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The ‘Right to Plant’: roadside tree planting in The Netherlands

Jan Woudstra

On visiting the Netherlands, foreigners often remarked on the beautiful avenues of trees they saw everywhere, along quay sides and canals, in gardens, around squares and on ramparts, and along the roads in new polders, cities, villages and the countryside. On seeing these in the Keizersgracht, Amsterdam in 1641, the English visitor John Evelyn even declared it a ‘citty in a wood’.¹ While this may not have been the intention of those who created it, this provides a powerful evocation that has continued to be reiterated by other visitors, by painters, and indeed academics. A recent authority refers to urban tree planting in the Netherlands as being ‘unprecedented’, with The Hague celebrated as ‘the most compelling example of a green town... in the sixteenth century’.² While the evidence of abundant tree planting has been variously documented, the political context of why this occurred here has been investigated insufficiently. This chapter therefore explores the processes and agency that enabled this to happen, using the ancient city of Utrecht and the Meijerij, the area to south in Brabant, as a way to frame the narrative since both have been well documented for different reasons, but show the typical issues.

Evelyn saw trees in cities as contributing ‘to the *publick Ornament*, as well as convenience’.³ Sir William Temple, the English ambassador at the Hague in 1668, had profound observations on the impact of trees for the ‘Adornment of Towns’ more generally, stating how they contributed to a setting that encouraged people from other nations, ‘whose very Passage and Intercourse is a great Increase of Wealth and of Trade, and a secret Incentive of People to inhabit a Country, where Men may meet equal Advantages, and more Entertainments of Life, than in other Places.’⁴ It is clear that not only the physical nature of trees in the urban context was admired, but also how they helped improve socio-economic conditions.

Some political background

¹ Austin Dobson, *The Diary of John Evelyn* (London: MacMillan, 1908): 16, n.1.

² Henry W. Lawrence, *City Trees: A historical geography from the renaissance through the nineteenth century* (Charlottesville and London: University of Virginia, 2006): 42, 19

³ John Evelyn, *Sylva* (London, 1664), 27 [under Walnut].

⁴ Sir William Temple, *Observations upon the United Provinces of the Netherlands* (London, 1705): 223.

Until the Napoleonic period the Netherlands consisted of a series of regions each with their own rules and customs. These had their roots in the various waves of peoples that occupied or conquered the area. The Carolingian dynasty introduced the feudal system in which landholders provided land to tenants in exchange for their loyalty and service, effectively creating dependency by providing rights, not ownership. Exchange was largely in produce. The population started to expand in the 12th and 13th centuries with further land being brought into cultivation including the grand reclamations of the marshes of Holland and Utrecht, but also the slightly elevated heathlands to east and south, where it affected various common rights, such as driving sheep, grazing for pigs and cattle, turfing and extracting fire wood.⁵ It also encouraged trade and industry and the expansion of cities, thereby forming an important counterweight to diminish the power of nobility and church resulting in the feudal system being gradually dismantled. This ultimately benefited the sovereign lords and the formation of regions, each with their own rules and customs. The lack of competition among regions ensured a period of welfare and a profound artistic culture.⁶ By 1433 the Duke of Burgundy had assumed control of an area that stretched from the Netherlands to northern France and Luxemburg. In 1482 the Burgundian Netherlands became part of the Habsburg empire through marriage, and from 1543 it was incorporated in the Seventeen Provinces.⁷

After the abdication of Charles v in 1555 his less tolerant son Philips ii governed in an authoritarian manner which ultimately led to the Eighty Year War (1568-1648). The Union of Utrecht in 1579 in which a number of regions agreed to dispose of the Spanish and jointly organise the state of defence, taxes and religion was followed in 1581 by a declaration of independence in which the northern provinces were separated from the southern Netherlands. In 1795 the French Republic occupied the northern Netherlands, creating the Batavian Republic; making it part of the French Empire in 1810; and after the 1813 departure of the Napoleonic army the United Kingdom of the Netherlands was created, with the north and south being united in 1815. The Belgian revolt of 1830 led in 1839 to the creation of the Kingdom of the Netherlands more or less in its present form. This tumultuous period was of importance because instead of a series of independent regions with each their own governance and form of government it established both a constitution and used the French

⁵ Jaap Buis, *Historia Forestis: Nederlandse bosbouwgeschiedenis* (Utrecht: Hes, 1985): 37.

