten Johann Peters zu Wirdumb den ihm bey jüngster Ermächtigung einiger Leüthen . . . in seinem Haus verursachten Schaden . . . betr.," presented February 28, 1726.

⁴⁷ Thus Severin Schröder, a prominent organizer of the Estates' militia, demanded "with harsh words" from Warner Ter Braeck an explanation of "why he, as an Administrator of the Third Estate, did not have the inhabitants of his district under better control [*Zwange*] and subject to their will"; StAA Rep. 4 C III 34, "Der Beamten zu Greetshyl Bericht," April 29, 1726.

⁴⁸ It is difficult to imagine, for example, how Chancellor Brenneysen's tenant could have escaped plunder, even if he complied fully with the Estates' demands. And sure enough the tenant, Albert Betten, lost six of his best horses and four of his cattle, a loss worth seven hundred gulden, and that even after satisfying an earlier requisition for fodder; StAA Rep. 4 C III b 29, "Registratur von der Rauberey und Gewalt," December 12, 1726.

⁴⁹ To no surprise, the princely regime prosecuted acts of defiance wherever it continued to hold the upper hand. Throughout 1725 and 1726, for example, the regime prosecuted Harm Addicks, Bene Engelcke, Claes Ludwigs, Broer Linesch, and Peter Hansen for writing and disseminating a text critical of an official sluice inspection; see StAA Rep. 4 C III b 61.

⁵⁰ See Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and their Tellers in Sixteenth-Century France* (Stanford: Stanford University Press, 1987), 3–4.

to analyze pacification as an interactive process, then we have to treat individuals and communities as conscious agents capable of weighing the risks of present action against the long-term costs of taking sides. This perspective is consistent with a conceptualization of the petition as *performance*, as a document that transcends the formal boundary between gesture and literary artifact. Here I have in mind principally the behavioral characteristics that petitions put on display and which Zedler's *Universal-Lexikon* emphasized in its paradigmatic definition of the petition as "a humble, troubled, and entreating plea."⁵¹ Petitions conveyed a demeanor, indicating a willingness to submit to a monarch's authority. This was echoed in the religious overtones of an etymological "congeniality between petitioning and praying—in German, *Bitten und Beten*."⁵² But petitions for relief also placed pressure on the addressee to behave according to certain "rules of the game" and, in accepting the petition, to cede some measure of *satisfactio*, however modest.⁵³ Like gifts, petitions carried within them the threat of enmity if the gesture was not reciprocated.⁵⁴

All this speaks against the idea that petitions for relief signified nothing more than a submissive posture toward authority, and in favor of the proposition that they reflected careful estimations of potential gain or loss and the need to cultivate a "loyalist" persona, if that was the path a person or community decided to take. For the Nordbrookmerland supplicants, the fundamental question that petitions for relief were intended to answer was how to maintain the reciprocities of power through epistolary gestures of deference under circumstances that abolished conventional modes of signaling an obedient attitude. Others, confronted with the same set of alternatives, hedged their bets and tried to cultivate a favorable impression with both sides.⁵⁵ Whichever path was taken, petitions for relief functioned as a kind of insurance against the threat of future prosecution. We cannot, therefore, take the content of petitions for relief at face value as indices of interests and attitudes that can be grasped apart from the manner of their representation.

⁵¹ Johann Heinrich Zedler's *Universal-Lexikon Aller Wissenschaften und Künste*, vol. 41 (Leipzig: Zedler, 1744), col. 365.

⁵² Würzler, "Voices from Among the 'Silent Masses,'" 15.

⁵³ Here I take my conceptual cues from Geoffrey Koziol, *Begging Pardon and Favor: Ritual and Political Order in Early Medieval France* (Ithaca: Cornell University Press, 1992), 59–77; and Gerd Althoff, "Demonstration und Inszenierung: Spielregeln der Kommunikation in mittelalterlicher Öffentlichkeit," *Frühmittelalterliche Studien* 27 (1993): 27–50.

⁵⁴ See Valentin Groebner, *Gefährliche Geschenke. Ritual, Politik und die Sprache der Korruption in der Eidgenossenschaft im späten Mittelalter und am Beginn der Neuzeit* (Constance: UVK, 2000).

⁵⁵ Thus Dirk Herlyn and Rolf Ebbels, for example, allowed themselves to be elected as delegates from their respective villages to "rebellious" assemblies of Greetsiel district; but they also attended a rump diet convened in Aurich by Georg Albrecht. Herlyn even did some spying for Brenneysen; see StAA Rep. 4 C III b 34, March 19, 1726 and *ibid.*, "Der Beamten zu Greetsyhl . . . Bericht vom 29. April den Umständen der am 25. in Grothusen anmaßentlich gehaltenen Ambts-Versammlung und dabey genommene Resolution betr."

Petitions and the Formation of Pacification Tactics

How, then, did petitions for relief influence the formation of pacification tactics? Their indirect effect is discernible in the way that Brenneysen employed his “social interpretation” toward the goal of pacification. This was most visible in two procedures. The first simply reversed the pressure that the Estates had put on tenants to withhold rent payments to loyalist landowners and redirected that pressure against “ringleaders” in the opposition to Georg Albrecht. In June 1727, only a few months after the Estates’ defeat, Brenneysen forbade the payment of all rent owed on land belonging to a group of ringleaders, most of them Emden patricians.⁵⁶ The penalty for paying rent to ringleaders would be a fine equal to double the amount of rent paid.⁵⁷ Significantly, this ban was to apply without regard for the *tenant’s* culpability in the recent strife. Thus, even “rebellious” tenants were required to withhold rents they owed to “ringleaders.”⁵⁸ Throughout the summer of 1727, tenants delivered lease agreements as proof of the rent they were now entitled to withhold. The sums in question were considerable: The holdings of the “ringleader” Warner ter Braeck in the districts of Greetsiel and Pewsum took in more than one thousand gulden in rents each year.⁵⁹ Lands belonging to the Emden council member, Hauwo B. Penneborg, were even more extensive and pulled down 3,257 gulden annually, according to one compilation.⁶⁰ In early 1728, Brenneysen modified the rent boycott decree and instructed the ringleaders’ tenants to start paying their rents into a special fund, to be administered by the princely government, which would be used to defray the costs of indemnifying damages inflicted on “obedient” subjects. It is impossible to determine the total amount that flowed into the prince’s coffers as a result of this pacification tactic. But we do possess precise figures for the summer of 1728: Between May and July of that year, Brenneysen’s state-sponsored rent boycott generated no less than 1,168 gulden for the special fund in the districts of Greetsiel, Emden, and Leer—

⁵⁶ StAA Rep. 4 B II w 17, 9r–12r, Privy Council Protocol, entry for June 4, 1727; StAA Rep. 4 C III b 70, vol. 1, “Specification dererjenigen Renitenten, welcher Heuren bey ihren Heuer-
Leuthen verarrestiret sind” [December 1727].

