RIOTS, JUSTICE, AND GOVERNMENT POLICY IN 17th AND 18th CENTURY HOLLAND

RUDOLF M. DEKKER
Erasmus Universiteit Rotterdam

The Dutch Republic was a contradictory country. It was born during a violent revolt against its Sovereign, the King of Spain, followed by a long period of warfare, but within its own territory, the Republic was regarded by contemporaries, and, even more so, by later historians, as more peaceful than any other country in Europe. Recent historical research has resulted in a more nuanced view of the Republic's uniqueness in this respect. On the one hand, the Republic continued to experience a series of religious and political crises, accompanied by waves of riots. The most important of these was the Patriot Revolution of 1782-1787, which in many ways foreshadowed the French Revolution. The Republic also had its share of tax and food riots. On the other hand, countries like England, France and the German Empire were not as much swept by violent revolts and riots as some historians have thought[1]. In any case, the history of the Dutch Republic can produce enough examples to contribute to the history of collective action in general[2].

In this study I will look at one aspect, the judicial proceedings following riots. I will especially examine the discrepancy between the theory and the practice of justice, at the conflicting interests of local and central authorities, and at public opinion as a factor determining the outcome of judicial proceedings.

---

[1] I thank Mary Carlson for correcting the text. A discussion on this subject is found in: Mark Harrison, *Crowds and History. Mass Phenomena in English Towns. 1790-1835* (Cambridge: Cambridge U.P., 1988).

[2] See for a general survey: R. M. Dekker, «Some remarks about collective action and collective violence in the history of the Netherlands» Tijdschrift voor Sociale Geschiedenis 15 (1989) 158-165; Idem, *Holland in beroering. Oproeren in de 17de en 18de eeuw* (Baarn: Ambo, 1982). Diss.

My research was limited to Holland, the most important province of the Dutch Republic. Half of the population, one million, lived in this province, and of them more than half lived in cities. This study is restricted in time to the 17th and 18th centuries. On the basis of research in archival and literary sources, certain regular patterns can be detected in the history of collective violence in Holland. First, and foremost, one notes certain clusters of riots, usually affecting the Republic as a whole. Two such episodes, between 1617-619 and between 1782 and 1787, can be considered civil wars, the first religious in nature, the second political. In the years 1652-1653, 1672, and 1747-1750, there were waves of political and socio-economic riots. Apart from these clusters, isolated, local riots occurred with a certain regularity. Demonstrations and collective violence of small groups occurred far more frenquently than full-scale riots. In Amsterdam, violence by small crowds was even considered an everyday occurrence.

The use of violence was often goal-oriented and to a certain degree controlled. Violence was generally directed against property, not against persons. An exception to this, however, was the lynching of «raadpensionaris» (Grand Pensionary) Johan de Witt and his brother in 1672 in the Hague, evidence of a savagery so extreme that it startled all of Europe. The issues that gave rise to crowd actions changed in the course of time. In Holland food prices were the issue in twelve riots and eighteen demonstrations that occurred between roughly 1690 and 1760. Tax riots were more numerous and more violent, with thirty-eight cases of riot, mainly in the period 1600-1750, and some seventy smaller disturbances. Religious riots almost disappeared after the first half of the seventeenth century, while political issues became increasingly important. There were, then, some general shifts in the issues over time; taxation was important between 1600 and 1750, food prices between 1690 and 1760, religion only in the first quarter of the seventeenth century while political issues gradually gained importance.

The composition of the crowds involved was related to the issues that spurred them to action. Food riots drew only lower-class participants, while tax riots involved members of both lower and lower-middle classes. Religious and political conflicts, on the contrary, split society from top to bottom. On all occasions, women usually played an important role as organizers and leaders of crowds[3]. The «repertoire» and «ritual» of protest in Holland did not differ much from that in other European countries. In the seventeenth and eighteenth centuries the plundering of houses was standard practice. Food riots often took the form of «taxation populaire», which emerged as a phenomenon in Holland at the same time as in France and England. In addition to these riots and demonstrations, labour conflicts in the main industrial cities, Leiden and Amsterdam, sometimes developed into strikes demonstrating modern characteristics[4].