⁶ H.P.H. Jansen, *Geschiedenis van de Middeleeuwen* (Utrecht, Antwerpen: Spectrum, 1981)

⁷ Jonathan Israel, *The Dutch Republic: Its rise, greatness and fall, 1477–1806* (Oxford: Clarendon, 1998).

Civil Code as a model for the Dutch *Burgerlijk Wetboek*. This proved of lasting significance that has not only affected the legal language, but also the relationship with property, including trees.

Regt van voorpoting/ The right to plant ‘in front’

By the time of the Burgundian dominance over the Netherlands tenants had acquired various established rights, with distinctive traditions developing in different parts responding to the physical context. The higher sand ridges to the south and east saw different development patterns than the north and west that were low lying and prone to flooding. This lowland had been protected by dykes, raised embankments, since ancient times, of which maintenance was the responsibility of the respective landowners for their part; they were *verhoefslaagd*.⁸ This system of shared responsibility also opened up opportunities for land reclamation of moors and wetland by joint ventures.

The right to plant predated the Burgundian era and provided the right to plant trees along the highway bordering one’s property and involved the obligation to manage and maintain them. There were two versions; the *regt van voorpoting*, on verges adjoining, and *regt van overpoting*, on the verges on either side of the adjoining road, the oldest surviving right dating back to 1310.⁹ Mid-sixteenth century illustrations celebrating rural landscapes reveal how common this was, with highly limbed up (‘shredded’ in English) standard trees and pollards shown along roads in villages, near farms and besides fields.¹⁰ It was an everyman’s right to plant these trees on land belonging to the *gemeynte*, and verges along roads were considered common land.¹¹

Though there had been Roman roads south of the Limes, and there were local ones, the main mode of transport in the Rhine delta area was across a system of natural and improved

⁸ With thanks to Abrahamse, see: Jaap Evert Abrahamse, *Metropolis in the Making. A Planning History of Amsterdam in the Dutch Golden Age* (Turnhout: Brepols, 2019).

⁹ Bas Visser, ‘Als populier synoniem met voorpootrecht is...’ (Relating to court case: Hof den Bosch, 18 February 1902, accessed 17 May 2021: <file:///Users/janwoudstra/Documents/The%20Politics%20of%20Street%20Trees%20draft%20chapters/woudstra%20docs%20for%20paper/Als%20populier%20synoniem%20met%20voorpootrecht%20is....webarchi ve>).

¹⁰ Walter S. Gibson, *Pleasant Places: The rustic landscape from Breughel to Ruysdael* (Berkeley, etc.: University of California, 2000).

¹¹ J.F. Boogaart, *Wetten, Decreten, Besluiten en Tractaten of den Waterstaat in Nederland* (‘s-Gravenhage: Martinus Nijhoff, 1858: 374).

waterways, augmented substantially by a network of canals constructed between 1632 and 1665 built for the barge, with towpaths.¹² Roads served local transport, and until the French occupation in the early nineteenth century there were no national roads, though from the late seventeenth century there were ‘Hessen’ roads, trade routes from northern Germany to Utrecht. The latter avoided villages and used larger carts with a wider span for heavier loads than allowed in the provinces.¹³

While this was a common right there were restrictions, particularly in the lower parts of the country, where roads were often on dikes, and as defences against water these required special care. In Nijendijk for example, no pollarded willows or standard trees on the sun side were allowed since that prohibited the road from drying out. Additionally there was a requirement to ensure overhanging branches of trees and hedges had been shredded so as to provide clear passage to carts loaded with hay or corn, while trees that overarched the road and thereby caused nuisance were to be removed instantly.¹⁴ The river board of the Lek (branch of the Rhine) prohibited planting on banks of dikes or at the foot of these, which would have been because once the plants had died or been cut down the dead roots would have damaged the integrity of their structure.¹⁵ In other instances consent from the authorities was required.¹⁶ Sometimes variations on general customs applied; so instead of shredding trees to 14 feet, only 12 feet was necessary and young standards till 8ft.¹⁷

The so-called wilderness right, allocated by the emperor around 1000, provided nobility with the right to reclaim wasteland. For example, on the higher grounds of the Meijerij region of Brabant the Dukes of Brabant had the rights to wasteland, classed as common land.

