

Comment: Early Modern Social Struggles, Participation, and Rights: A Non-linear Story

This short concluding essay will reflect on the four contributions that focus on the early modern period (generously conceived): Jorun Poettering details some of the social and cultural practices of enslaved Africans in eighteenth- and nineteenth-century Rio de Janeiro, Rachel Renault analyses bread riots in the German town of Erfurt in 1771, Erica Heinsen-Roach looks into seventeenth-century efforts to redeem Dutch sailors enslaved in the Mediterranean, and Hannes Ziegler explores the socio-legal practice of 'common informing' in (mainly) eighteenth-century England.

Participation and rights have different and sometimes even contradictory historical trajectories, as the editors rightly point out, and as all the contributions illustrate. But in addition, they also make it clear that these two concepts are in themselves plurivalent: they mean(t) different things to different people at different times.

To start with participation, Jorun Poettering argues that in eighteenth- and nineteenth-century Rio de Janeiro, subversive practices – or practices that were considered as such by the authorities – can be seen as an informal type of political participation, even if they did not aim at or actually lead to formal political participation, at least not directly. In late eighteenth-century Erfurt, as described by Rachel Renault, protests and riots in the face of acute famine could be vehicles for a much wider involvement than in normal times of different parts of urban society in the quest for affordable (and edible) bread. Segments of the urban population that would not normally unite – such as merchants, artisans, students, and poorer sub-citizen inhabitants – could now be seen protesting together and thus staging an implicit claim to participation in extraordinary circumstances that not only threatened their very livelihoods but also violated certain basic, if unwritten, moral norms of the polity (although who exactly was responsible for the violation remained unclear or contested). What is particularly interesting about the Erfurt case is that a university professor sided with the protesters, ascribing to them an overarching collective inter-

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est and identity as the 'common man' that they themselves had not demonstrated, or at least not to our knowledge. In doing so, he went beyond the perceptions of the protesters themselves, as well as beyond the particular context and moment. It is unlikely, however, that his quasi-revolutionary statements had much, if any, traction or consequences within or beyond the walls of Erfurt.

In her study of Dutch practices and debates about ransoming compatriots enslaved in the Mediterranean, Erica Heinsen-Roach also paints a picture of only very limited participation: relatives of the enslaved would petition local authorities to be allowed to collect funds themselves or to organize fundraising on a larger scale (ideally also tapping into private wealth and public assets). Urban regents – the quasi-hereditary notables who ran the cities of the Dutch Republic and, through them, the Provincial Estates and their central venue, the Estates General – would consider these requests and accommodate them to the extent that it did not affect their coffers and power. Yet throughout the seventeenth century, despite various efforts, no serious attempt was made to systematically redeem enslaved mariners from the enslaving cartels of the south-western Mediterranean. With limited resources, it was almost always those with higher social status who were ransomed, while the rank-and-file mariner, more often than not, remained enslaved. Participation through this particular lens – which also confirms what is known about the early modern Netherlands in general – did not mean collective decision-making, but the right to suggest, or ask for, certain collective endeavours. There was no guarantee that such demands would be acted upon, let alone fully implemented; and in no way did such participation threaten to upset the traditional social hierarchy.

Finally, the English case, as presented by Hannes Ziegler, considers popular participation in a different and more clearly circumscribed guise: namely, in the form of what we would now call denunciation of transgressions against public order, such as, perhaps most famously, in the campaign to suppress gin consumption during the 1730s and 1740s. This, however, was a form of individual participation that was vilified by (at least) many Londoners, who accused informers of perjury and blackmail (to drop real or fabricated charges), among other things, and who did not stop short at harassing and attacking them. However, the juridical practice of 'common informing' was not formally abolished until the early 1950s. As the parliamentary debate surrounding this abolition shows, the government and parliament now considered the kind of 'participation' that this practice entailed to be both problematic and superfluous: after all, according to most parliamentarians, the state had long since acquired the means to function more than adequately without resorting to the morally problematic device of popular denunciation.