---

[3] R. M. Dekker, «Women in Revolt. Collective Protest and its Social Basis in Holland», *Theory and Society* 16 (1987), p. 337-362.

[4] R. M. Dekker, «Labour Conflicts and Strikes in Early Modern Holland», *International Review of Social History* 35 (1990), pp. 377-420.

The duration of the riots was seldom more than two or three days. Repression usually was effective. The Republic had a reliable standing army, and many towns had garrison stationed in them. Amsterdam, one of the largest cities of Europe at that time, had a garrison and a company of soldiers in service of the town. The elite troops, quartered in the Hague, could get to any place in the countryside within one day. Moreover, each town had its «burgerschutterij», or burger-militia. All inhabitants of a town, above a certain level of income, were obliged to serve in these militias. These were less reliable than professional soldiers, and in some cases their refusal to obey the authorities, especially in the case of political riots, could be of crucial importance. During the waves of political riots in 1672 and 1747 repression failed, and the result was a change in government, both on the local and provincial levels.

There was no unified system of jurisdiction in the Dutch Republic. Each of the seven provinces had its own juridical organization. Within the province of Holland there were many autonomous juridical districts. Towns had their own «schout» (bailiff) and «schepenen» (judges). On the countryside all «heerlijkheden», (seignories) formed separate territorial districts. They were divided in «hoge» (high) and «lage» (low) seignories. The former included the right to pronounce a death penalty in criminal cases. A recent count numbered 205 of these «hoge heerlijkheden» in Holland alone[5]. All seven provinces had their own provincial court, in Holland called the Hof van Holland. Holland also had a court of appeal, the Hoge Raad van Holland en Zeeland. Besides, there were several other councils and institutions with limited judicial rights. The army had its courts-martial, while the Raad van State could also do justice in military cases. The University of Leiden had its own jurisdiction over the university community. Finally, some offenses, such as high treason and lese majesty, were punished by the Gecommitteerde Raden van de Staten van Holland. This institution can be considered as the executive committee of the Staten van Holland. However, its members were not chosen by the Staten, but were directly delegated by a limited number of towns. The fragmented character of the judicial system in Holland frequently caused problems, not in the least in relation to procedures following riots.

Criminal law in the Dutch Republic was as diverse as were the territorial jurisdictions. There was no law code for the province as a whole, although the Staten van Holland would incidentally issue ordinances. However, some crimes were to be tried by the Gecommitteerde Raden. These were crimes directed against the state, such as lese majesty, counterfeiting, treason and revolt[6]

In the written instructions of the Gecommitteerde Raden neither procedures nor penalties are mentioned, and even a definition of revolt is lacking. In the most important collection of laws issued by the Staten-General of the Republic

---

[5] F. Egmond, «De hoge jurisdicties van het 18e-eeuwse Holland», *Holland* 19 (1987), p. 129-161.

[6] *Groot placaet-boeck*, 9 vols. ('s Gravenhage 1658-1796), vol. 3, p. 92.

and the Staten van Holland, the «Groot Placaet-boeck», more than forty ordinances against revolts and riots are included[7]. These, however, were ordinances in specific cases, and not general laws. In practice, local authorities could, to a great extend, enact their own ordinances. Judges founded their verdicts on various sources, including treatises written by Dutch and foreign authors, Roman law, the Bible, local written ordinances and local traditional law.

The prerogative of the Gecommitteerde Raden was only seldom used, and usually rioters were brought to justice in the city or village where they were arrested. However, local courts often hesitated to start procedures. In such cases the provincial government, the Staten van Holland, could put pressure on local authorities. In 1690 even the important city of Haarlem refused to take measures after a revolt known as the «Tabaksoproer» (The «Tobacco Revolt» a riot against a measure prohibiting the smoking of tobacco in the open air). The Staten therefore wrote to the magistrate as follows: «Practice has taught both in our and in foreign countries, that future revolts cannot be better prevented than by rigourous measures, and we recommend that you realize the importance of the case, and that you will take measures, and will punish the guilty soon and with rigour[8]».

