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**Author(s):** Haikari, Janne

**Title:** The Bailiff : Between a Rock and a Hard Place (1600-1690)?

**Year:** 2017

**Version:**

**Please cite the original version:**

Haikari, J. (2017). The Bailiff : Between a Rock and a Hard Place (1600-1690)?. In P. Karonen, & M. Hakanen (Eds.), Personal Agency at the Swedish Age of Greatness 1560-1720 (pp. 165-191). Suomalaisen Kirjallisuuden Seura. Studia Fennica Historica, 23. <https://oa.finlit.fi/site/books/10.21435/sfh.23>

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## The Bailiff: Between a Rock and a Hard Place (1600–1690)?

Bailiffs were one of the key groups to contribute in the formation process of the Swedish state in the early modern period. Gustavus Vasa (1496–1560) needed them to provide the Crown with access to local resources: taxes and military recruitment. Consequently crown bailiffs (*befalningsman*, *crono fougde*) became the lowest rung on the ladder of the emerging administrative organisation. A bailiff could be defined as the single most prominent person within early modern Swedish local communities in embodying the Crown and its bureaucracy, given that tax collection is considered one of the key symbols of legitimacy in society.<sup>1</sup>

The main task of crown bailiffs was still basically quite simple in the seventeenth century. They were supposed to take care of the practical logistics of tax collection. It was their duty to raise the money or other payments due to the Crown. Their bailiwick, which was often referred to as a 'hundred' (*härad*), could sometimes cover more than one parish and have been comprised of several hundred farms. Overall, the finances of the Crown were heavily dependent on the performance of the bailiffs, as it was down to their ability to accumulate the Crown's assets each year. This meant they were under constant pressure from above, and yet remain sensitive to the problems of those being taxed, who often wanted concessions for a variety of reasons.<sup>2</sup>

Such an environment raises interesting questions about personal agency. What were the ideal personal characteristics required for a bailiff to fulfil these often conflicting demands? What factors limited his activities? What was it like to be in a community that was accustomed to constant interaction with the authorities? How did the community generally view the actions of the bailiff?

In this chapter, the personal agency of bailiffs will be outlined from the various perspectives of different sources. In the first case, the perspective is from that of administrative officials who worked in the County of Pori,<sup>3</sup> and this will provide the starting point for a general model of agency. In the second, Finnish local history studies and biographical studies and records<sup>4</sup> will provide more detailed information about the personal agency of bailiffs in terms of their day-to-day local work, and the careers of those in the office. The third perspective will be in terms of the official instructions bailiffs

received from the Crown. This will be analysed whilst also bearing in mind other laws and codes that defined the agency of those in office. As we shall see, the agency under discussion is actually not just the agency of crown bailiffs but also of those officials who carried out similar duties even if they had a different title.

The difficult position of bailiffs stuck between the Crown and the common people has certainly been recognised, but only a few researchers have focused on the realities of their work in detail. Mats Hallenberg has approached the case of sixteenth century bailiffs of the Swedish Realm from the perspective of organisational theories, especially New Institutional Economics theory (NIE). In his extensive study, Hallenberg argues that during the sixteenth and early seventeenth centuries, bailiffs essentially became brokers in facilitating the exploitation of resources for the Crown through their personal abilities and various ties to the community, which were of course backed up by royal authority. Since people paid their dues not only in money, but also in kind (with the various products they produced), the bailiff had to be able to give these goods a value, and if necessary, to negotiate an adequate amount of them and in a form the Crown could use. The transportation, storage and sale of these goods also demanded logistical skills from the bailiff. If there had been a crop failure or any other disaster, the bailiff had to also take these into account. At times something had to be given in exchange, for example, postponements of payment and certain tax allowances. Consequently the relationship between the bailiffs and the people being taxed became mutual and confidential.<sup>5</sup>

This brokerage seems to play a familiar role throughout European early modern societies, and Hallenberg shows that it is a useful concept in Swedish history too. However, his perspective comes more from the official hierarchy above bailiffs, rather than from the bailiffs themselves. Indeed, the theories behind Hallenberg's compelling overview seem to emphasise that the chief motive behind bailiffs' exploitation of resources was the state formation process; and while he does not totally neglect the individual nature of each bailiff's agency, he is clearly focusing more on organisational logic rather than on the personal sphere of the individual. Hallenberg thus pays less attention to the actual interaction involved in this brokerage, not to mention the dynamics of each local community that the bailiff was responsible for. Another point to bear in mind is that Hallenberg's study discusses primarily the sixteenth century. Equally, many other previous studies on bailiffs have also approached the subject from the view of central administration and in terms of the long-term historical development of the modern state.<sup>6</sup>

This chapter focuses solely on the seventeenth century bailiffs, because during the sixteenth century the agency of bailiffs was still in the making. Their position was not cemented in the Crown's organisation despite their obvious contribution to effectiveness of taxation system. It was only in the next century when the office of bailiff became an established part of administrative organization, although the position and duties of crown bailiffs evolved even then. Overall, the history of crown bailiffs in the seventeenth century is a twofold story of development and division. The profession was consolidated through the same major reforms that

restructured the administration as a whole, not least by the reconstruction of provincial administration in 1635. The position of bailiffs became more established and distinct, as general administrative norms became more precise. At the same time, however, their sphere of operations became subject to constant experiments and changes.<sup>7</sup>