The scope and meaning of participation in these cases was thus clearly limited. Obviously, then, the very notion of 'participation' in all these contexts needs to be

strongly modified, all the more so as those who engaged in the activities described do not seem to have explicitly used such a concept themselves. What about 'rights'?

In the Brazilian case, the author stresses that enslaved people of African origin (or those freed from slavery) did not set out with a concept of individual rights, although many of them seem to have gradually adopted such a concept, based on enlightened values, in the course of the nineteenth century. What they all experienced, however, was the ordeal of a complete social, cultural and spiritual de-racination as the result of being enslaved and brought across the Atlantic. Here, in a completely alien environment, they sought to reinvent and rebuild their lost social, cultural, and spiritual worlds – together with others who shared the same fate, but who usually came from very different cultural and ethno-linguistic contexts. This shared socio-cultural quest to rebuild social, cultural, and spiritual communities was, however, permanently frustrated by the ongoing disruptions and displacements of enslaved individuals, and thus had to be resumed again and again. Nevertheless, it would increasingly be translated into a more abstract – and, at least on a formal level, ultimately successful – quest for individual rights. This transformation was brought about by the adoption of Enlightenment concepts (as in the form of abolitionist discourses) and also, probably more importantly, by the incorporation of specific claims into the prevailing legal language and litigation, the only viable form of personal defence and assertion.

In Erfurt too, as already suggested, protesters were not demanding individual or 'human' rights, but a basic moral right to subsistence. This right, unlike so many others, was not differentiated according to birth, status, and power. A distinction was made, however, between locals and 'foreigners' – in a generic, not a national sense, and often applying even to a neighbouring region or town. In many, if not most, accounts, such usually ill-defined 'foreigners' were blamed for the scarcity in the first place; and in any case, locals should be adequately fed before sharing any surplus with anyone else. Thus, the right to subsistence, while transcending traditional status boundaries, was not yet conceived of as a universal human right, but claimed in and for a specific locality. Interestingly, by contrast, the mayor's 'elitist' stance was at the same time much more universal: his free trade credo implied and also implicitly evoked the equal right of people everywhere to be able to buy food (which, according to this credo, would be the consequence of free trade).

The efforts of seventeenth-century Dutchmen and -women to free enslaved family and community members do not reveal a coherent concept of human or individual rights beyond the (at least implicit) claim that men should be free and also (sometimes more explicitly) that Christians should be protected from forced conversions. One might find this absence rather surprising in the land of Hugo Grotius, who, in the first third of the century, had formulated principles of international law

and related individual rights that were to set the standard for discussion for more than a century. (It should be added that Grotius managed to endorse slavery as an expression of everyone's absolute individual freedom – including the freedom to sell oneself and, indeed, one's offspring to the end of time.)

In the English case, by contrast, there was a very clearly expressed concept of rights that underpinned the popular protest of the mid-eighteenth century against 'informing': a practice that directly violated the country's "Noble Standard of Liberty" and indeed the "greatest Securities of [...] Liberty and Property", as one pamphleteer argued to great acclaim. It is true that the rights of Englishmen – often traced all the way back to the Magna Carta or to core legal stipulations of the seventeenth century – were not perceived as universal *human* rights. But they were usually seen as the all-encompassing, fundamental rights of all nationals – and, as the massive protests from various quarters against the gin legislation (and especially its 'informing' element) show, they could serve as a widely shared argument and legitimation for resistance and indeed, at least in this particular case, for popular participation.

What lessons can we draw from these particular cases taken together? Let us first take stock of them, and then consider whether they confirm the general picture we have of the early modern period more generally, or in what respects they differ from it. What seems to emerge from the four cases – cases that cover different parts of central Europe as well as one of the booming metropolises of the Americas – is that there is no clear pattern of popular action aimed *either* at more rights for all *or* at more participation. What we can grasp from all the contexts studied here is that people defended or (re)claimed what they considered to be their own, longstanding rights, but did not purport to create new rights or claim general rights for people outside their group and/or spatio-political frame of reference: the citizens or possibly all the inhabitants of a town, as in Erfurt; all the fellow enslaved (men), as in Rio, a group not clearly delineated but clearly distinct from the rest of society; members of a family, community, or province facing an extreme fate, materially as well as spiritually, as in the Dutch case; or, at least rhetorically, all 'free Englishmen' in a polity that was highly precocious in producing a sense of national identity and, with it, a strong sense of all national citizens' rights.

