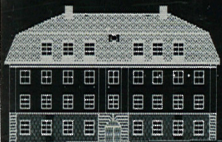
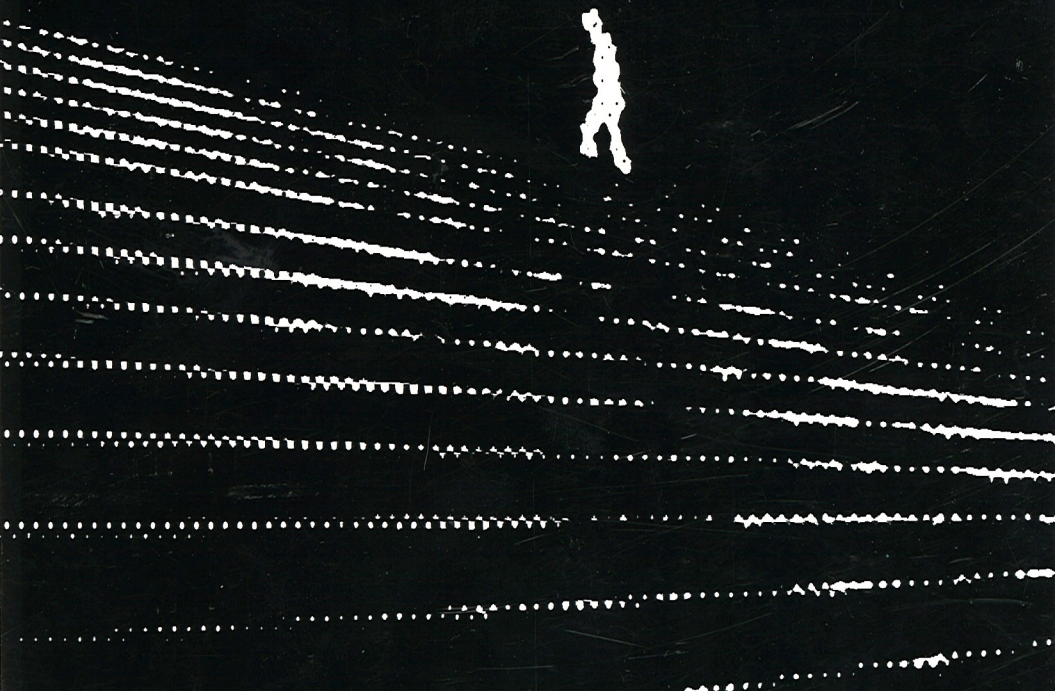


DISGUISES OF POWER

Integration of society and legitimation
of power in Sweden and the Southern Low
countries ca 1500-1900



Opuscula Historica
Upsaliensia 26



A Modern Year for a Modern Mind

The replacement of holidays by dates in

Swedish legal ordinances

Henrik Ågren

My purpose with this paper is to discuss a rather peculiar topic, how modern dates (days of the month) replaced holidays as a means of deciding days in Swedish legal ordinances during the seventeenth and early eighteenth century. This transition can be described as a modernisation of the attitude towards time measurement. There are however several ways to explain the transition, which will be discussed after a presentation of what form it took.

The general consensus among laymen and historians is that time as a concept became important when the industrial-capitalist system replaced its feudal-agrarian predecessor.¹ It was then—and not before—that people had to adjust to a generally applicable time scale in their daily work. Earlier, when rhythms of production were determined by the sun and the weather, time in the meaning we ascribe to it, was of little importance. There is no question that this perspective is basically correct and reasonable. However, there are factors other than work and production that are important for how people have to adapt to time. They have to adjust to each other in all kinds of interaction. One way to co-ordinate the common practices of human interaction is to co-ordinate them in time. The more complex and more arduous the mutual task is, the more important it becomes that the actors plan their activities according to a common time scale. Hence the great

¹ Henrik Ågren: *Tidigmodern tid. Den sociala tidens roll i fyra lokalsambällen 1650–1730*. Uppsala, 1998, p. 27.

importance of time co-ordination in industrial production.²

Before industrialisation and capitalism, when people worked in small units, mostly by and for themselves and their families, there were still social realities that meant that time had to be measured in some way. Although maybe not as important in everyday life, this can still illustrate what time and time-reckoning means in social interaction, and how it changes. In this essay, I shall give a brief presentation of one factor that changed the way in which time was used in society.