Exploitation of these areas enabled the raising of taxes, which was done by means of charters

¹² Jan de Vries, ‘The Dutch rural economy and the landscapes:1590-1650’, in Christopher Brown, *Dutch Landscape : The early years, Haarlem and Amsterdam 1590-1650* (London: National Gallery, 1986):79-86

¹³ J. Heringa, ‘Het Hollandse spoor’, *Mededelingen der Koninklijke Nederlandse Akademie van Wetenschappen* NS 27/1 (1964): 1-59.

¹⁴ C.W. Moorrees, P.J. Vermeulen, *Johan van de Water’s Groot Plakkaatboek ‘slands van Utrecht aangevuld en vervolgd tot het jaar 1810* (Utrecht: Kemink, 1860), Vol.2: 201 Ordonnantie op het schouwen van binnewegen onder den Nijendijk 22 April 1769.

¹⁵ C.W. Moorrees, P.J. Vermeulen, *Johan van de Water’s Groot Plakkaatboek ‘slands van Utrecht aangevuld en vervolgd tot het jaar 1810* (Utrecht: Kemink, 1860), Vol.2: 18 ‘Publicatie van dijkgraaf en Hoogheemraden van de Lekdijk bovendams tegen het planten van boomen op de dorsering en den voet des dijks, 3 Mei 1741’.

¹⁶ C.W. Moorrees, P.J. Vermeulen, *Johan van de Water’s Groot Plakkaatboek ‘slands van Utrecht aangevuld en vervolgd tot het jaar 1810* (Utrecht: Kemink, 1860), Vol.2: 166.

¹⁷ C.W. Moorrees, P.J. Vermeulen, *Johan van de Water’s Groot Plakkaatboek ‘slands van Utrecht aangevuld en vervolgd tot het jaar 1810* (Utrecht: Kemink, 1860), Vol.2: 460.

for the various villages. These charters were referred to as *pootkaart*, plant chart, and could be acquired by means of payment up front, or through an annual tax. This enabled the resident to plant a specified area along the road, normally for a row of trees, but at times wider strips were allocated, up to 80ft from the side of the road. In addition tenants had to either provide a *houtschat*, timber treasure or tax, when trees were harvested. With the oldest charters dating from 1396, and the latest surviving ones dating from the second half of the eighteenth century, this remained a popular charter. However as it provided legal rights in perpetuity it was often challenged, not only by the tenants but also the landlords, particularly the later authorities. By the end of the seventeenth century, in 1696, the States-General required planting of trees along roads as a duty to the landowner.¹⁸ It is clear that the benefits of tree planting were generally understood and the urgency to provide timber and firewood.

This was similarly so in the province of Zeeland. One of the main trades between the eleventh and fifteenth centuries here was extraction of salt from peat which had been formed there 10,000 years earlier. This meant a lowering of ground level and ultimately caused land to become vulnerable to flooding, and indeed it is often blamed for the St Elizabeth flood of 1421. There were various attempts to prohibit the practice, but it was not till 1515 that Charles v compensated the inhabitants of the area for the loss of their fuel with the right to plant along roads and their yards, giving them the benefit of the wood instead, that the practice ceased.¹⁹ The avenue at Middelharnis, Zeeland, painted by Meindert Hobbema (1638-1709) in 1689 exemplifies Dutch practice in that it clearly shows tree planting, suitably shredded trees on a narrow road with some closely planted young pollards in front of a farm to the right; there are tree nurseries that reveal the significance of tree culture to the young nation (Figure 1.1).