In the 1620s and 1630s, the Crown leased out taxation rights to private tax collectors (*arrendators*), and although this system was abandoned, in 1640s and 1650s the Crown granted increasing numbers of landed properties to the nobility. These 'donations' included taxation rights. Consequently, the crown bailiffs had often had to hand over some of their duties to colleagues, who worked for those of the nobility who had been given the right to levy taxes. These factors fragmented the work of bailiffs but also expanded the profession. Despite the increasing number of donations made, the Crown did not cut down its own administration completely, because the Crown did still have some claims in the donated areas. Consequently, there could be two bailiffs working in the same area in many parts of the country from the 1650s to 1680s, whose tasks were similar. Once these were pruned back in the "Great Reduction" in the 1680s, the taxation rights were once more sold off again to private tax collectors.<sup>8</sup>

In the 1650s there were 20 counties (*grevskap*) and 34 baronies (*friherrskap*) in Sweden. They were the most extensive form of donations measured in both numbers of farms and transferred power, as the noble holders of the counties and baronies received various administrative rights in addition to the rights to collect taxes. Therefore they usually set up their own administration that took care of tax collection. However, they were still obliged to follow the same patterns of governance as the Crown's administration, and in many cases the key figure in the new county or barony administration was also called 'bailiff' whose job description was similar to the crown bailiff's. In some donations, the bailiff acted alone, while in others he had a superior who was expected to coordinate the management of the donated area while the bailiff concentrated on tax collection. Another bailiff category consisted of those servants who were hired to take care of the mansions or the smaller donations under the nobility's jurisdiction. They were often called bailiffs too, and although their sphere of administration was considerably smaller than that of the colleagues in larger units, they were principally in a similar position to them.<sup>9</sup>

In the case of Björneborg County (Pori), two officials were hired at the beginning of 1651. Pål Callia (d. 1692) was installed as a bailiff and Hans Hansson Gode (c. 1620–1685), became his 'inspector' (*inspektör*). Callia took care of the practical tasks, including tax collection, while Gode was primarily responsible for coordination and the transportation of goods from Finland to Stockholm. Both Callia and Gode were expected to correspond with Count Gustaf Horn (the noble who had received the donation, 1592–1657), and then Countess Sigrid Bielke (1620–1679) after his death in 1657. This changed, however, in 1671 when Bielke suspended Gode for alleged malpractices and ordered Callia to take over all administrative tasks in the county. Pori County had crown bailiffs operating alongside county officials in the same parishes too, because some of the taxes were still due to the Crown

despite the donation; while sometimes in other counties and baronies, both Crown and county might even be served by the same official.<sup>10</sup>

Another change that occurred during the seventeenth century was that crown bailiffs, although officially on the lowest rung of the administrative ladder, began to delegate the practicalities of tax collection to lower administrative officials, such as the rural police chief (*länsman*).<sup>11</sup> Indeed, studies of Finnish local history show that, at the start of the seventeenth century, the rural police chief was the person most involved with tax collection in those parishes that were not already part of counties or baronies. As his superior, the crown bailiff mainly monitored this collection process and only intervened if there was some issue that needed to be resolved.<sup>12</sup>

There have been previous studies on Swedish local communities, which have been described as either ‘political’ or ‘interactional’, because there were official and legitimate channels for common people to have an influence on matters such as taxation or military recruitment. But in most cases the main focus of these studies has been on the institutions and structures themselves, rather than the bailiffs.<sup>13</sup> Generally speaking, the only time the role of bailiffs has come to the fore is when there were reports of conflict within local communities. In such conflicts over taxation or military recruitment, the bailiff would be the one to bear the brunt of opposition, as those being taxed often suspected the officials nearest them as being the ones responsible for any perceived injustices, leaving them exposed to accusations and suspicions.<sup>14</sup> Such findings are significant, but because they only crop up in times of crisis, so they perhaps do not adequately portray the normal state of affairs.

The notion of bailiffs being stuck between a rock and a hard place in this manner, is not exactly new, as the wording of the 1688 instructions for crown bailiffs reveal. The formula for the oath of office required the bailiff to pledge himself accountable for all his duties “in front of God, his Royal Majesty, his Chamber Collegium, and every honest man”.<sup>15</sup> This same statement describes the starting point of agency for bailiffs, which is examined in this chapter too. Demands were posed on bailiffs from a number of different directions, some of which related to his practical tasks while others urged him to consider his actions in moral or cultural terms.

### *Defining agency – the regulations and norms that applied to bailiffs*

In the seventeenth century, crown bailiffs were obliged to follow written instructions. They were usually drafted individually, but they all followed roughly the same pattern. Duke Charles (1550–1611) had published common instructions for all bailiffs in Finland back in 1602, but it was not until 1688 that the first general directive for crown bailiffs across the whole country was published. Other bailiffs serving donation-holders usually received similar written instructions from their respective masters, but these obviously varied a lot.<sup>16</sup>

The crown bailiff instructions of 1688 contain a lengthy list of tasks divided into 25 chapters. The main role of the bailiff remained the same,

even though political power became more centralized in the 1670s and 1680s with the accession Charles XI (1655–1697) to the Swedish throne. The overall priority was still to collect all the various taxes and to deliver them to the Crown's depots on time. The instructions provided step-by-step guidelines on the best way to carry this out. They specified the documents required for the different phases of tax collection; the correct procedures for securing the legitimacy of all activities; the decrees and royal orders that had to be taken into account in the process; and how the bailiff was supposed to cooperate with other crown officials.<sup>17</sup> Most importantly of all, the crown bailiffs had to take an oath to carry out their duties in front of the local court, which made people aware of both the bailiff's authority and his obligations. As they heard him take his oath, the common people were both symbolically and literally granted the position of supervising the actions of the bailiff.<sup>18</sup>