Setting days in laws and ordinances

In Sweden up till 1736, when the Law of 1734 came into force, the legal system was divided between a common law for the countryside, named *Kristoffers landslag* (the Common Law of Kristoffer), and an urban law for towns and cities, named *Magnus Erikssons stadslag* (the Urban Law of Magnus Eriksson). In both, it is quite evident how days were defined. No date whatsoever was mentioned as a means of determining the day on which a regular event took place, either in the Urban Law or in the Common Law.³ Holidays, on the other hand were frequently mentioned, for the everyday life, for local authorities and for the interaction between local communities and central government.

Among the first were several regulations concerning agriculture, all under Common Law. For example, fences were required to be in good repair by Walpurgis (1st May) in the spring, and again, in the autumn (to protect the winter rye), capable of keeping the pigs out of the fields at Matthew (21st September) and completely repaired by Michaelmas (29th September).⁴ Hunting squirrels and other furred animals was permitted only between All

² In the case of industrialisation, the time discipline is of course also a result of the class relations, where the owner of the enterprise can increase his profit by forcing his workers to work harder. One way of doing this is to control their working time. Edward P. Thompson: "Time, Work-Discipline and Industrial Capitalism. *Past & Present* 38, 1967.

³ *Kristoffers landslag* (KrLL); *Magnus Erikssons stadslag* (MESTL).

⁴ KrLL BB 9:4. This shows, among other things, that in the feudal society it was in the countryside, not in the towns, that production and work were public activities that had to be regulated by general rules. In the towns on the other hand, it was assumed that work and production would take place in the craftsmen's indoor workshops, with less need therefore for regulation. Ågren, 1998, p. 34.

Saints' Day (1st November) and mid-Lent,⁵ while the gathering of certain herbs for seasoning beer was prohibited before certain holidays, St. Olaph of Norway (29th July) for sweet gale (*pors/myrte bâtard*), and Bartholomew (24th August) for wild hops (*vildhumle/houblon sauvage*).⁶ Moving from one property to another was also encompassed by time limits, especially in the countryside.⁷ The same applied to servants wanting to change employer, both in the countryside and in the towns. This was possible twice each year, at Whitsun and Martinmas (11th November) in the countryside, and at Easter and Michaelmas in the towns.⁸

Regulations concerning time for the local authorities mainly comprised rules for meetings and the election of new officials, as for example in various paragraphs stipulating what should transpire at Walpurgis in the city courts, or when the district courts were to be in session.⁹ In some cases they could also concern inspections, public announcements, or statements of accounts. Examples of this are the inspection of bridges at Walpurgis and Michaelmas,¹⁰ and payment of local taxes at Thomas (21st December)¹¹ in the Common Law, and the reading of the law book every Midsummer or John the Baptist (24th June) in the Urban Law.¹²

The regulations for interaction between the communities and the central power were of the same kind as those applying to the local administration. There were very few of them, which may indicate that time was not an important aspect in this kind of interaction. In the Common Law the only time-regulations that could be interpreted as an example of this was that military inspection was to be held throughout the country eight days after Peter (29th June)¹³ and that a royal assizes should be held once a year in every county at different times; in Uppsala the day after St. Eric of Sweden

⁵ KrLL BB 24.

⁶ KrLL BB 49:1.

⁷ KrLL JB 21; 22; 24. The reason why this was not regulated in the towns was probably that it was less important when one's house was not a landed property. All removals in the countryside were to take place during the winter, when most of the production stood still.

⁸ KrLL BB 15:4; MESTL BB 21.

⁹ MESTL KB 1; 16; KrLL TB 8.

¹⁰ KrLL BB 3:7.

¹¹ KrLL BB 29:3.

¹² MESTL KB 23.

¹³ KrLL KB 11:1. This was of course an obligation to the state, but the inspection was most certainly carried out by the local authorities, without the involvement of the central government.

(18th May), in Örebro the day after St. Henry of Finland (19th January) and so on.¹⁴ In the Urban Law there were also only two such regulations. One was that royal taxes also should be paid each Easter and Michaelmas,¹⁵ and the other that a member of the King's Council should visit the town twice a year—at Whitsun and at James (25th July)—to mete out justice between local and foreign merchants.¹⁶ As we can see, interaction not only consisted the obligations of the local communities toward the state, but also those of the state toward the local communities.