In the same wordings the Staten wrote to the authorities of the city of Alkmaar after a riot in 1653[9]. In the same year more riots took place, and the Raadpensionaris Johan de Witt remarked that «exemplary sentences» would do much good, and after a riot in the Hague he expressed the hope «that some participants were to be whipped, and if possible, hanged»[10]. The Staten blamed the «weak behaviour» of the court of Rotterdam for another riot[11]. At other times the provincial government took more concrete steps. In 1665 the Staten ordered the bailiff of Brill, who had refused to take notice of a riot in his town, explicitly «to collect evidence and start a criminal procedure»[12].

Speed was thought essential for criminal procedures in the case of riot. A lawyer in 1785 remarked that «riots were better constrained by quickness of justice, than by many and heavy sentences», a vision shared by the provincial Procureur-General, the Attorney General[13]. In practice, local courts did not exactly work quickly. Only in one case was summary justice indeed executed by a local court, in 1696 in Amsterdam, after the most violent revolt of the 17th century. Nevertheless, even in this case the interrogations of the arrested rioters were extensively recorded, and only were the sentences executed «without

---

[7] *Groot placaet-boeck* 9 vols. ('s Gravenhage 1658-1796).

[8] Algemeen Rijksarchief (ARA), The Hague, Archive Staten van Holland (SH), 1416, letter of 27 October 1690.

[9] Resoluties van de Staten van Holland (RSH) (printed edition), 14 August 1654.

[10] ARA, SH 2644, letter of July 1653; *Brieven van Johan de Witt*, R. Fruin and G.W. Kernkamp ed., vol. 1 (Amsterdam, 1909), p. 102.

[11] Gemeentearchief (GA), Rotterdam, Stad, 365, letter of 15 August 1653.

[12] RSH 31 July 1655.

[13] GA Amsterdam, Huis Archief Marquette, 244; ARA, Hof van Holland (HH) 5456-9i.

formalities»[14]. In some cases local courts were so slow that the Staten became impatient. In 1655 they sent a committee to control the way in which the court of Gorinchem proceeded against some rioters[15]. In 1619 they sent a committee to Woerden with the order either to assist the local court, or to take the offenders to the Hague, to bring them to trial there[16].

Another way in which the Staten could ensure that justice was done was to order the Hof van Holland to start a criminal procedure. The Hof held criminal trials after revolts throughout the 17th and 18th centuries; notably, after revolts in 1601 in Gorinchem, in 1616 in Delft, between 1617 and 1619 in several places, in 1624 in Geertruidenberg and The Hague, in 1633 in the Zaan region, in 1653 in Enkhuizen, in 1690 in Rotterdam, in 1747 in the Alblasserwaard —a large polder with several villages— and from 1782 to 1789 after political revolts in various towns and villages.

Local authorities did not give a hearty welcome to the officials from the Hof in their town or village. In 1616, to placate the magistrate of Delft, the Hof offered the town a declaration that the trial would not create a precedent[17]. The Hof also promised that it would not sentence the rioters with «full severity», and ask the advice of the magistrate of Delft. Maybe there was a special reason for the willingness of the magistrate to cooperate: hundreds of rioters who feared arrest had escaped from the town long before the officials of the Hof had arrived. The magistrate of Rotterdam in 1690 acted in a completely different way. It protested with fervour, though without success, against the intervention of the Hof[18]. More successful was the town of Alkmaar in 1714. Its burgemeesters prevented the Hof from taking over a trial after a tax riot. Instead, the Staten van Holland put pressure on the local bailiff to bring at least some rioters to trial. At first he refused, fearing new riots. Then the Staten installed a committee, which sent admonishing letters every week, and threatened the bailiff with an intervention by the Hof. The deputies of Almaar in the Staten van Holland reacted with anger. The deputies from Delft referred in vain to the case of 1616, mentioned before. Even an offer by the Staten to give a declaration of «no precedent» did not convince the deputies from Alkmaar. Eventually, the Procureur-Generaal was sent to Alkmaar to personally supervise the trial. In the end, some rioters were sentenced to rather mild punishments[19].