The instructions of 1688 are significantly longer than, for example, the instructions of Duke Charles from 1602, and they show a shift towards systematizing the bureaucracy. Yet they are far from comprehensive, and remain rather abstract. Instead of detailing the work more thoroughly, the 1688 instructions nebulously demand that the bailiff should personally acquire the knowledge of how to take care of the task. One stipulated requirement, for example, is simply to have a "penetrating insight" into administrative matters; another is to keep a "watchful eye" over them; and another is to "be informed" of crucial "factors" whatever they might be. In this respect, the instructions place expectations more on the personality of the bailiff rather than on the precise nature of the tasks themselves. In most cases this meant for the bailiff was expected to act "diligently" or "with all his might" to fulfil his duties (in other words, to be loyal).<sup>19</sup>

These generalised guidelines suggest that, in practice, bailiffs often had to take the initiative and be personally responsible for their actions, as it seemed clear for most of the time that the bailiff would face unforeseen circumstances. Thus the exact details of each bailiff's agency were defined more by his individual skills, and the demands specific to his surroundings, than the guidelines. What the oath of office from 1688 did, was put into words the already commonly accepted belief that bailiffs should have a strong moral conscience and commitment, not only to the Crown, but also to God.

This wording was evidently familiar to the officials of Pori County, for example when, in 1672, both Pål Callia and Hans Hansson Gode defended their actions in correspondence by insisting that their conscience was pure and that, if necessary, they would be willing to stand in front of God to answer any accusations. This is also apparent in Countess Bielke asking them if there was anything "on their conscience". Paradoxically, the fundamental law which presupposed any member of society taking an oath in public, was that he was clearing his name of any suspicious criminal activity. Another factor to bear in mind, was that Lutheranism was at the heart of state-building in seventeenth century Sweden. Not only did its teachings serve the interests of the Crown in terms of how resources were exploited, but pastors could also urge their congregation to also keep an eye

on whether there were any corrupt officials (as well as pay their taxes on time). The role of pastors in local community is discussed in another chapter of this book.<sup>20</sup>

Administrative work's moral core reflected the commonly accepted notion that God was arbitrating over what was good and bad; and this naturally increased the pressure of work on bailiffs and other state officials. People were always accountable to God in the end. In fact, this idea that "you only reap what you sow" was referred to on several different occasions by people in Pori County. For example, Sigrid Bielke referred to it when she fired Gode in 1672. Perhaps these kinds of statements were simply rhetorical formulas repeated as a matter of routine, and it is indeed difficult to know just how religious these people were being, seeing as none of them contemplates this in detail; but neglecting these statements altogether would be equally wrong, as they at least represented the ideals of good governance. Church and God was therefore disciplining not just the common people, but the administration too.<sup>21</sup>

In Pori County, officials willingly defended and explained their actions using biblical arguments. For example, Pål Callia was a bailiff who fought with his brother Henrich Callia (d. 1675) for decades. During this time and to complicate matters, Henrich himself had two crown bailiff appointments, so the family feud soon turned into a larger administrative issue at times (rising to a head in the 1670s). Both brothers tried to harm each other's reputation by accusing the other of all kinds of misconduct, and then when suddenly Henrich Callia died from a disease in the spring of 1675, his brother felt it was the ultimate sign of God's blessing. Pål Callia had previously asked God mete out "the punishment and shame" he felt that his brother deserved. "Please God, don't let him go unpunished," he had urged, and when his brother died, he explained in a letter that God "in his amazing wisdom, has punished my brother's house with a black cross". Before his death, Henrich Callia had foreseen similar fate to his brother. Henrich had pledged his innocence to his superior governor (*landshövding*) Harald Oxe (1628–1689) and sworn that he was ready to stand in front of God with a clear conscience, reassuring his superior that it was Pål Callia who was destined to the ultimate penalty of death. Henrich predicted that "[t]he head of the instigator will fall".

There was always a moral dimension to the bailiff's agency, with the question looming over him of whether his conduct was just in the eyes both of the Crown and the people he collected taxes from. Another 'unwritten' code (at least for the most part), was related to domestic household conventions of the time. Being in front of the king, or nobility responsible for taxation in an area, was in many ways the same as a servant presenting himself before his master, and it meant following the rules of patriarchal hierarchy. Tax administration therefore followed the principles that determined nearly all other social interaction, i.e., the rules of a domestic household, where family was the most important ideal. Accordingly, this relationship was not based on a salary, but more like a familial connection where the bailiff had the 'junior' role.<sup>22</sup>



Loyalty and devotion were expected from juniors in a society where the norms of patriarchal family life were familiar to everyone. Indeed, the rules for behaviour inside a family were not just biblically defined, but also found in the so-called 'oeconomic' literature. These books aimed at educating nobility in becoming good masters and managers of property. Essentially, the main message was that there were no shortcuts for achieving this. The nobility had to devote themselves to agriculture and in so doing, would contribute to the fundamental reorganisation of society along the lines of a smooth-running household. Oeconomics championed the noble household (or estate doctrine), rather than that of the Crown or lower estates, to such a point that the agency of its officials were virtually synonymous with the ideals and virtues of a good nobleman. This personal devotion was enough to endorse the office-holder.<sup>23</sup>

Oeconomic literature also contained information on how to manage the landed properties, thus providing guidelines for officials who managed the donations, even though they were not usually of noble origin. Bailiffs were expected to dedicate themselves intensively to all the details of management. The ideals were presented in the context of a single manor economy, but again they were expandable to larger settings. Concrete examples of good conduct could be applied to any scale of management. The guides instructed how the bailiff should behave in everyday life. For example, it was recommended that the bailiff enjoy his meals among the servants so that there would be no reason for them to believe that the bailiff was having the best pieces of meat. Transparency was needed, because the bailiff had to be morally superior to the servants below him, and honourable conduct would help him gain respect and loyalty from his subordinates.<sup>24</sup>

Eventually oeconomic thought promoted the idea that bailiffs should be like fathers of a family, who should treat their 'estate' in the same way as they would raise their own children. The bailiff's agency was therefore not simply focused on the practicalities of securing the best possible revenue. Ultimately, they also had to be sensitive to promoting the right mentality and morality among the people they worked with. Bailiffs thus not only had to show obedience, but also to breed it in those around them.