When most public events took place on an annual basis, holidays functioned of course as well as dates to determine the day. What may seem a trifle surprising to the modern eye is that moveable holidays, like Easter and Whitsun, could be given this function, especially when details like the employment of servants were concerned. The question now is how this changed in the following centuries. To decide this, I have studied royal ordinances and decrees as they are published in Anders Anton von Stiernman's, Reinhold Gustaf Modée's and Johan Schmedeman's compilations up to 1734. This is the simplest way to interpret Swedish ordinances – with one slight drawback in that they are incomplete. The period up to the seventeenth century is very sporadically covered and even after that there are gaps. This does not mean however that it is impossible to gain an overall impression.

In the earlier decrees, from the sixteenth century, stipulations requiring the determination of specific days were rare. Therefore neither dates nor holidays had to be used. One exception was the ordinance about clerical revenues from 1559, in which it is stated that the year must be divided into four quarters, starting at the first of May or Philip-and-James.¹⁷ Thus, both date and holiday were used in the same expression. One could see this as a sign that dates were beginning to replace holidays, were it not for the fact that this was an exception from the way in which days were subsequently

¹⁴ KrLL TB 9.

¹⁵ MESTL KB 18:1. The same days as when servants were allowed to change employers, see note 8.

¹⁶ MESTL KmB 30:2. This paragraph was written for Stockholm. In other towns, responsibility seems to have been the bishop's. The paragraph concludes: "And the same should be performed by each bishop in his diocese." [HÅ's translation].

¹⁷ *Ordning om prästernas årliga uppbörd 1559*, in Schmedeman, 1706, p. 32. Philip-and-James (apostles) was another name for May 1, that seems to have replaced Walpurgis after the Reformation. Walpurgis (Valborg) was a saint who lived and worked as an abbess in eighth century Germany. Nils-Arvid Bringéus: *Årets folkliga festseder*. Stockholm, 1976, p. 156.

determined during the seventeenth century. What is clear is that the reckoning of a fiscal year could start from some other day than New Year's Day. This is however neither typically medieval nor old fashioned. In public administration in Sweden, the fiscal year extended from July 1 to June 30 of the following year until only a few years ago.

When it became more common to determine days, as has been pointed out, the name of the holiday was used more frequently than the date. There are several examples of this. The local tolls were to be remitted to the central administration each year at Christmas.¹⁸ In the various ordinances concerning assizes for both local and central courts, holidays were used to decide the periods in which they were to be in session. In this case it was not a single day of the year that had to be decided. A statute for the Court sessions from 1598 stated that the district courts should hold assizes three times a year: one at some time between Hilarymas (6th January) and the ninth week of Lent, the second between Walpurgis and Midsummer and the third between Michaelmas and Advent.¹⁹ The newly established Court of Appeal was to meet twice a year, for eight weeks each time, the first session being from Walpurgis to Peter-and-Paul (29th June) and the other between Mary's birth (8th September) and Martinmas.²⁰ In this case it was of course less practical to use holidays. One effect was that neither of the sessions actually lasted eight weeks, the first being eight and a half weeks and the other just over nine.

Nevertheless, the time had not yet arrived for dates in public administration, at least not if the issue was to decide one single day of the year. In the statute of urban administration, several regulations spoke of certain days, all of them referred to by holiday names.²¹ Two exceptions in this statute were the rule that taxes should be paid each year around Walpurgis and no later than May 8, and that the estates of householders were to be valued between May 1–14

¹⁸ *Tullordning 22/4 1600*, in von Stiernman I, 1747, p. 458.

¹⁹ *Stadga om rättgångar 25/2 1598*, in Schmedeman, 1706, p. 113. This was changed in 1614 to "New Year, Walpurgis and Michaelmas". *Rättgångsordning 1614*, in Schmedeman, 1706, p. 135. As we can see, the name Walpurgis was still in use.

²⁰ *Rättgångsordning 1614*, in Schmedeman, 1706, p. 141. Mary's birth and Martinmas had been abolished in the Holiday Reduction of 1571 (Göran Malmstedt: *Helgdagsreduktionen: Övergången från ett medeltida till ett modernt år i Sverige 1500–1800*. Göteborg, 1994, p. 69), but were apparently still applicable in time-reckoning.