<Figure 1.1>

The city of Utrecht as a case study

Utrecht had been a fortress in the Roman era at a location where the Rhine could be crossed; it was the largest city in the Northern Netherlands, granted city rights in 1122. The earliest reference to trees within the city was with regard to a prohibition in 1397 to plant willows

¹⁸ Jaap Buis, *Historia Forestis: Nederlandse bosbouwgeschiedenis* (Utrecht: Hes, 1985): 166-173

¹⁹ *Ibid*: 171-173

within 50 rods (a Rhineland rod was c.3.7 metres) of a windmill.²⁰ The latter were placed on raised positions on the ramparts and the directive suggests the common practice of defensive planting on and below the embankments in order to make them even more difficult to raid. It also reveals that planting was normally with a rich variety of street trees. There were trees along the canals, and along the approach roads; there was a circular walk on the ramparts planted after 1612 with elms ‘as an ornament to the city, but also for the comfort and recreation of the citizens’, while by 1656 lime trees had been added here. The same trees were selected to frame the 200 rod long Maliebaan, or Mall, to northeast immediately outside the walled city. In 1637 four rows of trees on either side of the mall were planted, totalling 1200 limes and 600 elms, and they soon created desirable shady walks.²¹

One of the main issues with trees generally was the damage they incurred, accidental, through livestock and horses, and maliciously against which various orders with hefty fines were levied. Trees planted by the city were protected against such damage with thorn branches being tied to the stems, or with a surround consisting of three or four planks.²² This practice was observed by John Evelyn.²³ In addition trees planted in front of houses had to be protected similarly by the occupiers, otherwise they would be held responsible for any damage.²⁴ In 1629 a chamberlain was appointed whose responsibilities included the pruning of trees and which he had to pay for, but for which he had to request permission from the mayor before proceeding.²⁵ Contemporary drawings illustrate the rich pattern created with young and old trees. Drawings by Herman Saftleven (1619-85) show a section of the Nieuwe Gracht with ancient lime trees that have been estimated as about 150 years, but based on this visual evidence could be older and might have been planted soon after the canal had been dug between 1390-93 (Figure 1.2).²⁶ In 1659 these different trees and various sizes were considered ‘irregular’ and ‘indecent’, and were ordered by the local authority to be replaced

²⁰ Johan van de Water, *Groot Placaatboek vervattende alle de Placaten, Ordonnantien, en Edicten der Edele Mogende Heeren Staten 's Lands van Utrecht* (Utrecht, 1729), Vol.3: 645.

²¹ Marinka Steenhuis, *Maliebaan Utrecht: Cultuurhistorische verkenning en analyse* (Schiedam: Steenhuis, 2009): 41-2.

²² Johan van de Water, *Groot Placaatboek vervattende alle de Placaten, Ordonnantien, en Edicten der Edele Mogende Heeren Staten 's Lands van Utrecht* (Utrecht, 1729), Vol.3: 408, 409.

²³ John Evelyn, *Sylva* (London, 1670), 31

²⁴ Johan van de Water, *Groot Placaatboek vervattende alle de Placaten, Ordonnantien, en Edicten der Edele Mogende Heeren Staten 's Lands van Utrecht* (Utrecht, 1729), Vol.3, 410

²⁵ Johan van de Water, *Groot Placaatboek vervattende alle de Placaten, Ordonnantien, en Edicten der Edele Mogende Heeren Staten 's Lands van Utrecht* (Utrecht, 1729), Vol.3: 222, 225.

²⁶ N. Maes, T. van Vuure, *De Linde in Nederland* (Utrecht: Stichting Kritisch Bosbeheer, 1989): 51

‘in better order and form’ with good lime trees. This highlights the issue of the common practice of trees planted by the residents, versus the needs, requirements and sense of order clearly being considered as important by the authority.²⁷

<Figure 1.2>

The road of [all] roads

One project that exemplified this sense of order and greater ambition was the project for a road to Amersfoort. With the end of the Eighty Years War in 1648 Utrecht had lost its connection with the Zuiderzee to north, and while a new canal was proposed, due to reluctance of neighbouring authorities this could by no means be assured. The architect Jacob van Campen (1596-1657), inspired by classical history and architecture, proposed a grandiose road to connect Utrecht and Amersfoort, the province’s two main cities, providing a prototype, presumably with the idea to create further links later on. The route was across the Utrecht Heuvelrug, a sandy ridge of heathland, that had largely been deforested by the end of middle ages. There were various summer roads between these cities but they were barely accessible in other seasons. Van Campen envisaged a perfectly straight and level ‘road of [all] roads’ (*wegh der weegen*)²⁸ and ‘the widest street of the widest streets’²⁹.