⁵⁷ StAA Rep. 4 C III b 70, vol. 1, Instruction to Beamte in Emden, Leer, Berum, Greetsiel, Aurich, and Stickhausen “wegen Arrestierung der Heuergelder der Eingesessenen in der Stadt Emden und in den Ämtern,” November 24, 1727; *ibid.*, “Registratur wegen der auf Serenissimi . . . Befehl verarrestirten Heuer-Gelder betr.,” November 26, 1727.

⁵⁸ On an *ad hoc* basis, Brenneysen also forgave rents in arrears owed on lands belonging to Emden patricians. See StAA Rep. 4 C III b 79, “Memoriale . . . ab Seiten Reind Hildebrands zu Twixlum die Supplicantis Eignern, dem Syndicus Hessling bey dem . . . Amtsgerichte zu Emden erschleichene . . . Mandata . . . betr.” (n.d.).

⁵⁹ StAA Rep. 4 C III b 70, vol. 1, “Specification derer bey der Kaiserl. Subdelegierten Commission ad depositum eingekommene Heuergelder,” [1728].

⁶⁰ StAA Rep. 4 C III b 70, vol. 1, “Die Arrestierte Heuer-Gelder des H. B. Penneborgs Heuerleute betr.” [1727].

the region in which the Estates' backing had been strongest and in which farms belonging to Emden patricians were most numerous.⁶¹ The salient point here is that this tactic was wholly imitative of the Estates' tactics from the previous year: Just as the Estates had pressured the tenants of prominent loyalists to withhold rent, so now "ringleaders" received the same treatment.

The second tactic must be understood in the context of policies announced by the regime while the conflict was still ongoing. In June 1726, East Frisians were promised indemnity for damages to private property inflicted by "rebels," if the victims could demonstrate that they had maintained an obedient attitude. In December 1727, "obedient" subjects were given four weeks to submit invoices for "damages suffered at the hands of rebels" (*derer von denen Renitenten erlittenen Schäden*).⁶² The invoice that Lücke Tammen Dirks presented gives an impression of their character. His "designation" of damages included thefts of cheese, cattle, clothing, and damage to lands and buildings, as well as injury to his honor, totaling 864 gulden.⁶³ The result of this indemnification policy was a veritable tsunami of petitions, some 2,600 of them, submitted for damages totaling in excess of 380,000 *Reichstaler* in value.⁶⁴

A different set of petitions shows that the unintended consequences of this policy began to pile up almost immediately. Even before the Estates had been defeated, tenants began interpreting the regime's indemnification policy to mean that they could also deduct *Wochengeld* from their rent payments, regardless of whether their landlords had been rebels. In October 1726, for example, Jacob Claesen claimed an indemnity of sixty *Reichstaler* for all the *Wochengeld* he had been forced to pay. Because Claesen was a domain tenant, the charge would not be borne by some "ringleader," but by Prince Georg Albrecht himself.⁶⁵

Given the privileged status of petitions, these requests were not so easily dismissed. From the regime's perspective, the problem with these claims was simply that *not* all landlords had been "rebellious," and that the "loyalists" among them could hardly be expected to compensate tenants for taxes paid to the "rebellious" Estates. Furthermore, it turned out that a large number of petitioners

⁶¹ StAA Rep 4 C III b 70, vol. 1, "Specification derer bey der Kayserl. Subdelegirten Commission ad depositum eingekommene Heuergelder" [1728].

⁶² StAA Rep. 28, 2834, Amtsgerichtsprotokoll Greetsiel, 1725–1731, pp. 160–1 (entry for December 21, 1727).

⁶³ StAA Rep. 4 C III b 63, "Designation . . . derjenigen Güthern so mir . . . Lücke Tammen Dircks von die Renitenten oder Rebellen so des Vaterlandes haben abgeraubet oder sonsten Schaden zugefüget sind wie folgt," Canum, December 3, 1727.

⁶⁴ A process of review adjusted this sum down to "only" 51,474 *Reichstaler*; Kappelhoff, *Absolutistisches Regiment*, 346–47.

⁶⁵ StAA Rep. 4 C III b 32, October 9, 1726. In his petition, Claesen made explicit this connection to Georg Albrecht's failure to protect a dependent from depredation by the Estates' faction.

were themselves implicated in the “rebellion,” or that their status as “loyalists” was dubious at best. District courts soon confronted large numbers of legal disputes between loyalist landlords and their tenants, the former suing the latter for failure to pay rent in full.⁶⁶ In an initial attempt to solve the problem, Brenneysen tried to hold loyalist landlords harmless from these compensation claims. If the landlord had taken no part in the “rebellion,” he determined in December 1727, the tenant would have no right to deduct *Wochengeld* but should simply accept the damage as a misfortune “that had overtaken him”; if, however, the landlord had been a rebel, the tenant would be allowed to deduct the full amount; finally, if both landlord and tenant had been rebels, the tenant would be allowed to deduct only half the cost of *Wochengeld*. This arrangement, however, meant that tenants living in districts that had remained largely loyal would not be able to redeem these costs as easily as tenants who lived in districts that had rebelled.⁶⁷ In January 1728, finally, the problem was resolved in a manner that weighed property relations far more heavily than considerations of obedience or disobedience. According to this ruling,

1. A tenant would be permitted to deduct *Wochengeld* payments *in their entirety* if the tenant had formally recognized the prince’s sovereign authority, in particular his right to oversee fiscal administration, and subsequently had taken no part in the rebellion. This would be permitted whether the landowner “had been guilty of rebellion or not”;
2. If the tenant had participated in the rebellion, no deductions would be allowed, unless it could be proven that the tenant had acted under duress, in which case the tenant would be indemnified with the money penalties extracted from “ringleaders”;
3. If both tenant and landlord had “taken part in the rebellion,” then the tenant would be allowed to deduct fifty percent of the *Wochengeld* from rent payments.⁶⁸

During the first half of 1728, this new settlement generated still more petitions requesting permission to deduct *Wochengeld* from rent payments, with

⁶⁶ StAA Rep. 4 C III b 79, “Bericht des Amtsmanns zu Lehr . . . wegen zwischen Eignere u. Heuerleute über die . . . Wacht etc. vorkommenden Disputen,” November 19, 1727.