²¹ *Stadga om städernas administration och uppkomst i riket 26/12 1619*, in von Stiernman I, 1747, pp. 736–751.

each year.²² The most probable explanation for the use of dates in these cases is that it was important to have everything completed as soon as possible after Walpurgis. There was therefore no time to wait for a convenient holiday. On the other hand there were alternatives in this case. The period could have been expressed as eight and 14 days, or one and two weeks, after Walpurgis. It was obviously the whole weeks the lawmakers had in mind. One could suspect that dates had started to become accepted, if not frequently used.

The suspicion grows stronger if one looks at tasks that were to be carried out on a monthly basis. When that was the case, the ordinances usually only stated that something was to be done each month, without stating the day. For example, bakers' duty was to be collected each month (but receipts were only to be paid annually).²³ Similar rules were laid down for other local taxes.²⁴ In one of these, concerning fruiterers' duty, it was stated that the duty should be paid on the last day of every month.²⁵ There is no reason why the day was more important in this particular case, but it is interesting that one particular day in each month—and therefore a date—was stipulated.

Later during the century, both dates and holidays were used, though there were variations. When something was to be done at one specific day, holidays still prevailed.²⁶ In an ordinance from 1674, concerning the days when servants could legally change employment, a revealing fact is however noticeable. The ordinance laid down these days as Easter and Michaelmas, but Easter was defined as the last day of March and Michaelmas as the last day of September.²⁷ This was an approximation as Easter could occur at different times in March or April, and Michaelmas was in fact the 29th September. In this case it seems as if holidays were the natural thing to use, maybe to make it easier to remember the right day, while the system had in fact changed to a more date-oriented planning.

When, on the other hand, periods of the year were to be set, the variation was greater. In many cases, holidays were used even here. It was for example

²² *Stadga om städernas administration och uppkomst i riket* 26/12 1619, in von Stiernman I, 1747, pp. 741f.

²³ *Ordning om bagare och bakning* December 1622, in von Stiernman I, 1747, pp. 863f.

²⁴ *Ordning om kvarntullen* 22/12 1627, in von Stiernman I, 1747, p. 953f.

²⁵ *Ordning för fruktmänglerskor* 1623, in von Stiernman I, 1747, p. 884.

²⁶ *Förordning om tavernor etc.* 9/4 1638, in von Stiernman II, 1750, pp. 161f.; *Krögare- och gästgivareordning* 29/8 1664, in von Stiernman III, 1753, p. 218; *Landsbövdängeinstruktion* 28/1 1686, in Schmedeman, 1706, p. 1100 e.g.

forbidden to hunt big game between mid-Lent and Olaph,²⁸ while the winter vacation for scholars was to extend from Thomas to Candlemas (2nd February).²⁹ On the other hand a lower fee applied to the horses requisitioned for transportation from 1st May to 1st October and 15th December to 15th March than during the rest of the year.³⁰ A fair was also to be held in Stockholm for the peasantry of Finland and the region around Lake Mälaren, starting on 1st August and ending on the last day of October.³¹ In the latter case it was obviously not the dates but the full calendar months that were important, but the period was still designated in a modern, non-holiday way.

By the end of the seventeenth century, new routines were evident. Time was now designated in terms of dates, or expressions related to dates, even when this was unnecessary. Sometimes the calendar names of months were used, as for example when it was stated that a boatswain should receive his fee in March and September,³² or that the bristle on pigs older than three years should be removed in May or June.³³ Months are admittedly not dates, but this does still show a new, date-oriented view of the year. In a society where dates are used to measure time, the focus on months also becomes more precise.

But it is also clear that dates could be used, even if the practice they regulated occurred only once a year. This was most usual when taxes or reports were to be sent from local authorities to central institutions. Often the date was the first in every month, which indicates that it was in fact the month, not the date as such, that was to be determined.³⁴ But in some cases other dates were used. Bailiffs, for example, were to submit accounts to the local clerk no later than May 15. The clerk in his turn was obligated to forward them on July 15.³⁵ Another example is that the fair in Sala township was moved from February 6 to February 10.³⁶ Apart from this, dates were

²⁸ *Jaktstadga* 22/3 1647, in Schmedeman, 1706, p. 266.

²⁹ *Förordning om gymnasier och skolor* 31/1 1693, in von Stiernman V, 1766, p. 389.