This project, first mentioned in 1647, was said to have been inspired by the Via Appia, the tree shaded military road which ran from Rome to the southeast of Italy, to Brindisi (constructed between 312-264 BC).³⁰ It was another two years before a further plan was submitted that also resolved the way of financing the project. This was based on the methods established in traditional land reclamation projects and the creation of polders. This enticed investors by offering *gratis* plots alongside the road, in this case 100 rod wide and 25 rod deep, with the incentive that those who build a house there would obtain another 50 rod. In return the owners would have responsibility for the layout of the road, its planting and

²⁷ A.F.E. Kipp, *Bomen langs de grachten: Historische achtergrond en karakteristiek van de bomen langs Utrechtse grachten*. (Utrecht: Gemeente Utrecht, 2003-2009): 17, 21.

²⁸ Everard Meyster, *Het Eerste deel der Goden Land-spel om Amersfoort, van ‘t nieuw Stad-huys binnen Amsterdam* (Amsterdam, 1655), 15

²⁹ J. A. Worp, *Constantijn Huygens: Gedichten, 1661-1671* (vol. 7) (Groningen: Wolters, 1897): 292 ... ‘d’allerbreedste Straet van d’allerbreedste Straten’.

³⁰ John Knapton, ‘The Romans and their roads: The original small elements pavement technologists’ (Newcastle: University of Newcastle, n.d.): 46. ‘A feature of the Appian Way was the planting of trees along its edge to provide shade for travellers.’

maintenance. The province provided an allowance of 2500 guilders, most of which went to compensate two large landowners, who were each given 1020 guilders in compensation, with the remainder distributed in 20 guilder amounts to each plot holder. Remarkably there was nothing available for the rural community of Soest that lay in between and was affected by both land take and being deprived in exercising their common rights.³¹

In anticipation of the project Amersfoort had already commenced a connector road from the city where historic property rights prevented a straight route. This was planted with oaks for ‘ornamentation and demarcation’, as indeed was required generally within the authority, and enforced during landownership exchanges with the requirement of ‘ornamental’ planting along roads. The main road was accurately specified since each plot holder was responsible for their section. The width was 16 rod (c.60m); a raised bank was to be thrown up with heath sods on either side, measuring 3 rods wide (36 feet or c. 11m), 4 feet high on the inside and 3 feet towards the outside. This bank was planted with 12 rows of young oaks at one foot spacings, and clearly intended to form a hedge to provide protection and shelter from drift sand. Either side of the road was to be planted with three rows of standard oaks, 12 feet (1 rod or 3.77m³²) apart, and 10 feet (c.3.1 m) in the row.

In the centre line of the road another three rows of oaks were proposed, but not planted.³³ The sand base and the fact that the surface was not metalled, encouraged carts to search for the most solid ground, and they even drove between the rows of trees. Thus the road was soon supplemented with ditches not only to guide the traffic, but also to raise the road surface and encourage drainage in an attempt to provide a winter road. The fact that this project was never fully completed, with only few houses built, sections of planting left unfinished and lack of maintenance at times, was the result of the ensuing economic depression caused by the Anglo-Dutch wars (1652-4 and 1665-7) and 1672 Disaster Year. (Figure 1.3)

³¹ This section particularly acknowledges: Jaap Evert Abrahamse, ‘A roman road in the Dutch Republic: Jacob van Campen’s “Via Appia” in the countryside of Utrecht’, *Journal of the Society of Architectural Historians*, 70/4 (2011), 442-65; and: Jaap Evert Abrahamse and Roland Blijdenstijn, *Wegh der Weegen: De ontwikkeling van de Amersfoortseweg 1647-2010* (Utrecht: Stokerkade, 2010): 73-97.

³² J.P. Hoffers, *Onderrigting aangaande de nieuwe maten en gewichten opgesteld op last van zijne excellentie den minister van binnenlandsche zaken* (‘s Hertogenbosch, 1812): 55, 57 (Geldersche roeden en Rijnlandse roeden).

³³ C.W. Moorrees, P.J. Vermeulen, *Mr. Johan van de Water’s Groot Plakkaatboek ‘sLands van Utrecht, aangevuld en vervolgd tot het jaar 1810* (Utrecht: Kemink, 1860), Vol.2: 196.

