GERARD NOODT’S STANDING IN THE EIGHTEENTH-CENTURY DUTCH DEBATES ON RELIGIOUS FREEDOM

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Gerard Noodt’s address De religione ab imperio iure gentium libera was held in 1706, when the conscience européenne, as Paul Hazard phrased it, was well into its crisis. Consequently it has been suggested that it might be worthwhile to determine whether the address, praised as ‘the first principled defence of toleration based on natural law’, marked a turning point in the Dutch toleration debates.\(^1\) The question, however, now seems unwarranted. It has become clear that if Noodt’s address can be qualified as principled and even as radical, it was hardly unique: it had been preceded by texts that were in many respects more extreme.\(^2\) This professorial oration by a noteworthy scholar of law—Gerard Noodt (1647-1725) was doubtless one of the outstanding students of Roman law in early-modern Europe—did not, then, represent a turning point. But it certainly can be seen as a hallmark in the history of ideas.

Surprisingly, the influence of Noodt’s address in the eighteenth century has not been gauged. His contemporaries regarded Noodt’s performance in Leiden as a memorable event, and throughout the eighteenth century writers hailed it as one of the major contributions to the debate on religious freedom and toleration. In 1734, for example, in an attempt to make the Dutch text of the address available to a broad public, it was reissued in a cheap octavo edition together with, among others, Dutch translations of John Locke’s Letter Concerning Toleration, a commentary on the church Fathers by the law scholar Jean Barbeyrac, and a sermon by the Anglican divine Benjamin Hoadly.\(^3\) The publisher was Isaac Tirion, an Amsterdam Mennonite, who wrote a short preface to the book.

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\(^2\) Cf. e.g. H.W. Blom, Causality and Morality in Politics. The Rise of Naturalism in Dutch Seventeenth-Century Thought, s.l., 1995.

\(^3\) Verzameling van eenige verhandelingen over de verdraagzaamheid en vryheid van godsdienst ('Collection of several tracts on toleration and freedom of worship'), Amsterdam, J. ter Beek and I. Tirion, 1734, with a preface by I. Tirion. See M. Ahsmann and R. Fecnstra, Bibliografie van hoogleraren in de rechten aan de Leidse universiteit tot 1811, Amsterdam, Oxford, New York, 1984, nr. 457.
Noodt, says Tirion in his preface, was the first to broach the issue of religious freedom in an academy. In some countries it would not have been safe for a professor to criticize accepted customs. But, claims Tirion, in his address Noodt had not, in fact, criticized the High Authorities. He had simply defended their policies. He had merely demonstrated that the toleration they exercised was actually based on the law of nations, and he had emphasized that this practice was a prime duty of every civil, Christian government. Noodt had been permitted to speak freely about this, and the composure with which he made his point deserves much praise.

Tirion was surely right in stating that Noodt evinced courage in bringing these matters to the fore in public, in the midst of the Leiden academy. His account, however, poses a problem. If Noodt had simply been giving the actual policies of the Dutch civil authorities a theoretical finish, why reissue his text? In the following I shall attempt to outline, and account for, the nature of the reception of Noodt's address on religious freedom in the eighteenth-century Netherlands. I shall generally argue that because Noodt failed to sufficiently clarify his own position and point out the implications of his argument, his text could be, and was, interpreted in very different ways. It could be seen to defend the status quo, but it could also be employed by subversive pamphleteers as an incisive critique of the Dutch ancien régime. First I shall briefly discuss the address itself, and then focus on one of Noodt's most important disciples, Jean Barbeyrac. Subsequently I shall try to determine Noodt's influence on four currents in Dutch intellectual life. These currents are respectively republican political thought, radical criticism, orthodox Calvinism, and the natural law school.

The Address

Gerard Noodt's address De religione ab imperio iure gentium libera, 'On religion as free from domination according to the law of nations', may have been inspired in part by his sympathy towards the Remonstrants. Indeed, as late as 1786 an Italian critic believed him to have belonged to the factio Arminianorum; and his biographer Van den Bergh suggests that after 1706 orthodox Leiden ministers took measures against Noodt himself by excluding him from the church council. Apparently the

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