⁶⁷ StAA Rep. 4 C II b 79, “Fürstl. VO wie es zwischen Eigeneren und Heuerleuten wegen der . . . Wochengelder und sonsten zu halten sey,” December 9, 1727.

⁶⁸ StAA Rep 4 C III b 79, Decree of the Imperial Sub-Delegated Commission, Aurich, January 7, 1728. Claims against damage to moveable goods belonging to tenants would be liquidated out of money fines collected from “ringleaders” and “rebels.”

more than two hundred claims winding up in litigation.⁶⁹ Typical of these was a dispute between an absentee landowner, one Baron von Scheffert, and his tenants in the village of Weener, Gerriet Jürgens and the widow Heetje Albers. Jürgens and Albers wanted Scheffert to compensate their Wochengeld payments retroactively in cash and sued him when restitution was not made; Scheffert counterclaimed, arguing that Jürgens and Albers had inflated their damages.⁷⁰ In about one third of these lawsuits (34 percent), all or part of the tenant's claim was conceded; in almost all of them, some portion of the indemnification costs were laid at the landlord's doorstep. The list of landowners who were required to compensate their tenants for Wochengeld payments included many "ringleaders," but there were also quite a few loyalists in the group, among them several high-ranking, loyalist officeholders such as Johann Stürenburg, the Fiscal Overseer (*Rentmeister*) of domain lands in the Aurich district; Johann Friedrich Smid, Fiscal Overseer in Greetsiel; Dr. Stephan R. Kettler, District Magistrate (*Amtmann*) in Leer; and Hermann Rösing, the Reformed pastor of Weener.⁷¹

To sum up: A pacification policy informed by petitions for relief wound up generating charges to the wealth of landlords *as such*, irrespective of whether the landlords in question had been "loyal" or "rebellious." Also among the many unforeseen consequences of this policy was a disruption in East Frisia's system of rural credit. A petition that arrived in February 1728 indicated that the state-sponsored rent boycott had effectively nullified the ability of certain "rebellious" landlords to make payment on loans they owed to loyalist creditors.⁷² Here, too, the practical consequences of Brenneysen's social interpretation resulted in material damage to "loyalist" subjects.

In a final twist, tenants appropriated the regime's indemnification policy justification to withhold rents unilaterally, attempting, in effect, to enlist the aid of tribunals of princely justice to enforce a rent strike.⁷³ It must be emphasized

⁶⁹ StAA Rep. C III b 79, "Index der zwischen denen Heuerleuthen und ihren Eignern bey der Käys. Subdelegierten Commission wegen der von jenen *pendente rebellione* bezahlten Wacht- und Wochen und andere Gelder *ventilirten* Acten" [1728].

⁷⁰ StAA Rep. C III b 70, "Memoriale von Seythen des Hn. Barons von Schefferts Heuerleuthen zu Wehner, Heetie Albers and Geriet Jürgens dererselben eingeschickte Rechnungen von denen *tempore rebellions* abgezwungene Wacht- und Commando Geldern . . . betreffend."

⁷¹ StAA Rep. 4 C III b 79, Protocollum Commiss. Caesar. die Streitigkeiten zwischen Eigernern und Heuerleuthen derer zur Zeit der vorgewesenen Rebellion ausgezahlten Wacht- und Wochen-Gelder betr. An: 1728.

⁷² StAA Rep. 4 B IV d 109, 8r-9v, "Unterthänige Supplication um . . . Salvation derer durch der vorgewesener Rebellion einzutreiben, versperter, nunmehr aber durch von denen Eigernern verfügte Conscription praecludirter Liquididen Forderungen ab seiten Meindert Helmers zu Jemmingen," *praes.* February 28, 1728.

⁷³ See the case of Reind Hildenbrand v. Gerhard Hessling, Snyic of Emden, StAA Rep. 4 C III b 79, no. 198 [1728].

that as far as we can tell, all of these outcomes were wholly unanticipated. But once Brenneysen had committed to a policy of indemnifying the Estates' war tax and other burdens on the basis of his social interpretation, the chancellor was unable to extricate himself from the consequences of his entanglement with property relations, credit, and the social tensions that enveloped both. Exactly how great the damage was to loyalist landowners, we can no longer reconstruct with any precision. Alas, we also do not know whether Brenneysen indemnified his own tenant, Albert Betten, for the *Wochengeld* he had been forced to pay.

But no final tally is needed to support a larger point about the dialectical relationship between petitions and the formation of pacification tactics. None of the interventions described so far had a clear precedent in East Frisia's long history of internal strife and contention. As far as I can tell, all of them emerged immediately from the regime's experiences of conflict with the territorial estates and the way it played out in the countryside. This only increased the regime's dependence—heavy even in quiet times—on petitions as sensors of local conditions. Their mediating influence, as we have seen, left its mark both on Brenneysen's "social interpretation" and on the pacification tactics that he derived from it. And as the process of implementation shows, their stimulus did not cease when the Estates' militiamen fled the field of battle in April 1727. Rather, the dialectic rolled on uninterrupted, as people read pacification decrees, acted on their own interpretations of them, and then watched as the regime adapted to responses it had not been able to foresee.

Petitions and the Construction of Guilt

The effects of self-fashioning were also apparent in the most conventional method of repression that Brenneysen's regime deployed—the criminal prosecution of rebellion. To be sure, subjects exerted little structuring influence on the overall approach. Rebellion was a crime, after all, and its prosecution was governed by well-established rules of criminal procedure and informed by the precedents of earlier revolts and their repressions going back to the Peasants' War of 1525. Consequently, definitions of culpability were resilient to shaping from below, whether through the channel of petitioning or by any other means. The princely government, furthermore, was empowered to apply these definitions independently of any other judicial authority. There is a textbook quality to Chancellor Brenneysen's methodology, especially his decision to compile a comprehensive register of rebels, to assess fines according to wealth and degrees of guilt, and to defray the extraordinary costs of repression, as far as possible, from the proceeds. To this end, Brenneysen's officials set about the task of classifying the entire population as innocent or as culpable by three degrees—heavy, moderate, and small—and the guilty were then fined on a weighted scale of

penalization assessed against total personal worth, estimated to the nearest hundred gulden:⁷⁴

Scale of Fines (in *Schaf*) According to Degree of Culpability

Personal Worth (in Gulden)	Unit of Assessment (in Gulden)	Heavy	Moderate	Small
0–500	100	6.0	4.0	2.0
600–1,000	100	4.5	3.0	1.5
1,100–5,000	1,000	27.0	18.0	9.0
6,000–10,000	1,000	18.0	12.0	6.0
11,000–25,000	1,000	13.5	9.0	4.5
25,000–100,000	1,000	9.0	6.0	3.0
> 100,000	1,000	6.0	4.0	2.0