### *The process of collecting taxes*

The Swedish taxation system in the seventeenth century consisted of a number of taxes that all were related to the capacity of each farm. The size and quality of landed properties defined the tax rates; and the manpower in each farm also counted to a certain degree. The tax rates were recorded in the Crown's account books, and although tax collectors at the local level regularly assessed the conditions in which their taxpayers lived, the key figures marked in the Land Charge Register (*jordebok*) were rarely changed during the seventeenth century; and this provided a solid foundation for taxation. And yet, although the basics of the system did not change radically, there were several new taxes that were introduced in the first decades of



the seventeenth century. As a whole, the taxation system was now therefore a complex set of different contributions, which were deliverable to a number of parties: the Crown, the nobility, local trustees and the Church.

The taxes were collected according to an established schedule. In most regions they were traditionally paid on certain days, which were usually in the autumn after the crop had been harvested. Once collected, the taxes were thoroughly verified on their way to the Crown's warehouses to make sure they got there. The crown bailiffs kept accounts of all the tax revenue collected, and if it had not been paid in full, they had to provide a verifiable explanation for the amount missing. Without an acceptable excuse they were considered personally responsible for the loss, and it shows just how much pressure they were under from the hierarchical crown administration. A confirmation for the reasons as to why an amount was missing would have to be obtained from the local court, and the bailiffs working for the nobility usually followed a similar procedure too, if they had an amount missing from their coffers and needed to account for it.<sup>25</sup>

In normal local circumstances, the established system left little room for negotiation between the tax collector and taxed. However, it was fairly common for these circumstances to not be normal. In fact, the climate in Sweden became colder in the seventeenth century and crop failures often hampered agriculture throughout the century, culminating in a great famine in the 1690s. In Finland alone, the population decreased by 30%, with more than 100,000 people dying through famine and disease.<sup>26</sup>

It was not unusual that the bailiffs failed to secure the tax reliefs from the authorities that they had promised the poverty-stricken farmer. In these cases the crown bailiff was usually suspended from his position and had to pay the missing amount from his own pocket. The alternative was for the bailiff to try and get the money from the farmer after all. If he was a wealthy man, he could survive his dismissal from office but it could also mean a loss of stable income. Grels Eskilsson worked as the crown bailiff for the area of Ylä-Satakunta (1639–1640) and accumulated a debt of 800 *riksdaler* for uncollected taxes. Eventually, the Crown decided to confiscate all his landed properties – at least two farms – to recover the debt. Grels Eskilsson did not deny the debt as such, but he felt injustice at the confiscation process and eventually burned his farms out of anger and desperation.<sup>27</sup>

Even in the midst of a famine it could be difficult for bailiffs to convince those higher in the administration that it would be difficult to collect taxes in full. Perhaps one of the most extreme examples of this, is the case of Jacob Saringius (d. 1714). He worked as a manor bailiff in the 1690s under Count Axel Julius De la Gardie (1637–1710) and baroness Sofia Juliana Forbus (1649–1701), nobility who had lost much of their tax income in the Great Reduction. They were reluctant to accept any tax reliefs the bailiff was suggesting despite the great famine of 1696–1697 that had stricken their manors and those working in them. The bailiff hoped that the nobility in charge might instead send grain to ease the plight of the people, as one could expect honourable master to do, but the countess mostly neglected his reports and instead blamed Saringius for writing too rarely.<sup>28</sup>

It was common that nobility who lived far from their possessions were suspicious of their servants. Countess Sigrid Bielke, for instance, had misgivings about the honesty of Hans Gode (the inspector of Pori County) for years, but she dismissed him only after she had arrived personally from Stockholm to Pori to supervise the management of the county. It was in fact the only time the countess had deigned to visit, and even though it was difficult to find clear-cut evidence for corruption, she dismissed Gode, not only blaming him for the low tax income, but also for infrequent communication. As such, the suspicions were not unusual, but considering the amount of agency bailiffs usually had, these doubts were worst when a bailiff could not be supervised face-to-face.

Up to a certain point, bailiffs were free agents, in spite of the pressures on them from various directions. For sure they had to correspond with their superiors by letter and send them records of everything, but for day-to-day activities they were left to be the unsupervised leader of a group. This was very much the case for bailiffs operating on behalf of donation-holders, who were often several hundred kilometers away in Stockholm or elsewhere. The setting gave them space, but at the same time it was the ultimate source for distrust, and one of the main reasons for demanding accurate records and regular correspondence. Securing the confidence of the higher authorities was thus one of the key requirements for bailiffs who wished to maintain their agency, whether serving the Crown or nobility. One of the best ways to maintain this confidence was to actively investigate situations where the official rates of tax could not be met, and documenting the reasons for the deficit.