<Figure 1.3>

Loss of street trees as symbol of defeat

During the 1672 Disaster Year the Dutch Republic was attacked by a coalition consisting of France, England, Münster and Cologne. Being badly prepared and positioned outside ‘the Garden of Holland’ with its defensive Waterline of inundated land, Utrecht was easily occupied by the French army. While much of the surrounding area was raided and plundered the city escaped with hefty taxation and forced labour, including in the renovation of the defence works. In the process trees were removed everywhere, not only within the city but also in the surroundings. The area outside which a few years earlier had been celebrated for its orchards, plantations and avenues (Figure 4) is shown on an allegorical picture of the capitulation to Louis xiv as being completely depleted of trees (Figure 5). The only feature that managed to escape destruction was the mall, Maliebaan, since it was so much admired by Louis xiv that he expressed the wish to take it to Versailles!³⁴

<Figure 1.4>

<Figure 1.5>

The French army left not only desolation but also Utrecht’s position substantially weakened. Yet replanting of trees was an issue immediately addressed in policy. The favourite trees; elm, ash and abele would have been selected for speed of growth.³⁵ The aim clearly was to restore the visual realm as an expression of order and abundance, and by 1729 a local lawyer provided notions of ‘orchards laden with fruit’, ‘efficient roads’ and ‘ramparts with elm trees’, while emphasising the ‘great fertility’ and ‘pleasant’ nature of the land, with a ‘general abundance’ that also was able to support the neighbouring provinces. It was a process of disguising the scars of war.³⁶ This was confirmed by an English traveller in 1794 who, while recognizing the Mall as the ‘chief ornament’ of the city with ‘several rows of noble trees’ and roads and walks to the sides, observed that in many places on the ramparts there were

³⁴ J.H. Kruizinga, *350 Jaar Watergraafsmeer, Amsterdam* (Amsterdam: Buijten and Schipperheijn, 1979): 109; see: Johan van de Water, *Groot Placaatboek vervattende alle de Placaten, Ordonnantien, en Edicten der Edele Mogende Heeren Staten ‘s Lands van Utrecht* (Utrecht, 1729), Vol.3: 410; 29 October 1672 order of the Duke of Luxembourg preventing damage to Mall and garden pavilions.

³⁵ Johan van de Water, *Groot Placaatboek vervattende alle de Placaten, Ordonnantien en Edicten der Edele Mogende Heeren Staten ‘s Lands van Utrecht* (Utrecht, 1728), Vol.2: 310.

³⁶ Johan van de Water, *Groot Placaatboek vervattende alle de Placaten, Ordonnantien, en Edicten der Edele Mogende Heeren Staten ‘s Lands van Utrecht* (Utrecht, 1729), Vol.3: 2-3.

regularly planted trees that he thought could have been ‘old enough to have been spared, together with the Mall’ by Louis xiv. These ramparts were high and commanded extensive prospects, and with their trees were seen as ‘emblems of the peacefulness, which it has long enjoyed’, rather ‘than signs of any effectual resistance, prepared for an enemy’.³⁷

The right to plant revoked and reinstated

The invasion of French troops in 1795, meant the removal of the final remnants of the feudal system that had been inherent within the loose confederation of provinces. French laws were now imposed and this included directives regarding trees along roads, and introduced new categories of highways. In 1805 a decree ordered adjoining landowners to plant forest or fruit trees along *grandes routes*, the main roads, and which remained their property. In 1811 a decree determined planting along the imperial roads, the important connections to Paris. Instead of planting on the road, adjoining owners were now required to plant on their own land, at least one metre from the edge of the ditch. Any existing trees were considered to be owned by the state, which was probably done because when a similar issue occurred in France with *le droit de voirie*, the ownership of trees could not always be established. However new trees along imperial roads were owned by the landowners who planted them; species, spacing and other regulations were determined by a separate *arrêté*. Any negligence in planting would be charged to the landowner, as was any pruning, which could only be done with permission of the local authority. However in minor roads the right to plant continued as before.³⁸

Following the French era in 1816 roads were divided in two classes, the first belonging to the state, and the second to the province who were also responsible for the planting, except where special concessions had been granted. Further directives in 1841 and 1876 shifted responsibility for the main roads to the State, with the provinces, councils and polder-boards sharing responsibility for the minor roads.³⁹ In cases where the road or verge were owned by third parties the state was to refrain itself from planting trees and after 1878 this would only

³⁷ *The Royal Military Chronicle of British Officers Monthly Register and Military Mentor* (London, 1813), Vol. vii, 93-4 [journey 1794].