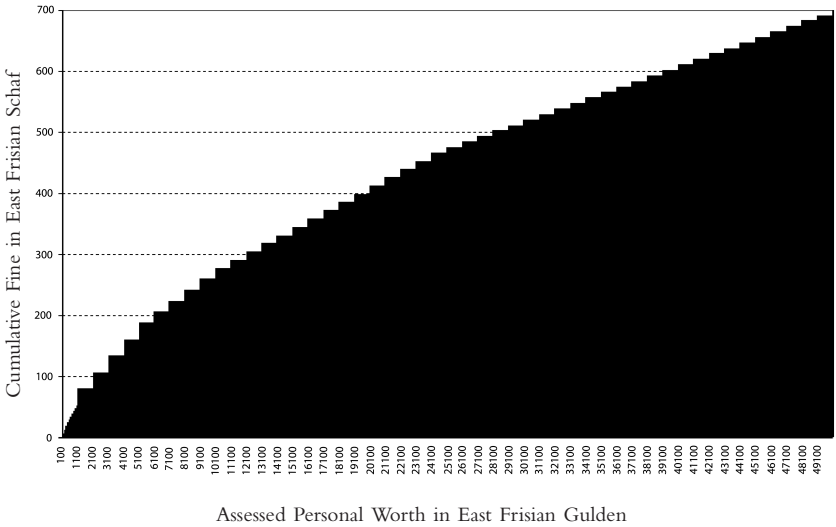
In East Frisian currency, 1 *Reichtaler* = 27 *Schaf*, 1 East Frisian gulden = 34 *Schaf*. See Engelbrecht, *Reformierte Landgemeinde*, Anhang 3, p. 235.

According to this scheme, an impoverished but “heavily culpable” (*schwer graviert*) day-laborer would be fined at a basic rate of six *Schaf* for every hundred gulden of personal worth up to five hundred; a “moderately culpable” person worth eight hundred gulden would be fined four *Schaf* for each of the first five hundred-gulden units of personal worth and three *Schaf* for each hundred-gulden unit on top of that; and so on.⁷⁵ Fines were scaled to increase according to assessed personal worth.

⁷⁴ StAA Rep 4 C III b 51, vol. 1, “Register, waß innenbenante Renitenten . . . liefern sollen,” 1727.

⁷⁵ See Kappelhoff, *Abolutistisches Regiment*, 344–346. Money fines for criminal behavior continued to be paid decades after the disturbances in East Frisia had run their course. Indeed, the major “Ringleaders” were still paying them off long after the native Cirksena dynasty died out and East Frisia was absorbed into the Kingdom of Prussia in 1743–1744. At the time of Prussian annexation, the *Kriegs- und Domänenkammer* conducted a comprehensive audit of the dynasty’s debts and incomes; among the latter was the unpaid balance of a 150,000 *Thaler* penalty imposed on the principal “ringleaders.” Predictably, these ringleaders hoped that Prussia would excuse the obligation, but the fiscally ever-watchful Prussian administration adopted a policy of strict adherence to the *status quo* and investigated the matter thoroughly. According to a list compiled for the occasion in 1748, 180 individual ringleaders still owed fines in 1744. Among them were Bernhard Heinrich von dem Appelle, the Emden mayors Wermelskirchen and Budde, Syndicus Gerhard Hessling, Hauwo P. Penneborg, Adolph Christoph Stoschius, Jacque de Pottere, and Sebastian Anton Homfeld—a veritable social register both of Emden’s patrician elite and the leadership of the Estates’ party against Prince Georg Albrecht in 1725–1727. The list can be found in StAA Rep. 6 (Preußische Kriegs- und Domänenkammer 1744–1806), Nr. 248 (Untersuchungen zu dem Fürsten von der kaiserlichen Kommission 1730 zugesprochenen Entschädigungsgelder von 150000 Reichsthaler). The breakdown by administrative district was this: Stickhausen two; Aurich four; Rysum four; Berum seven; Norden eleven; Greetsiel twenty-eight; Emden, more than thirty; Leer, more than one hundred. Thorsten Melchers is convinced that no fines were imposed after the Prussian annexation of East Frisia in 1744, and that the list served purely informational purposes.

Table 1: Fines for the “Heavily Culpable”



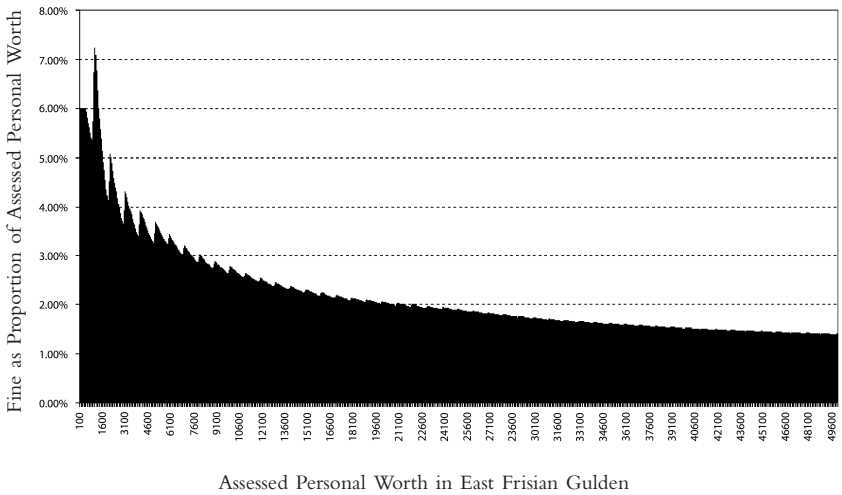
On the other hand, the marginal rates of penalization were regressive, so that in proportional terms, the burden fell heaviest on those least able to pay.

It turns out that someone worth 1,100 gulden would have been penalized at the highest cumulative rate, a little more than seven percent. For comparison's sake, the average personal worth of members of the Hausmannstand, at least if we go by the data that went into this register, was an order of magnitude greater, around 11,000 gulden, albeit with great variation from one rural district to the next. Nearly all day laborers, of course, would have fallen into the bottom wealth categories.⁷⁶ In an initial round of assessments, the

I am indebted to him for drawing my attention to these records (private communication, September 20, 1999).