The tax collector had to find valid reasons to explain why sometimes the correct amount of tax could not be paid, and after assessing the level of poverty, it was necessary to define a reasonable level of tax that could be met. This process presupposed localised knowledge of the parish. Had there been climate factors contributing to the crop failure? Were specific fields more prone to frost or flooding? The tax collectors had to have precise information on each farm in their tax area, and whatever they settled on as the level of required taxes they had to be able to justify firmly but sensitively. In Pori County, the bailiff Pål Callia spared no efforts in trying to gather such relevant information from every corner of the county, but there was no way he could cover hundreds of farmsteads by himself, so he hired assistants to help him in the task; and it eventually became common practice that various officials and servants of authority in the local area would assess the ability to pay tax as a group.<sup>29</sup>

The same pattern was followed elsewhere too, so that the bailiffs (working for both the Crown and donation-holders) could get a better overview of the local conditions. Of all the people in the seventeenth century who became roped into this task, the local court and its jurors became perhaps the most important organ for assessing the degree of hardship that taxpayers were suffering. Bailiffs became officially obliged to seek confirmation on key information for tax collection from the court. The jurors were supposed to confirm the list of unpaid taxes that had been a result of negotiations

between the various taxpayers and the official responsible for collecting their tax. The local community itself selected the jurors to their position and, by being the ones to give them the authority to assess hardship, added an element of negotiation into the process.<sup>30</sup>

It is also worth noting that, in the seventeenth century, although bailiffs were supposed to be in the front line of negotiations about the level of tax between the common people and the higher authorities, the process was starting to be less in their hands. Instead, they were the ones who coordinated and supervised tax collection (and any tax relief decisions) while the actual fieldwork was assigned to servants and trustees in the local community. The rural police chief, jurors, and other local officials were often the people who actually faced the common people in many districts; and local historical studies unequivocally suggest that rural police chief became the main executive for tax collection at the local level during the seventeenth century.

But arrangements varied for those collecting on behalf of the nobility with taxation rights. In Pori County, the rural police chief remained a peripheral administration figure. Inspector Hans Hansson Gode was responsible for coordinating taxation, while Pål Callia (the bailiff) was regularly in contact with the people, keeping an eye on the harvest in all districts of the county. He had assistants helping him gather information, but he was the one who seems to have been at the 'chalkface' between the administration and common people. He knew what the nobility in charge expected, and he knew what folk were able to actually deliver. In the Barony of Kimito, the key figure in sole charge for the whole process of collecting taxes, keeping records (and transporting the taxes collected) was known as the *amtman*. He had assistants, but he was the one who went face-to-face with the common people in the barony, or at least he was expected to do so. When, after a poor tax income, Count Axel Oxenstierna (1583–1654) would give the go-ahead for a tax investigation and collection to be made, the *amtman* was urged to be personally involved in the process.<sup>31</sup>

Although there was local expertise among tax collectors, there was of course always the potential for conflict. There would be disagreements over just how serious the damages were that made it difficult to pay taxes, even after the case had been addressed in the court. This was the moment when the agency of the bailiffs and their team was truly tested. After the jurors had confirmed the fact that there were taxes left unpaid, the tax collector could try to repossess the debt against the will of tax debtors, and the seizure of goods could turn into a heated conflict involving physical force.

Several local historical studies report that it often occurred that punches were thrown and insults exchanged when tax was being collected. For example in the parish of Raisio, the crown bailiff, Henrik Isaksson, and his servants went to the farm of Jöran Thomasson to repossess unpaid taxes in 1625. The farmer first tried to resist by grabbing the bailiff by the throat, but the bailiff was stronger and pushed him away, so then he tried to prevent the bailiff's servants from taking away his oxen; but in the end they managed to take it anyway. Meanwhile, in Kalajoki, the wife of the farmer Matti Leppänen confronted the rural police chief's servant who had come in 1639 for the same reason with a punch in the face. Also in Kalajoki, Sipi Tulppo

tried to strike a juror and bailiff's servant with an axe in 1695.<sup>32</sup> So it seems clear that the bailiff or any official about to seize goods for taxes unpaid had to be prepared for the possibility of a violent reaction. At the very least, the tax collector had to be able to defend himself, but it was better if the aggressive behaviour could also be restrained (and physically if necessary).

The agency of a tax collector could thus require a certain physical character, but the tensions did not always end in a brawl – insults were sometimes enough. In Ulvila, Anders Pedersson and his family greeted the crown bailiff's tax collectors with foul language in 1639, and refused to open their granary or to assist the bailiff in any way; so the bailiff was apparently forced to break down the door of the granary and measure out the right amount of grain that would equal the tax owed. He then ordered Pedersson to carry the grain sacks down to the river bank, but he refused again to cooperate, and the two men started pushing each other. It did not escalate into a full-scale fight, but the end result was that the bailiff could not take the sacks with him.<sup>33</sup> In such cases, forced confiscation was thus not an option, and instead the bailiff would try and calm things down, in the hope that compliance would be achieved this way instead. Eloquence was one example of the kind of interactional skill that would certainly help the tax collector in this respect; and the ability to handle insults with apt remarks about common human decency could prove very helpful to a bailiff.

During the course of his whole career as a bailiff, it seems Pål Callia only had a couple of really major conflicts over tax collection. For example, he fought with Markus Matsson Kouvo over a period of several years in the 1650s, as he was unwilling to pay taxes according to the official rates. Eventually Callia went to his farm with his servants and repossessed a set of goods against Kouvo's will. Among other things, they took 14 barrels of grain, five cows, one ox and confiscated the key to his granary. Kouvo appealed to Count Gustaf Horn and Countess Sigrid Bielke, who returned the case to the local court. In addition to complaining about the repossessed items, Kouvo blamed the bailiff for cheating and abusing his power. He said that the bailiff had been using false meters on the tax parcels he had already sent and that he had therefore not properly recorded the amount of tax paid. At this point, Kouvo's complaints were addressed in detail, and the court found out that all the actions of the bailiff had in fact been legal and conducted in an appropriate manner.<sup>34</sup>

The courtroom was also the place where the bailiff could instigate other means to exact repayment of tax debts. If, after there had been tax debts for three years or more, and there was no room for negotiation (nor grain, cattle, or money left); then the whole farm could eventually be repossessed. At this point the property rights could be transferred from the tax defaulter to the Crown or nobility in charge of taxation. This touches on a larger social issue that has otherwise not really been discussed in most previous studies,<sup>35</sup> but from the bailiff's perspective it was a simple case that criteria had to be met, and that was that. For Pål Callia it seemed to be both a procedure that must be carried out, and a threat that could be used as leverage. The transfer of ownership did not necessarily mean being directly cast off the land, but it certainly made this a more obvious possibility, and encouraged

people to pay their taxes on time; even if this procedure was carried out in a variety of ways in the different bailiwicks of Sweden.