In 1637 the Staten asked the Hof explicitly to invoke «summary justice» in the case of a riot in Rotterdam[20]. This was a rather strange order, because summary justice was impossible for this court, which was bound to elaborate

---

[14] GA Amsterdam, Rechterlijk Archief (RA) (Judicial Archive), 342, p. 195v.

[15] GA Gorinchem, Stad, 48, p. 115.

[16] RSH 5 August 1619.

[17] J. Soutendam ed., *Mededeelingen uit het archief der stad Delft* (Delft, 1862), p. 169.

[18] Koninklijke Bibliotheek, The Hague, Pamphlet Knuttel 13533, p. 23.

[19] GA Alkmaar, Stad 52, p. 253v; Stad 53, p. 2v; RSH 19 January 1715; Cf. G. Valk, «Oproeren, onlusten en rellen in Alkmaar gedurende de Republiek», *Holland* 13 (1981), p. 229-248.

[20] ARA, SH 12 November 1637. Some sailors had rioted to get higher wages.

written rules. Criminal proceedings of the Hof always progressed slowly. Especially after the revolt in 1747 in the Alblasserwaard the Hof needed much time, causing in political circles in The Hague «much reason for talk and questions in a case where speed was the most important ingredient of justice»[21].

The Staten van Holland also could ask the Gecommitteerde Raden to start criminal procedures. Thus, in 1786, the Staten ordered the Gecommiteerde Raden to sentence some rioters «plainly and without formal procedures»[22]. And indeed, the Gecommitteerde Raden could work much more quickly than the Hof. The Gecommitteerde Raden held trial after revolts in 1659 in Naarden, in 1678 in Zaandam, in 1750 in Haarlem, and in 1785 in various places. Besides these trials in case of revolt, there were many smaller tax riots which were tried by Gecommitteerde Raden, because jurisdiction in matters of taxation was one of the other prerogatives of this institution. The justice done by the Gecommitteerde Raden has left few traces in the archives, but the procedures in the year 1785 are exceptionally well documented. After political riots aimed against military service and the provincial government took place in various villages participants were tried before the Gecommitteerde Raden, one of whose members made personal notes of the sessions[23]. The suspects were briefly interrogated. Thereafter the six members of Gecommitteerde Raden each proposed a sentence. Then the Raadpensionaris, who acted as secretary, formulated a compromise. It is one of the very few instances in which we get a glimpse of what happened inside the room of the judges.

Local authorities were always disturbed by an intervention by Gecommitteerde Raden. When, in 1659, the Gecommitteerde Raden started to investigate a revolt in the small town of Naarden two burgemeesters were immediately sent to the Hague with instructions «to prevent the Gecommitteerde Raden from infringing the liberties of the town, and to ensure that the arrested rioters were to be tried in the town». The protest had no effect. Another example, the Gecommitteerde Raden intervened in 1678 after a tax revolt in the rural region of the Zaan river. For three days some seventeen houses of tax collectors were plundered in several villages. In addition to the weakness of the local authorities, there was in this case a jurisdictional conflict. The unrest was centered within the territories of two bailiffs, who both were responsible for the prosecution of rioters. Without doubt this would have resulted in a fight about competencies. The Gecommitteerde Raden took over and tried several rioters in the Hague, of whom four were hanged. After this trial, the communities of the Zaan region reacted by holding a meeting of «burgemeesters», members of the village councils, merchants, clergymen, and all other rich and prominent inhabitants. Such a broad, democratic meeting was very unusual in Holland. The meeting decided to send 23 persons to the Hague to ask permission to bury the executed

---

[21] Koninklijk Huisarchief, The Hague, letter from Van der Mieden to stadhouder Willem IV of 24 August 1747.