⁷⁶ By comparing the 1727 *Renitentenregister* with head tax records from 1719, it is possible to get a rough idea of the wealth distributions in East Frisia. This comparison shows that resident enfranchised freeholders—the Hausmannstand—in the rural district headquartered in Greetsiel, north of Emden, had an average personal worth of just more than 29,800 gulden. In the rural district headquartered at Emden itself, the corresponding figure was approximately 12,600. These figures must be approached carefully, however, because they are based on on-the-spot inspections taken in 1727; they do not, therefore, take indebtedness into account, and they exclude people who entered a farm between 1719 and 1727 as well as the wealth of “loyalist” freeholders. An alternative approach is to examine average farm size in 1719, which yields approximately eighty-one Grasen for the Greetsiel district and sixty-two Grasen for the Emden district. But without precise data on land values, it is impossible to translate these data into estimates of personal worth. Using the first of these methods, we can say that the average personal worth of day laborers resident in the Greetsiel district was in the neighborhood of 960 gulden. The data for the Emden district are too scant to warrant an estimate.

Table 2: Penalization Rates for the “Heavily Culpable”
 (As a Proportion of Assessed Personal Worth in East Frisian Gulden)



government identified 1,118 rural people as culpable. Of these, 38.3 percent were classified as “heavily culpable,” 42.9 percent as “moderately culpable,” and only 18.8 percent were regarded as having “little culpability.”⁷⁷ The total sum of money fines imposed on them came to 3,038 Reichstaler, an average of two Reichstaler and nineteen Schaf per culprit.⁷⁸

Yet even criminal prosecution was not entirely immune to manipulation from below. As Karl Härter and others have pointed out, establishing guilt and imposing punishment were processes that involved far more than the application of legal norms and included the careful consideration of petitions submitted on the culprit’s behalf by family, kin, neighbors, and local elites. These interventions rarely disputed the verdict itself, but instead put forward information about the delinquent’s social “utility” as means of mitigating sentences or commuting dishonorable forms of punishment to money fines. In this phase, criminal prosecution became a process of labeling that was dependent “on the

⁷⁷ StAA Rep 4 C III b 51, vol. 1, “Register, waß innenbenante Renitenten . . . liefern sollen,” 1727. These percentages do not include a certain number of persons who were fined but whose classification was not recorded.

⁷⁸ The equivalent sum in East Frisian gulden was 8,200. These figures exclude fines imposed on the inhabitants of three towns—Emden, Norden, and Leer—who were convicted of criminal involvement in the rebellion.

communication between state, delinquents, and society” at large.⁷⁹ In East Frisia, petitions of this sort persuaded Chancellor Brenneysen to reduce or cancel the money fines of fifty-nine suspects—a little more than five percent of all cases. Taken together, their burden was cut in half, from 140 Reichstaler to 70. In most of these cases, moreover, the remission was accompanied by a downward reclassification from “heavy” to “moderate” culpability or down from “moderate” to “small.”⁸⁰

Still, it would be possible to assimilate these interactions into a view of pacification as a fundamentally discontinuous phenomenon that was predicated on ruptures in the flow of communication between state and society. Were not the adjustments that petitions provoked any more than minor corrections on an agenda driven by prosecutorial vision? Were they not symptoms of *restored* communication after a fundamental breach? Such an interpretation would overlook the fact that the criteria of culpability in rebellion were usually publicized not at the conclusion of a revolt but in the thick of it. In East Frisia’s case, subjects had known all along that two criteria—formal submission to the prince’s supervisory authority of fiscal administration and a continuous attitude of obedience throughout the conflict—were necessary for classification as innocent.⁸¹ Indeed, the whole dialectic of pacification presupposed a general awareness that penalization would be the consequence for specific acts of rebellion.⁸² Since the regime’s decrees were posted on church doors and announced from pulpits throughout the county, few could plausibly claim not to have read or heard them. And because no household was exempt from Wochengeld where the Estates had gained the upper hand, everyone was

⁷⁹ Karl Härter, “Social Control and the Enforcement of Police-Ordinances in Early Modern Criminal Practice,” in *Institutionen, Instrumente, und Akteure sozialer Kontrolle und Disziplinierung im frühneuzeitlichen Europa/Institutions, Instruments, and Agents of Social Control in Early Modern Europe*, ed. Heinz Schilling (Frankfurt: Vittorio Klostermann, 1999), 39–63, here 58–71; Härter, “Strafverfahren im frühneuzeitlichen Territorialstaat: Inquisition, Entscheidungsfindung, Supplikation,” in *Kriminalitätsgeschichte: Beiträge zur Sozial- und Kulturgeschichte der Vormoderne*, eds. Andreas Blauert and Gerd Schwerhoff (Konstanz: UVK, 2000). See also Gerd Schwerhoff, “Devianz in der alteuropäischen Gesellschaft: Umriss einer historischen Kriminalitätsforschung,” in *Zeitschrift für historische Forschung* 19 (1992): 385–414.

⁸⁰ On the other hand, the regime also adjusted the fines of some thirty-four delinquents *upwards*. Their combined penalty trebled, from thirty-two Reichstaler to ninety-one.

⁸¹ Decrees that defined this or that behavior as rebellious and susceptible to prosecution after order had been restored were posted on church doors and read from the chancel throughout the rebellion. See, for example, entries in the official log-book of the Greetsiel district court in StAA Rep. 28, 3627, vol. 1, and StAA Rep. 28, 2834.

⁸² In case after case, the regime invoked the culprit’s prior knowledge of the criminality of rebellious acts as an exacerbating factor; see, for example, StAA Rep. 4 C III b 6 1, “Acta in Regierungs-Sachen ex officio contra Johann Blancke [et al.], October 1728–February 1729. In this case, Reiner Schattenborg admitted that he had participated in the election of the “rebellious” assembly of the Hausmannstand, despite having heard a ban against the election read from the pulpit in Engerhufe.

vulnerable to the charge of complicity in the “rebellion” after the fact. This placed the burden of proof on subjects to document a “well-intentioned” attitude, despite the contrary evidence of actions that had already been deemed rebellious before the conflict between prince and diet became a shooting war. This they did with petitions for clemency, which appealed whenever possible to earlier petitions for relief submitted during the tumult. In this manner, repression brought to fruition a process of self-fashioning that had been underway, in some cases for years prior to 1727.