Bailiffs also had to be alert to the fact that peasants could resist their efforts by making legitimate appeals to the highest echelons of the administration. However, it was more usual that appeals to higher authority would only be allowed after they had first been thoroughly examined in the local court. But this was sometimes enough, as the local courts did not always rule in the bailiff or tax collector's favour. In the early 1620s, for example, the crown bailiff of the 'hundred' of Halikko, Mats Olafsson, approached a member of the nobility who had not collected taxes from one of his subjects and ordered his men arrest both the noble and subject until the tax had been paid; but in court his actions were deemed extortionate, and the bailiff was sentenced to pay fines for disturbing the peace.

In another case, dating from the 1670s, the crown bailiff Kristian Willingshusen of Northern Ostrobothnia was suspended from his duties, after there were complaints to the governor from the locals about his harsh methods of collecting taxes. The local pastor (*kyrkioherde*), Ericus Granberg (1620–1687) helped his parishioners write their complaints. Some time before this, in the 1650s, Crown Bailiff of the hundred of Lohtaja, Jöran Jöransson, ended up losing his title after attempting to repossess some property by force. He had also demanded from those who had not paid enough tax for them to give him a lift on their horses without legitimate grounds. Meanwhile, in Kalajoki, the chief of the rural police, Carl Persson, was suspended from duty after the local court found that he had forced people to let him have a ride on their horse to settle private matters, whilst also demanding payments for military expenditure that were too much. Again, it was the Church (Vicar Josef Mathesius, 1640–1689) who came to the defence of the common people and was behind these accusations.<sup>36</sup>

All tax grievances could also be addressed directly to the diet, but it seems that few were made directly against bailiffs during the seventeenth century. For example in the diet's case registry for Finland, there are only 34 complaints made against bailiffs (*befalningsman*, *fogde*) during the whole of the seventeenth century, of which some did not relate to the abuse of power. However, of those that did relate to this, most were criticisms of the bailiff's work (such as how he dealt with pleas for tax concessions) rather than accusations of corruption as such.<sup>37</sup> This overview may only give an approximate picture of the moral standards of bailiffs, but it nevertheless suggests that corruption was only rarely encountered within the administration. It of course existed, but it could be countered with different procedures, some of which were even supervised by the common people themselves.

### *The reputation of the bailiff in the community*

The bailiff was not only answerable to his superiors and God. The local community also played a part in his conscience and moral behaviour. In his correspondence, Pål Callia often referred to the "honest men" as well

as God when he was justifying his actions. In other words he meant that he was ready to answer accusations in front of common folk, as he believed the honourable and respectable members of the community would confirm his honesty and integrity if needed.

The state-building process in seventeenth century Sweden differs from its central European counterparts when it comes to how control was established at the local level. It is commonly thought that in Sweden the local elites were not strong enough to challenge the Crown in any significant way. Not only was the nobility weak in the countryside, but the Church was also. The Crown's policy of donating tax incomes to the nobility in the early seventeenth century did create some social tension between commoners and the nobility, but it gradually eased off after the midpoint of the century, at least partly because of the commoners' efforts in the diet. Some of them even benefited from the emergence of the new state. Some of the wealthier peasants became even wealthier as they were able to purchase landed properties that were desolated, while others could now apply for a career in administration or church.<sup>38</sup>

The overall state of affairs in the local scene determined the agency of all local officials. The reference to the honest men of the community in the bailiff's oath suggests however, that this setting could vary greatly. In the absence of local elites, where political and administrative structures would have been the principal channels for resolving social issues, the agency within a local community was regulated instead by unwritten micro-economic dependencies, kinship, and status systems that needed to be taken into account whether or not the bailiff officially had the authority.<sup>39</sup>

A commitment to honesty in front of the people showed how agency was determined by the locality. It suggested that the community itself had an informal way of defining the legitimacy of the bailiff's authority. Ultimately, it was they who defined which people were honourable and worthy of respect among them, and the Crown and the nobility knew this. Schering Rosenhane (1609–1663) went so far as to recommend that the nobility with taxation rights hire their servants from among the local people, in other words from those who were not only familiar to locals but hopefully also respected members of the community. It is easy to read this as a shrewd move to secure the smooth running of administration, but it does also testify to the power of the local community, and the fact that the bailiff required their respect.<sup>40</sup>

How did the bailiff earn this respect and authority among the people with whom he worked? It seems clear that it helped if the official had some roots of his own in the neighbourhood. In this way, the community would feel it had a better understanding of him as a person, but reputation was based on more than just details of a man's character. Knowing someone's reputation meant knowing a person's family history, his relatives, and how successful as farmers they had been; and a member of a wealthy farming family would generally attract more respect.