[22] RSH 18 March 1786.

[23] GA Amsterdam, FA Marquette, 244.

rioters in their villages, to plead pardon for the other participants, and to ask for the withdrawal of the soldiers. The first demand was granted, but not in the way the deputies had wished. The bodies were transported back to the Zaan region, and were again hanged on the gallows. The pardon was granted, and after some weeks the soldiers returned to the Hague. After a revolt in Vlaardingen in 1728 the local bailiff also protested in vain against the Gecommitteerde Raden's taking over criminal procedures.

The right of summary justice was explicitly mentioned in the first instruction for the Gecommitteerde Raden, dating from 1590. Nevertheless, only from the middle of the 17th century did this institution bring this prerogative into practice. This reflects a shift in the balance of power between the Hof van Holland on the one side and the Staten van Holland and the Gecommitteerde Raden on the other side. In the first years of the Revolt against Spain, 1570-1590, the Hof had lost most of its extensive political rights. This was logical: the Hof had originally been a board of advice to the Counts of Holland of whom King Philip of Spain was the successor. In 1576 the Gecommitteerde Raden took over from the Hof all jurisdiction in matters of taxation. The last important power struggle between Hof and Staten took place in 1651, after the death of stadhouder Willem II. As a result, the Hof lost its last traces of political power, which meant an important blow to its prestige. Nevertheless, as a purely juridical court it kept its importance, and was now and then still being asked by the Staten to act in the case of riot.

A revolt or riot was not always followed by a criminal procedure. It was possible for the authorities to take simpler measures. The burgemeesters of most Dutch towns had established the right to banish unwanted people from the town. This, for instance, happened to a rioter in Hoorn in 1711[24]. In most towns burgemeesters could also punish people within certain limits. In Haarlem, for instance, in 1644 the burgemeesters put a woman, who had been the leader of a crowd, in jail for eight days[25]. In the same town, in 1672, the burgemeesters there gave a dressing down to two rioters[26]. In Leiden in 1671 the burgemeesters cancelled an innkeeper's licence to sell beer because of his participation in a riot[27]. Of course, such measures left fewer traces in archives than official trials.

In many cases a revolt was not followed by a legal action at all. Bringing participants to trial was not an easy task. In the first place a reconstruction of what had happened and who had led the crowd was difficult. As the bailiff of Geertruidenberg declared to deputies of the Hof van Holland in 1624: «It is not possible to find out exactly what happens during a riot and who the offenders are»[28]. And indeed, no criminal proceedings followed.

In many cases it proved to be difficult to find witnesses. Riots often involved

---

[24] GA Hoorn, Stad, 158, p. 157.
[25] GA Haarlem, Stad, 850, 17-18 February 1644.
[26] GA Haarlem, Stad, 850, 17 July 1672.
[27] GA Leiden, Stad, 563, p. 11.
[28] ARA, HH, 5229-23, declaration H. Luchgtenburg.

large parts of local communities, and nobody wished or dared to be the first to break up group solidarity. For instance, in 1747 the inhabitants of the Alblasserwaard,a polder with several villages, refused to cooperate due to «the confusion and general fear caused by the pundering of houses and the threat of the rioters»[29]. After weeks of research, the committee of the Hof, investigating a revolt in Naarden in 1659, wrote back to The Hague: «We cannot capture the offenders, whatever we try; neither can we find witnesses against those who are already arrested, which is sorrowful and difficult for us»[30].