Petitions for clemency presented during the ultimate prosecutorial phase of the pacification process also exposed a tension between competing constructs of accountability. In contrast to the relentlessly personalizing idea of guilt that informed Brenneysen’s meticulous schedule of money fines, petitions for clemency often tried to draw accountability away from individuals and toward the village commune, collectivizing its meaning and consequences in the process. A typical instance is that of Jan Einers, who was prosecuted for having represented his village, Oldeborg, at an assembly of rural communes that met in the town of Norden in late 1726 and early 1727. The record of his trial contains a petition signed by twenty-one of his fellow residents, who swore that Einers had tried to excuse himself from election but had succumbed in the end to the commune’s “great pressure” (*hoge druck*).⁸³ Thus, the decision to comply with the Estates’ demands had been communal, not personal; therefore Einers could not be held responsible for his “rebellious” actions on the commune’s behalf. In this way, the collectivity of the village attempted to insert itself as an exculpating force between prosecutor and defendant, on the theory that Prince Georg Albrecht’s failure to “protect and defend” left no alternative to communal intervention.

Einers’ Augustan recusal of power was the moral and rhetorical glue that held this argument together. Even so, its operative assumptions remained, one, that no one acting at the commune’s behest should be held accountable for those actions, and two, that communal decisions taken *in extremis* were not subject to the same kind of penalization as individual transgressions. The village elders of Critzum pushed this logic to the point of demanding indemnification for the costs of taking arms against the prince. In April 1728, they petitioned Chancellor Brenneysen to dispense back-pay for two youths whom the village had “compelled” to serve in the Estates’ militia. In justifying their request, the Critzumers invoked the prince’s failure to defend them during the preceding autumn of 1726, when the Estates’ demand for recruits had first been made. Surrounded on all sides by hostile villages and threatened with “severe penalties” (*schwären Brüchen*) if they refused, the commune had had no choice but

⁸³ StAA Rep. 4 C III b 61, “Attestatum daß diser Jan Einers gezwungen sey, ein sogenannter Commun-Herr zu werden,” April 18, 1727.

to contribute men to the Estate's muster of troops in January 1727.⁸⁴ Accompanying the petition were affidavits indicating that the two recruits—Carsjen Jacobs and Berend Hinrichs—had acted *solely* at the community's behest and without any willful action on their own part.⁸⁵ But the two boys had never been paid. Now the elders asked that Prince Georg Albrecht give them back pay.⁸⁶ Here, a backward-looking appeal to duress—made plausible by reference to continuities of epistolary exchange in and through the conflict—retrospectively transformed acts of overt rebellion into grounds for indemnification. An extreme instance, perhaps, but altogether typical of subjects' attempts to modify the pattern of repression through epistolary appeals to continuities of information and exchange.

Conclusion

Odd as it may seem, there is no history of pacification in early modern Europe. There is, to be sure, an abundance of sociologically minded accounts of state-formation and the conditions under which state violence crowded out its domestic competitors.⁸⁷ With few exceptions, however, these studies treat rural populations as the passive objects of mobilization or coercion. Little attention is given to the methods that were deployed to restore order in the aftermath of social conflict, when the *ultima ratio* of state power ceased to be a latent presence in political interaction.⁸⁸ The potential effects of informational dependencies receive even less notice, therefore any conclusions are necessarily tentative and preliminary. With that in mind, the East Frisian case invites comparisons of three kinds: institutional, cultural, and sociopolitical.

⁸⁴ StAA Rep. 4 B IV d 76, "Unterthänigste Supplicatio um gnädigste Verhelfung zu der von der Critzumer Gemeine auf der letztere Norder Expedition verdienten Besoldung ab Seiten Carsjen Jacobs zu Critzum und Berend Hindrichs zu Ditsum Emders Amts," presented April 12, 1728.

⁸⁵ StAA Rep. 4 B IV d 76, "Attestatum für Carsjen Jacobs und Berend Hindricks wegen ihrer Verdingung zu'r Norder Expedition," February 13, 1728.

⁸⁶ The Critzumers were not alone in making such extravagant claims. Tenants in the village of Oldendorf, for example, asked permission to deduct the costs of paying recruits for the Estates' militia from the rent they owed to "rebellious" landlords; see StAA Rep. 4 C III b 79, "Supplicatio . . . um gnädige Approbation der gesuchten Bezahlung derer auf derer Renitenten Zwang gen Norden etc. gegangenen Mietlingen" [1728].

⁸⁷ See, for example, Anthony Giddens, *A Contemporary Critique of Historical Materialism*, vol. 2, *The Nation-State and Violence* (Berkeley: University of California Press, 1987); and Thomas Ertman, *Birth of Leviathan: Building States and Regimes in Medieval and Early Modern Europe* (Cambridge: Cambridge University Press, 1997); Charles Tilly, "War Making and State Making as Organized Crime," in *Bringing the State Back In*, ed. Theda Skocpol (Cambridge: Cambridge University Press, 1985), 169–91; Tilly, *Coercion, Capital and European States, AD 990–1990* (London: Blackwell, 1990).

⁸⁸ The most noteworthy exceptions are Wayne te Brake, *Shaping History: Ordinary People in European Politics, 1500–1700* (Berkeley: University of California Press, 1998), 8–21; and Peter Blickle, *Kommunalismus: Skizzen einer gesellschaftlichen Organisationsform*, 2 vols. (Munich: Oldenbourg, 2000).

The first concerns the institutional conditions that permitted self-fashioning to have such profound effects. What factors contributed to social attentiveness such as Brenneysen's? Even a cursory glance at roughly contemporaneous repressions indicates how differently other pacifications could play out. In seventeenth-century France, for example, pacification typically involved the speedy trial and highly public execution of relatively few ringleaders, followed by a grand act of amnesty for lesser culprits and hangers-on. Thus, during the Croquant Rising of Périgord in 1637, trials conducted by the *parlement* of Bordeaux took only a few months and condemned only four men to death. Then in June, the king granted a general amnesty to all but twenty-five of the worst offenders, asking in return only that the peasants pay the taxes they owed.⁸⁹ In contrast to East Frisia, there were no attempts to assess individual culpability on a societally comprehensive scale, and no effort to defray the costs of military intervention with imposts above and beyond those that had sparked the Croquant Rising in the first place. Even less did the king try to weaken rebellious nobles by authorizing rent strikes against them. As Howard G. Brown argues, repressions during a "Louisquatorzian" period after 1640 were distinguished by their savage brutality, especially against local elites who had joined in revolt, but not by any greater sensitivity to degree of personal guilt or innocence.⁹⁰ Common to most seventeenth-century pacifications in France, then, was a tendency to distinguish sharply between leading transgressors, whose executions were staged to maximize terrorizing effects, and collective political actors, who were treated with little regard for individual actions or motivations. This pattern was typical of Switzerland, too: There, repression of the Peasants' War of 1653 entailed the public execution of a few ringleaders coupled with relatively modest, collective penalties that bore on everyone, regardless of individual culpability.⁹¹ As in France, pacification was a highly ritualized occasion,

⁸⁹ Yves-Marie Bercé, *Histoire des Croquants: Études des soulèvements populaires au XVII^e siècle dans le sud-ouest de la France* (Geneva: Droz, 1974), 446–48; idem, *History of Peasant Revolts: The Social Origins of Rebellion in Early Modern France*, trans. Amanda Whitmore (Ithaca: Cornell University Press, 1990), 146–47.