Personal reputation featured in everyday life too. The bailiffs could seek an assessment from the jurors of the local court for their actions, if they needed a recommendation to clear their name or apply for a new



post somewhere else. In the hundred of Lappee, the common people gave a favourable review of their crown bailiff, Hans Johansson, regarding his actions during the war years, when they were under scrutiny in the local court. The locals confirmed that Hans Johansson had “lived a godly and honourable life, conducted himself honestly with the people and had never taken away the last pot or cow from a poor man”. In Kaarina, the claims by former crown bailiff Henrik Bähr that he had been a decent official were backed up by the local population in 1691. The jurors declared that he had been an “alert and hard-working” servant, not to mention a sober one too, who had always looked out for the best interests of the people.<sup>41</sup>

The reviews were not spontaneous, nor were they precise in their evaluation though. They had a ceremonial nuance to them, which underlined the important relationship between the common people and the authorities. The people were not just considering whether the official had conducted his duties according to official regulations, but whether the official had been a respectable, honourable man and whether he had treated people with dignity. But it was not just his own reputation that was of importance to his work; knowing about the reputation of others was crucial to getting his job done. If, in Pori County for example, Pål Callia knew the farmer was a decent person and a hard-working man, he would be more likely to grant him tax reductions in difficult years. If the farmer was a drunk or unreliable however, no reductions were granted.

In fact, Callia verbally attacked many who failed to pay their taxes if he felt it was because their moral character was lacking in some way. In his correspondence and tax records we can see that Callia branded peasants with a wide range of derogatory descriptions: “useless”, “crook”, “malicious”, “restless fellow”, “thug”, “lazy”, “wasteful”, “drunk”, “drinks as much as he can get”. Although Callia may not have used these exact words actually in front of them, he did not hide his contempt, as challenging the personal reputation of your opponents was seen as an important part of a local official's job and the customary law. Tax collection disputes, just like any other conflict within rural communities were conflicts that were solved by the local court in a process where lots of informal factors were taken into account. Basically the reputation was very important. If Callia got into a dispute over taxation with someone, he usually questioned the integrity of the person, while at the same time showing that he was acting according to the law; while they, in turn, questioned the integrity of the bailiff and did everything they could to bolster their reputation and clear their name.<sup>42</sup>

Different kinds of conflicts and disagreements were part and parcel of administrative life in the seventeenth century. Besides the ideal of the righteous and honourable official, there were also other desirable attributes that defined his agency. The crown bailiff instructions of 1688 not only called for the local official to “support” and “advance” the Crown's interests but also, if necessary, to “defend” them from “damage”. The presumption that the bailiff would be met with fundamental hostility at the local level meant that he was expected to be persistent, tough and, if necessary, aggressive to be able to defend the rights of the Crown as long as possible. After all, land ownership was a process by which an owner legitimised his possession



by not only dictating the rights and limits of his property, but also actively ensuring the land was used properly. Such a system presupposed that the bailiff would act quickly and decisively, and this was also at the root of all other social and administrative activities. Honour, for example, had to be defended with the same decisiveness and vigour too.<sup>43</sup>

The dual nature of the bailiff's existence was such that he needed to be both a good person in the eyes of his fellow men, and at the same time a defender of his master's rights. Whatever actions were taken, it was important for bailiffs to temper their assertiveness and vigour so that they would not cross the line and turn into crimes. Aggressively destroying a recalcitrant taxpayer's reputation could backfire and become defamation; and while it was important to defend the interests of your superiors at every opportunity, it was also essential that a harmonious way was found to conclude the collection of taxes. In various administrative procedures, the phrasing was such that taxes should be paid "benevolently". In other words, there needed to be an overall agreement between the taxpayer and collector as to the legitimacy of the transaction. Ultimately, it was compassion that was expected to prevail inside the patriarchal society.<sup>44</sup>

In the case of Pål Callia, this balancing act proved to be difficult to follow through. His career ended when he got into a serious conflict with the vicar of Huittinen, Johannes Keckonius (1643–1719), at the same time as his reputation as an office-holder was at stake. Callia and Keckonius first disagreed over whether the vicar was entitled to some concessions or not, but it soon turned into a matter of personal dislike. Both men accused each other of malpractice, but more than anything they attacked each other with verbal defamations and dragging each other's name in the dirt. Ultimately the supporters of Keckonius succeeded in spreading gossip about the bailiff being corrupt; and although Pål Callia received a vote of confidence from the common people of the local courts for being a fair bailiff, the conflict between him and Keckonius nevertheless took its toll on his reputation among the local elite, and in the records he starts to be referred to as an "old dog".

Pål Callia was suspended from his duties as bailiff in 1678 and was accused of corruption, but it proved to be difficult to find concrete evidence against him, even after years of investigations. But his case demonstrates that corruption was not always necessary to bring an end to a local official's career. Agency could be dictated by informal factors that were beyond the control of the Crown, because local communities had their own hierarchies and mechanisms for defining authority. It is possible that Pål Callia's problems with his brother Henrich had damaged his reputation, and when Pål Callia got into another conflict, he already had a name for himself. There was thus already plenty of dirt for Keckonius to smear Callia with, and as the criticism went on, it began to undermine the position of Callia in the eyes of Countess Bielke too, whose latent suspicions were now given further fuel despite the lack of any concrete evidence of malpractice.

Thus the agency of a local official covered a grey area between following official instructions and commanding respect among the local population, which was dependent on informal factors in everyday life. Ideally, therefore,

a bailiff knew the community he was working in, but the ties he had with it were not strong. But everyone knew that this was frequently impossible and the bailiff was usually more inclined one way or the other. The Crown and nobility looked for men who commanded informal authority among locals, and yet at the same time, for those same reasons, they would constantly harbour suspicions about the bailiff's ability to remain loyal to the higher authorities if all of his friend and relatives were living in his jurisdiction. This contradiction may have been the reason behind why many bailiffs' careers were often cut short.