³⁰ *Plakat om tåvernor* 29/1 1636, in von Stiernman II, 1750, p. 45. This difference was abolished in *Krögare- och gästgivareordning* 1/10 1649, in von Stiernman II, 1750, p. 592.

³¹ *Förordning om skärjekarlarnas handel* 28/6 1642, in von Stiernman II, 1750, pp. 340f.

³² *Förordning om båtsmanshållet etc.* 23/5 1690, in von Stiernman V, 1766, p. 123.

³³ *Förordning angående börsters tagande av svinkreatur* 30/7 1728, in Modée I, 1742, p. 764.

³⁴ *Förordning om fallande medel vid sjötullen* 6/5 1691, in von Stiernman V, 1766, p. 240; *Instruktion för lantmätare* 20/4 1725, in Modée I, 1742, p. 617.

³⁵ *Brev till landshövdingarna om räkenskapernas förkortande* 20/12 1729, in Modée I, 1742, p. 792.

³⁶ *Resolution på städernas besvär* 12/7 1731, in Modée II, 1746, p. 900.

also still used for more regular events and for designating periods of time.³⁷

Holidays were still used and in some cases the two systems were used together. Land surveyors, for example, were to present an account for their surveys on May 1 each year. The fine for delay was doubled if submission did not take place before Michaelmas.³⁸ Sometimes a holiday was specified with the date, as when a regulation concerning servants stated that the time to choose a new servant/master was between Laurentius, which is the 10th August, and the Exaltation of the Holy Cross, which is the 14th September.³⁹ Even though holidays were still in use, the system of naming days had changed a lot since the medieval laws.

Reformation, administration and literacy; different explanations of the date process

So far it has only been stated that dates started to replace holidays or at least function alongside them. No reason why this happened has been adduced, though there are various plausible explanations. The first and most obvious is the Reformation. When Sweden became Protestant, it was considered Papist to use holidays for the purpose of dating. It is a fact that clerks in public service already started to use dates instead when signing letters and records in the mid-sixteenth century.⁴⁰ The problem is that this cannot fully explain the process. Firstly, holidays were used in the way we saw above, long after they had vanished from the signing of records.

Secondly, the change may have had other than religious reasons. Lutherans had nothing against holidays as such. It was only the holidays dedicated to non-Biblical persons and events they objected to. The era of the Reformation

³⁷ *Ordning för ständiga garnisonerna* 6/7 1720, in *Modée* I, p. 256; *Reglemente för tullbetjänter etc.* 5/12 1724, in *Modée* I, 1742, p. 591; *Förbud emot svalg och dryckenskap* 17/4 1733, in *Modée* I, 1742, p. 1000; *Brev till landsbövdningarna om räkenskapernas förkortande* 20/12 1729, in *Modée* I, 1742, p. 798.

³⁸ *Instruktion för lantmätare* 20/4 1725, in *Modée* I, 1742, p. 624.

³⁹ *Förnyad stadg och förordning angående tjänstefolk och legohjon* 6/8 1723, in *Årstryck av kungliga plakater*. Both these holidays had been abandoned by 1571 (Malmstedt, 1994, s. 69) which makes it even more remarkable that they were used here.

⁴⁰ Göran Malmstedt: *De samhällsfarliga festerna. Kungamaktens och kyrkans syn på de folkliga festerna i Sverige under 1500- och 1600-talet*. Unpublished paper, Department of History, Gothenburg University, 1986, p. 20.

was also an era of centralised administration. To use dates instead of holidays may have been a way to standardise the ways of reckoning time in Sweden. Before the Holiday Reduction of 1571 different dioceses celebrated different holidays.⁴¹ The dates, on the other hand, were the same and were therefore more appropriate for a centralised administration.⁴²

Finally, to rely on this explanation alone would also be to assume that holidays were still used instead of dates in Catholic countries, which of course is not the case. It would however be of great interest to study the same process in a country which remained within the Catholic Church's sphere of influence. Maybe the transmission took longer in France, Italy or the Habsburg provinces.