⁹⁰ Howard G. Brown, "Domestic State Violence: Repression from the Croquants to the Commune (French Revolution)," *Historical Journal* 42 (1999): 597–622; and Arlette Lebigre, *Les Grands Jours d'Auvergne: Désordres et Répression au XVII^e siècle* (Paris: Hachette, 1976). For comparison, thirty rebels were sentenced to death after the relatively modest Roure revolt in the Viverrais (1670) and another one hundred sent to the galleys.

⁹¹ In the canton of Basel, for example, only seven persons were condemned to death. Their families, however, were not penalized with the confiscation of goods. Only forty-two others were punished with exile, house arrest, forced labor, and/or fines—a far cry from the more than one thousand "rebels" fined in East Frisia seventy years later. The costs of suppressing the revolt in Basel were defrayed by a general tax of twenty-three thousand gulden, to be paid over four years. See Andreas Heusler, *Der Bauernkrieg von 1653 in der Landschaft Basel* (Basel: Neukirch, 1854), 135–143.

stage-crafted to illustrate the “boundless power of the authorities and the helplessness of the condemned.”⁹²

The salient institutional comparison here is to the Holy Roman Empire, where a long-term process of the juridification (*Verrechtlichung*) of social conflict developed from around 1500 on. This process refers specifically to the deliberate opening of tribunals of imperial justice to litigants from all social ranks.⁹³ Immediately following the Peasants’ War of 1525, delegates to the Imperial Diet recommended both that conflicts between seigneurs and their subjects should be referred to territorial sovereign courts and that it should be possible to litigate grievances against territorial sovereigns before tribunals of imperial justice. None of this ended rebellion, of course. Most of the larger states of the Empire were able, sooner or later, to obtain immunities that prevented their subjects from appealing cases over the heads of sovereign courts.⁹⁴ But within most of the larger territories, the Imperial Diet’s reform proposals were applied. Court systems were centralized and stratified, enabling subjects to litigate grievances in provincial tribunals and appeal sentences all the way up to the lawgiver, if need be. In some cases, rebellion had prompted reforms of this sort even earlier: In Württemberg, for example, improved access to ducal justice through petitioning was one outcome of the “Poor Conrad” movement of 1514.⁹⁵ Similarly, Bavaria avoided the turbulence of 1525 because all complaints against ducal officials were reserved for the Court Council (*Hofrat*).⁹⁶ Especially in the smaller states of the Empire, juridification attenuated social conflict, kept it local, and blurred distinctions among the various forms of resistance. In contrast to the more explosive rebellions in France and Switzerland, consequently, uprisings often constituted but one tactic among many deployed by rural communities and groups within them along a continuum of resistance practices that included “peaceable” modes of self-assertion with more demonstrative or violent forms of resistance. Under such circumstances, the occasions for political differentiation and factionalization were simply greater; so were opportunities for tactical self-fashioning by subjects as “loyalists,” with or against

⁹² Andreas Suter, “*Troublen*” im Fürstbistum Basel, 1726–1740. Eine Fallstudie zum bäuerlichen Widerstand im 18. Jahrhundert (Göttingen: Vandenhoeck & Ruprecht, 1985), 525–531.

⁹³ Winfried Schulze, “Die veränderte Bedeutung sozialer Konflikte im 16. und 17. Jahrhundert,” in *Der Deutsche Bauernkrieg, 1524–1526*, ed. Hans-Ulrich Wehler (Göttingen: Vandenhoeck & Ruprecht, 1976), 277–302; Schulze, *Bäuerlicher Widerstand*, 76–85.

⁹⁴ Jürgen Weitzel, *Der Kampf um die Appellation ans Reichskammergericht. Zur politischen Geschichte der Rechtsmittel in Deutschland* (Cologne: Böhlau, 1976).

⁹⁵ Andreas Schmauder, *Württemberg im Aufstand. Der Arme Konrad 1514—Ein Beitrag zum bäuerlichen und städtischen Widerstand im Alten Reich und zum Territorialisierungsprozess im Herzogtum Württemberg an der Wende zur frühen Neuzeit* (Leinfelden-Echterdingen: DRW, 1998).

⁹⁶ Renate Blickle, “‘Laufen gen Hof’: Die Beschwerden der Untertanen und die Entstehung des Hofrats in Bayern: Ein Beitrag zu den Varianten rechtlicher Verfahren im späten Mittelalter und in der frühen Neuzeit,” in *Gemeinde und Staat*, ed. P. Blickle, 241–66.

their village communities.⁹⁷ In this comparison, the crucial variables were the multipolarity of authority and the effects on political culture of the judicial entanglement of state power.

The second, cultural comparison is bound up with the specific circumstances of repression and the criminalization of peasant resistance in the Holy Roman Empire. With respect to repression tactics, perhaps the most important difference was a more pronounced tendency to distinguish among degrees of culpability in revolt and to apportion monetary penalties accordingly. This in turn reflected the criminalization of all peasant resistance as treason, a legal transformation that coincided roughly with juridification and culminated in article 127 of the imperial criminal code, the *Constitutio Criminalis Carolina*. That clause threatened decapitation or flogging and exile for anyone who “incites dangerous, illegal, and malicious rebellion of the common people against authorities.” No authority could enforce a provision so uncompromising, since that would have meant the “execution of hundreds of thousands of peasants.”⁹⁸ In the Empire as elsewhere, criminalization focused prosecutorial attention on the “ringleader” and the often messy relationship between individual and collective responsibility.