In terms of participation, the Erfurt burghers, while asserting (implicitly at least) their collective right to have their grievances heard and felt, do not seem to have demanded any long-term, structural means of participation. The enslaved of Rio, while tenaciously creating spaces and practices in which to rebuild and assert their own socio-cultural and spiritual community, were (for most of the period studied) not even able to imagine such a thing. Dutch burghers seem to have accepted that while they could petition the urban oligarchs, they had no claim to share power

with them. As for the London pamphleteers and rioters, their self-confidence and the more inclusive nature of their claims and assertions point to a rich history of multilayered participatory claims (and to some extent practices) across the country and especially in London. Yet the actions described here do not entail a call for such things like wider suffrage or more regular elections, but remain focused on the issues at hand, both substantive – alcoholic – and legal, that is, the suppression of denunciation.

How does this fit in with what we know, or think we know, about the early modern period in general? It certainly does not fit with a conventional image of ‘the people’ striving for ‘liberty’, rights, equality, or even democracy. Such a conventional image, though still present in the accounts of certain historians of ideas, not to mention textbooks and the common historical imagination, has been shown to be a naïve projection of our own, modern Western ideals back into a history. Not even the French Revolution – the supposed breakthrough of an assumed popular longing to arrive at the ideal world of the late twentieth century – is now seen as resembling such a coherent aspiration. While notions of universal rights, liberty, or equality did play an important role in the events of 1789, they did not trigger the revolution in the first place, they meant very different things (if anything) to different groups of people and they did not entail a shared concept of democracy – nor, except for a very brief spell, bring about such a thing. For other moments of political and social upheaval, too, it has been shown that a naïve attribution of our – read: liberal and sufficiently well-off situated citizens of the late twentieth and early twenty-first centuries – own motives to early modern women and men does not work. Our world is no more the consciously intended product of the actions and desires of earlier generations than was theirs; in fact, many if not most of our beliefs, routines, and actions would have appalled early modern men and women who lived in and adhered to the values of a firmly traditionalist world, socially, spiritually, and culturally.

And yet, in almost entirely unexpected and unintended ways, the actions and interactions of many generations did, *malgré eux*, ultimately produce the economic and social, cultural and political patterns of thought and behaviour that we call ‘modern’. The four case studies of the early modern period collected here illustrate beautifully how the transformations that lead up to it were achieved in the most piecemeal way. Minute changes in attitudes, self-awareness, and self-assertion occurred within clearly circumscribed contexts, generating new practices of communication and defiance, new arguments, oral and written, and new strategies of litigation: minute changes that may have had little or no relevance to contemporaries, but which, cumulatively and in combination with so many other changes, gradually gave rise to notions of (equal) rights for all – or at least, for the time being, for all male members of a given polity. A crucial underlying condition, as the narratives suggest, was that

the otherwise very different early modern polities all offered spaces, however small, for the expression of collective self-assertion and defiance, and ways of legitimizing them. Another condition was a growing socio-cultural diversity, facilitated by the long-term coexistence of these polities, which made it possible and necessary to permanently negotiate the degrees of difference, similarity, and equality between the diverse groups of people living in them. Such negotiation, if only in the long run and only as a cumulative result, would ultimately produce notions of individual equality as the only plausible and consistent logic that could cut through the Gordian knot of these multiple diversities. Yet once again, it is important to emphasize the lesson that we can draw from the four case studies discussed here: although their cumulative actions helped bring it about, early modern men and women did not aspire to a world of equality or participation for all; indeed, many of their actions helped underscore a traditional world of highly unequal rights and even more unequal participation.