³⁸ G.A. Overdijkink, *Langs onze wegen* (Amsterdam: Allert de Lange, 1943), 10-12; A. van Sasse van Ysselt, *Het recht van voorpoting op de kanten der openbare wegen in the voormalige Meierij van 's-Hertogenbosch* ('s-Hertogenbosch: P. Stokvis, 1894): 38-45.

³⁹ G.A. Overdijkink, *Langs onze wegen* (Amsterdam: Allert de Lange, 1943): 10-12.

take place in cases where it was considered important with respect to the road.⁴⁰ While there is no accurate information as to what was planted, a 1937 survey records the main highway trees as oak, elm and beech, followed by lime, poplar and ash.⁴¹ These trees were planted at greater distances than had been the practice historically, yet the most celebrated avenue was the Middachter Allee, a seventeenth-century oak avenue was replanted as a double beech avenue with close spacings after the oaks were sold in 1767 (Figure 1.6). Unlike other parts of this military road, where it crossed the Middachten estate its owner planted it in the tradition of avenues associated with the Dutch classical garden. It was later transferred to public ownership.⁴² During the last days of World War II, the retreating Germans, blew up some 145 of these majestic trees, supposedly to hinder the approaching allied forces, but clearly rather a symbolic act of vengeance than providing any real strategic advantage. The rest of the avenue was cleared afterwards by the Dutch State Forestry Service and the avenue replanted.⁴³ Certain districts, particularly Brabant, have been able to hold on to their ancient rights to plant and now present this as an -often disputed- part of their heritage. This has also survived the great onslaught of the post-war land exchange schemes to create efficient farming, though in many cases this right was then acquired by the state.⁴⁴

<Figure 1.6>

Conclusions

The right to plant, an ancient feudal right, was intended as a means to generate timber or firewood. From the sixteenth century onwards the physical benefits were valued also, of trees improving the environment and as general embellishment, beautification of city and countryside. The symbolic meaning of a well-vegetated environment did not escape observers either; with the practice of tree destruction at times of war, mature trees represented

⁴⁰ B.G.M. Strootman, *Oude Rijkswegen: Ontstaan, oorspronkelijk en huidig beeld van de oude rijkswegen in Nederland* (Utrecht: Directie Bos- en Landschapsbouw, 1990): 22-23.

⁴¹ J.P. Lonkhuyzen et al, *Wegbeplanting: Rapport van de Commissie "Wegbeplanting"* (Arnhem: Nederlandsche Heidemaatschappij, 1939): 67-70.

⁴² J.F. van Oosten Slingeland, 'Uit de geschiedenis van het Middachter Bos/ On the history of the forest of Middachten', *Nederlands Bosbouw Tijdschrift*, 45 (1973): 246-257, <https://edepot.wur.nl/271740> ; Hans Rijnbende, 'De Middachter Allee- deel 1' *De Veluwnaar*, 10 January 2014, accessed 19 May 2021 <https://www.de-veluwnaar.nl/2014/01/10/de-middachter-allee-deel-2/>.

⁴³ accessed 19 May 2021, <https://beeldbankwo2.nl/nl/beelden/?mode=gallery&view=horizontal&q=middachten&rows=1&page=1>.

⁴⁴ E.g. Nieuwsbrief Heemkundekring Boxtel, April 2012, accessed January 6, 2021: https://heemkundeboxtel.nl/wp-content/uploads/2016/12/2012_04samen.pdf.

peacefulness and a general comfort and setting for trade and pleasure. As a result tree planting was promoted by authorities; at times – especially following extensive wartime clearance- it was enforced. It was subjected to strict rules; there were attempts to curtail it, and indeed the twentieth century has continued to see these rights being bought off by the state. But in places they are still being enjoyed and after more than 600 years continue to be a treasured part of the nation’s heritage.

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