Of course, the criminalization of resistance as treason did not by itself distinguish German pacifications. Similar redefinitions had occurred during the fifteenth century in France and the Burgundian lands.⁹⁹ Rather, the same event that encouraged juridification—the Peasants’ War of 1525—also structured collective memory in ways that encouraged a more differentiated approach to repression than was the norm in France. As is well known, the Peasants’ War was the first repression in the Empire in which reparations (*Brandschatzungen*) were institutionalized on a massive scale as a substitute for plunder, but in collecting them, the Swabian League proved itself notoriously insensible to degrees of culpability.¹⁰⁰ Guilt was assumed to have been collective, unless individual peasants could prove that they had not colluded in thought or deed. Few could, and duress was excluded as a valid excuse for having taken part in the rebellion.¹⁰¹ Equally important, no distinction was drawn between peasants whose

⁹⁷ See Werner Trobbach, *Soziale Bewegung und Politische Erfahrung. Bäuerlicher Protest in hessischen Territorien, 1648–1806* (Weingarten: Drumlin, 1987), 227–55.

⁹⁸ Peter Blickle, “The Criminalization of Peasant Resistance in the Holy Roman Empire: Toward a History of the Emergence of High Treason in Germany,” *Journal of Modern History* 58 Supplement (1986): S88–S97; see also Schulze, *Bäuerlicher Widerstand*, 73–76.

⁹⁹ Dumolyn, “Legal Repression,” 490–94; S. H. Cuttler, *The Law of Treason and Treason Trials in Later Medieval France* (Cambridge: Cambridge University Press, 1981), 50–54. There are indications, according to Cuttler, that the *Jacquerie* of 1358 and the *Tuchinat* in Auvergne of the 1380s were already considered acts of treason.

¹⁰⁰ Thomas F. Sea, “Schwäbischer Bund und Bauernkrieg: Bestrafung und Pazifikation,” in *Der Deutsche Bauernkrieg*, ed. Wehler, 129–67.

¹⁰¹ See Govind Sreenivasan, *The Peasants of Ottobeuren, 1487–1723: A Rural Society in Early Modern Europe* (Cambridge: Cambridge University Press, 2004).

rebellion was radical and fundamental and those for whom resistance served the immediate, tactical purposes of achieving a negotiated settlement.¹⁰² This policy of undifferentiated retribution provoked vehement protests against “foreign officials [i.e., Brandschatzung collectors] with no idea who had rebelled and who had remained loyal to the authorities.”¹⁰³ That experience set a negative standard for repressions throughout the early modern period: The clumsy use of force, warned pamphleteers in sixteenth-century Hohenlohe, “could easily lead to a sharpening of tensions, a lawsuit, or worse.”¹⁰⁴ In order to avoid punishing the innocent, most repressions during the sixteenth, seventeenth, and eighteenth centuries were organized around the systematic classification of entire subject populations according to carefully articulated and layered criteria of guilt and innocence.¹⁰⁵ Brenneysen’s highly refined penalization of more than a thousand “recalcitrants” according to wealth and degree of culpability is symptomatic of this tendency.

The third and final framework of comparison involves communal cohesion and its effect on structures of informational dependence. Just as we cannot see the process by which people became “rebels” or “loyalists” simply and exclusively as a top-down application of judicial norms, we must also consider the possibility that through petitions for relief and other channels of communication, pacification tactics reproduced the internal alliances and enmities of rural society, its lines of cohesion and fissure. The traditional understanding of pacification would work well enough for conflicts in which village solidarities remained strong, the lines of confrontation between rulers and subjects were sharply drawn, and all communication between them had indeed been shut down. But in East Frisia, none of these conditions obtained. The very cacophony of voices heard during its internal conflicts describes the failure of rural communes to achieve solidarity, let alone enforce communicative closure, and in this respect, East Frisia was no weird exception to some central tendency

¹⁰² Govind Sreenivasan, “The Social Origins of the Peasants’ War of 1525 in Upper Swabia,” *Past and Present* 171 (2001): 30–66. As Blickle notes, this refusal to distinguish among degrees of resistance predated the Peasants’ War; “Criminalization,” S91–S92.

¹⁰³ Sea, “Schwäbischer Bund,” 131, 151–160. If we take evidence from around Augsburg as paradigmatic, only eleven percent of households were exempted, and a quarter of those on grounds of indigence; Thomas F. Sea, “The Economic Impact of the German Peasants’ War: The Question of Reparations,” *Sixteenth Century Journal* 8 (1977): 75–97, here 83.

¹⁰⁴ Thomas Robisheaux, *Rural Society and the Search of Order in Early Modern Germany* (Cambridge: Cambridge University Press, 1989), 191–92.

¹⁰⁵ For additional examples, see Renate Blickle, “‘Spenn und Irrung’ im Eigen Rottenbuch,” in *Aufbruch und Empörung?*, ed. P. Blickle, 113, 133–40; Werner Troßbach, *Bauernbewegungen im Wetterau-Vogelsberg-Gebiet, 1648–1806* (Darmstadt: Historische Kommission für Hessen, 1985), 87–103, 179–88, 341–63, 435–37; David M. Luebke, *His Majesty’s Rebels: Communities, Factions, and Rural Revolt in the Black Forest, 1725–1745* (Ithaca: Cornell University Press, 1997), 71–73, 78–79, 84–85, 117–46; Martin Zürn, “*Ir aigen libertet*”: *Waldburg, Habsburg und der bäuerliche Widerstand an der oberen Donau, 1590–1790* (Tübingen: Bibliotheca Academica, 1998), 453–589.

in rural society toward unity in confrontation with the political forces around it. On the contrary, a large body of research now shows that as a result of social stratification, economic diversification, market integration, and other factors, intracommunal factionalism had become the norm of seventeenth- and eighteenth-century rebellions.¹⁰⁶ Through petitions, some of these divisions—or at least a perception of them—got grafted onto tactics that regimes deployed to restore order. Would pacification tactics as complex as Brenneysen's have been possible in an earlier century, when village communes integrated their members more effectively? The more plausible answer is no, and that the social refinement of pacification tactics in the Empire presupposed increasingly elaborate webs of communication whose filaments extended to the farthest corners of rural society. Such dependencies were not so easily ruptured, nor were they entirely one-sided, and that is the crucial point.

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¹⁰⁶ For case studies of rebellions marked by sharp factional divisions, see Troßbach, *Soziale Bewegung*; Edwin Ernst Weber, *Städtische Herrschaft und bäuerliche Untertanen in Alltag und Konflikt. Die Reichsstadt Rottweil und ihre Landschaft vom 30jährigen Krieg bis zur Mediatisierung* (Rottweil: Stadtarchiv, 1992); Luebke, *His Majesty's Rebels*; Robert von Friedeburg, *Ländliche Gesellschaft und Obrigkeit. Gemeindeprotest und politische Mobilisierung im 18. und 19. Jahrhundert* (Göttingen: Vandenhoeck & Ruprecht, 1997); Zürn, "Ir aigen libertet."