In the sixteenth century, the bailiffs rarely served in the same location for long periods, and this continued on into the seventeenth century. Yrjö Blomstedt's list of crown bailiffs suggests that each held his post for usually a period of only between 1–3 years. In other parts of the country there were a handful of posts that were held by the same official for 5–10 years in the late 1650s and 1660s (and a couple for even longer), but generally speaking it seems that they were an exception. Those bailiffs who worked for nobility in the donations had careers that lasted slightly longer than those who served the Crown, but the variation was not huge. In Jokipii's catalogue, there are more bailiffs serving longer periods under the nobility than the Crown, but there are also those who served only 1–3 years. Again, there were several reasons for the fast turnover. As the cases presented above show, there were not only cases where the abuse of power and corruption could lead to a bailiff's dismissal, but also others where he was either simply unable to collect the taxes, or else moving on to a better assignment.

Biographical studies demonstrate that the position of bailiff was a cornerstone in the careers of many social climbers. For example, Christier Månsson (1595–1659), who worked as a donation bailiff for Counts Magnus Brahe (1564–1633) and Jakob De la Gardie (1583–1652) pursued his own business alongside his bailiff duties, to eventually become an iron forgery industrialist and a merchant. Meanwhile, Nils Börjesson (1580–1655), who was the crown bailiff of Västergötland in the 1610s, went on to become the Mayor of Göteborg and a major private landlord (*arrendator*) there. In 1630, the German merchant Johan Boehmöller moved to Oulu to become a burgher of the town, and went on to become the crown bailiff in a number of bailiwicks from the end of that decade for almost another twenty years.<sup>45</sup> As for Henrik Corte (d. 1680), who was a bailiff in the 1650s and 1660s of the barony of Kajaani donated to Per Brahe (1602–1680), and went on to become a burgher and eventually Mayor of Raahen; he managed to run his own business successfully at the same time as taking care of extensive duties in Brahe's service. Behind his administrative titles, Corte was essentially a client of Count Brahe, and a member of an informal network that served the interests of the count inside the administration. As such, Corte was hardly an exception, and while the significance of patron-client networks cannot be discussed here in any greater detail, suffice it to say, the bargaining skills of a bailiff were also the same skills needed at the heart of those networks.<sup>46</sup>

It seems evident then that bailiffs could in many cases extend their activities without neglecting their basic duties of office. If there was no nearby town for the bailiff to become a burgher of, he could try to focus

instead on intensive farming or to address other rural assets. Zacharias Willandh (d. 1667), for instance, who was the crown bailiff of the hundred of Savolax was running a fishery in addition to his administrative duties. On top of this, he acquired land and properties, eventually ending up with one manor and two farms in the parish of Rantasalmi. Meanwhile Daniel Tollet (d. 1699), Crown Bailiff of the hundred of Hattula (1665–1685) became a major farmer, and went on to become Mayor of Hämeenlinna; while Pāwal Callia was also a farmer while a bailiff, as was his brother Henrich as Crown Bailiff of the hundred of Lower Satakunta on three separate occasions (1651–1655, 1664–1666, and 1671–1673).<sup>47</sup>

The fact that bailiffs were often able to pursue private interests, and sometimes hold more than one office at the same time as carrying out the duties of the post, is yet further proof that most bailiffs were rising from the grassroots level to a middle ranking office. It was an attractive prospect that there would be other jobs made available for anyone appointed as a bailiff who showed promising bargaining skills which were clearly transferrable elsewhere; and this acted as a positive counterbalance to the all the negative sides of the job (including the fact that they would be ultimately liable for any unpaid taxes).

### *The agency of bailiffs*

In this chapter, the discussion has not been limited to simply crown bailiffs, as by the seventeenth century there were bailiffs of various kinds in Sweden and, although it is debatable as to whether this same title truly connects these officials in any way, they all did share one key element in their duties – acting as the broker between the common people and the authorities. The job of each thus involved using skills in negotiation, mutual exchange and even coercion to collect taxes; but this varied from post to post in terms of what level it happened at. What agency did bailiffs really have then, to allow them to carry out these tasks?

The management of taxation presupposed organisational and logistical skills. The bailiff had to be able to carry out tax collection on schedule and according to established rules by following the orders of the governor and his office. Occasionally, tax collection or the collection of the unpaid taxes would turn into a physical altercation, and so the bailiff and his servants had to be prepared for this. Aggressiveness (or at least assertiveness) was in fact a virtue for a local level official, as it helped them defend the interests of the authorities. The need to fulfil their obligations was thus a major factor in their agency, as if they failed in delivering taxes on time, they could face a personal bankruptcy of their own.

At the same time they were expected to act fairly, and pay attention to the well-being of common people. The collection of taxes was tightly connected to gaining information on the tax-paying abilities of people. However, this was not restricted to a simple inventory of a persons goods and chattels; it also extended to a sensitive analysis of each taxpayer as a person, and this added a certain moral dimension to the agency of bailiffs. To properly

evaluate the integrity, honesty and decency of people in cases when they were having difficulties in paying the official rate of tax was thus a task that was prone to meeting with conflict.

Because of this moral dimension, bailiffs were also left exposed to similar moral assessments by the local populace. They not only asked whether the tax collector was fair and reasonable in his judgements, but also whether he was a good and honourable man. A lot of the guidelines used in this task were ultimately biblically derived, and the local clergymen were thus important agents in local affairs too, as they could assess the morality of the official in religious terms. All the bailiff could do was to make sure he followed the unofficial norms of the community in which he worked. The agency of bailiffs was thus simultaneously shaped from below as well as from above.

The research on which this publication is based was funded by the Academy of Finland (grant no. 137741).

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