Another factor, partly connected with the Reformation, was the Holiday Reduction of 1571 when the number of holidays was reduced.⁴³ It would probably be an overstatement to say that this was decisive for how people divided up their year, but of course the fewer holidays there were to refer to, the less rational the system became. This is at least what Göran Malmstedt appears to have thought when he chose the subtitle to his thesis on the Holiday Reductions: *The Transition From a Medieval To a Modern Year in Sweden 1500–1800* [HÅ's translation].⁴⁴ On the other hand, holidays that had been expunged from the liturgy could still be used in civil administration, as we have seen in the examples.⁴⁵

One could also explain the abandonment of the holidays in reckoning time as a result of the general secularisation. When church and religion became less important to people, it also became less natural to refer to religious days. Though I have never seen this explanation mentioned by anyone, it

⁴¹ Malmstedt, 1994, p. 15.

⁴² Malmstedt, 1986, pp. 22f.

⁴³ Malmstedt, 1994, pp. 67ff.

⁴⁴ Malmstedt, 1994. In the title of the book's English summary, the word *calendar* is used instead of *year*. In the subtitle proper of the book as a whole, the word *år* (year) is however used. The difference, as far as I can see, is that by using the world calendar, one only says that the calendar as a time-reckoning instrument changed (which is obvious anyway), while the word year denotes a more important change in peoples' attitude towards the reckoning of the days of the year.

⁴⁵ See notes 20 & 39.

seems to me a reasonable way to explain the transmission. This explanation is of course not applicable to the seventeenth and eighteenth century.

There is at least one more way by which dates became more important than holidays, and that is the intensification of administration. The more intensive the organisation of a certain activity is, the more important it becomes to have some kind of systematisation on which it can be organised. This, I think, may be seen as a general rule, in fact it may even go without saying. To understand what this means in this specific case, one must however consider two facts about Christian holidays. One is that they were few compared with the actual number of days in a year and the other is that they occur irregularly over the year. After the Holiday Reduction of 1571 the number of official holidays was 35. These were not evenly distributed around the year, however. Round Christmas and Easter, for example, there were clusters of holidays, while the period between James and Bartholomew, one month in all (July 25 to August 24), contained no holiday at all.⁴⁶

At the same time as this occurred, the public administration grew in both extent and intensity.⁴⁷ One of the results of this was that the interaction between the central state and the local communities intensified. The obligation to report the local authorities' activities to the central institutions of power increased in frequency. When it became necessary to complete a certain task, not once or twice a year, but ten or say twelve times, it was not practical to use holidays to divide the year. This holds well empirically. There were single days named as dates, especially toward the end of the period, but it was also common to say that something should be done one a certain day each month, or simply monthly.

To use the increased frequency of administrative requirements to explain why the use of dates grew even when single days were to be determined is however connected with two problems. If the explanation is valid, it means that the frequent use of dates in cases when this was necessary led administrators to use them even when holidays could apply just as well. The bureaucratic mind became date-fixated. This is hard to prove, and if one tries, one has also to consider that other activities in society could be similarly affected. If, for example, more letters were written and dated, that would mean that

⁴⁶ Malmstedt, 1994, p. 69.

⁴⁷ Sven A. Nilsson: *De stora krigens tid. Om Sverige som militärstat och bondesambälle*. Uppsala, 1990.

people got more used to reckoning time by date. To take every possible factor into account is of course impossible. Therefore this explanation must be considered plausible, although neither verified or disproved.

There is another reason to moderate the conclusion. If regularity was the sole objective, the administrators still had the Sundays, all of which had individual names that were probably familiar and integrated in civil life and which occurred regularly every seventh day. On the other hand, a regularity based on Sundays would not be in phase with the chronological year. This would not be a problem in a society dominated by events and everyday practice, where the planning of an activity started from practice, i.e. in a non-literate society.⁴⁸ The fact that two nominal systems were asymmetrical would have been acceptable in that case.⁴⁹

A society where administration intensifies is, however, also a society where a literate and regulated view of reality becomes dominant. The more one plans and the more one tries to divide reality into manageable parts, the more one finds oneself adopting a symmetrical way of thinking.⁵⁰ To use dates is the only way to achieve an intensive regularity that still matches the division of the year. This is linked not only with literacy, but also with planning. Planning and scheduling are related and both give Man a more symmetrical attitude towards the surrounding world. That is why people strive towards a system which renders different parts of reality, as far as is possible, mutually congruent.

⁴⁸ "Non-literate society" is in this case not to be understood as a society with no alphabet or written language, but as a society where papers and the written word was not the ordinary way of organising social interactions.

⁴⁹ Ågren, 1998, p. 40.

⁵⁰ Jack Goody: *The Domestication of the Savage Mind*. Cambridge, 1977.