CHAPTER ONE

CITIES AND CITIZENS

1.1 Introduction

The history of law and the state is part and parcel of the history of mankind: it is determined by the way in which people coexist and their needs are met. In retrospect we can say that the regimes of sedentarized nations – who had moved to arable areas where they were better able to supply their needs\(^1\) – grew into political systems in which rulers no longer held sway solely over their own peoples but subjected foreign peoples where their military power permitted.\(^2\) The development of science and technology has played a major role here. The positions of heavenly bodies as a function of time were calculated using the astrolabe, a Hellenistic invention that reached the Christian world in the eleventh century via the then Arabic city of Toledo.\(^3\) Once reality could be measured and mapped,\(^4\) navigation enabled European nations to sail the high seas and make not only the natural resources in other parts of the world but also the people who lived there subservient to their desire for ever greater riches.

As a result of scientific and technological development, flourishing cities striving for self-rule started to develop in the late Middle Ages – first in Lombardy and then north of the Alps – with an image marked by prestigious town halls and burghers’ houses.\(^5\) In the Netherlands these cities – to quote Wim Blockmans – became “centers of cultural output”, “North Sea Metropolises”.\(^6\) Their connections with the ocean enabled

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unprecedented economic growth to take place.\footnote{unpre} Amsterdam and the other Dutch cities secured freedom of trade for themselves in the Dutch Revolt against the Habsburg rulers. During the Golden Age of the Netherlands they continued to expand, both economically and demographically, thanks to what Jan Lucassen describes as “mass immigration”. As a result of the influx from home and abroad the population of Amsterdam grew from 30,000 in 1560 to 219,000 in 1680.\footnote{Leo Lucassen and Jan Lucassen, *Winnaars en verliezers. Een nuchtere balans van vijfhonderd jaar immigratie* [Winners and Losers. A Rational Review of Five Hundred Years of Immigration] (Bert Bakker 2011) 191.} The seventeenth century was “the century of the cities”, in the words of Geert Mak. At the turn of the century Western Europe numbered only forty cities with more than 40,000 inhabitants, six of which were in France, seven in Spain and seven in the much smaller Holland; by the end of the century there were dozens more.\footnote{Geert Mak, *Een kleine geschiedenis van Amsterdam* [A Short History of Amsterdam] (Uitgeverij Atlas 2005) 126.}

The development of political structures in Europe under the influence of economic and social change was neither unique nor without precedent: there were forms of political rule in the Far East that had both differences from and similarities with those in Europe.\footnote{Francis Fukuyama, *The Origins of Political Order. From Prehuman Times to the French Revolution* (Farrar, Straus and Giroux 2011).} In the centuries before Christ a dynamism characterized by seafaring, trade and warfare had developed around the Mediterranean, resulting in the formation of cities (πόλεις).\footnote{Cf. Christian Meier, *A Culture of Freedom. Ancient Greece and the Origins of Europe* (OUP 2009) 9: “For several centuries these [i.e. ancient Greek] communities evolved in clusters and constant competition among each other, expanded their world through the foundation of a great number of new poleis along the coasts of the Mediterranean and Black Sea areas, interacted intensively with the more highly developed cultures to the east and south (from Anatolia and the Levant to Mesopotamia and Egypt) but lived outside the sphere of direct control by the great powers of the time. As a people, they thus were free, not ruled by others.”} Phoenicians, Greeks and Romans established colonies – in the original sense of overseas settlements – in other countries, but their metropolises in turn became places of settlement for the subjected peoples: the Jewish diaspora dates back to this era.\footnote{Fik Meijer, *De Middellandse Zee. Een persoonlijke geschiedenis* [The Mediterranean Sea. A Personal History] (Athenaeum – Polak & Van Gennep 2010).}

The countries around the Mediterranean continued to provide the backdrop for cultural exchange. Centuries later, a Catholic nun at the court of Emperor Otto the Great was overheard describing the Umayyad