The greatest problem was that after a revolt many participants fled. When in 1615 a police officer tried to arrest the leaders of a riot in the village of Oudkarspel, he learned that one had gone to the province of Zeeland, another to the city of Kampen, in the province of Overijssel, another to Amsterdam, while still others had left without a trace[31]. After the revolt in Delft in 1616 dozens of participants had fled the city, and some had even gone to Antwerp, outside the territory of the Dutch Republic[32]. All sentences in this case were given by default. The means to capture persons who had fled were few. In some cases descriptions were distributed, for instance after revolts in 1653 in Alkmaar and The Hague[33]. Such an effort was unusual, but these were political revolts, which the Staten van Holland wanted to suppress at any price. Nevertheless, the rioters were never found. After the biggest revolt in 17th century Amsterdam, the «Aansprekersrevolt» of 1690, according to eyewitness reports several hundreds of participants left the city. With ropes they climbed over the city walls, and swam across canals surrounding the town. Even wounded persons, who were treated in hospitals, tried to get out of their beds in an effort to escape punishment[34]. In this case, in the nearby town of Haarlem some persons coming from Amsterdam were indeed arrested, but back in Amsterdam they could not be identified as participants. A person who fled from his home town sometimes left much behind, family, children, belongings. Especially in a time in which banishment was the most frequently pronounced sentence, this may have been regarded as a punishment in itself.

One way to find out the identity of rioters was to give rewards to informers. This was done in the case of other crimes too. However, this did not work too well. Informers have not left many traces in the archives, although there are a few letters written by informants. And in eyewitness accounts, even though usually written by persons who were not favorable toward the revolt, informers were regarded as low persons. Sometimes the authorities tried to find other

---

[29] ARA, HH, 5456, letter from J.v.d.Werff, 8 August 1747.
[30] ARA, SH, 3419, letter of 29 May 1659.
[31] ARA, HH, 5219-6, letter of 9 November 1615.
[32] ARA, HH, 5222-5, declaration A. Janssen Vlam.
[33] GA Rotterdam, Stad, 365; RSH 14 august 1653.
[34] R.M. Dekker, ed., *Oproeren in Holland gezien door tijdgenoten. Ooggetuigeverslagen van oproeren in de provincie Holland ten tijde van de Republiek (1690-1750)* (Assen: Van Gorcum, 1979), p. 80-81.

ways for finding out participants. After a revolt in Hoorn in 1672, surgeons were ordered to give the names of those whom they treated for wounds, in order to find wounded participants. In Amsterdam surgeons even had a permanent obligation to report the treatment of wounds, which could have been the result of brawls[35].

The authorities never considered making mass arrests. It was generally thought sufficient to pick up a few participants and punish them to serve as an example to others. If the leaders could not be captured, less guilty participants could do the same service. After a revolt in Haarlem in 1690, for instance, two men were publicly whipped, whom eyewitnesses identified as innocent bystanders[36].

Severe and exemplary punishment was regarded the best way to deter others from rioting. Nevertheless, in practice this was not always the best policy. In fact, public opinion often determined the form and severity of the sentence, sometimes even preventing a verdict when criminal proceedings had been instituted. One of the arrested rioters in Haarlem in 1690 was a leader of the crowd. He remained in jail for some time, but no trial was started, and, eventually he was secretly set free[37]. The authorities obviously feared that a public sentence in this case would enflame the inhabitants of the town again.

In the years between 1617 and 1630 religion frequently caused riots and revolts which only seldom led to public sentences. The victims of collective violence in these years were in most cases the «remostranten», the adherents of the Arminian Party. After one of those riots, in Amsterdam in 1626, an adherent of this group wrote in a letter: «...I think they will whip [the arrested persons] with a foxtail». And he proved to be right, because some participants received only a symbolic punishment (the sword of justice was displayed above their heads), and others were banished from the city for some time[38]. Judges in Leiden, after a riot in 1671, simply set the arrested participants free «pretending that they had arrested the wrong persons», as a contemporary wrote[39]. During a revolt in Rotterdam in 1690 a «burgemeester» even personally intervened to have an arrested boy set free, «to prevent further troubles»[40].

Punishment of rioters was thus to a large extent determined by the local situation and public opinion. Still, a development over time can be detected. In the period from 1650 to 1750, verdicts became more and more severe. After three tax revolts, death penalties were invoked, four in 1678, twelve in 1696, and three in 1748. The punishments mentioned in provincial and local laws also

---

[35] GA Hoorn, Stad, 124, p. 15v; GA Amsterdam, Stad, keurboek Q, p. 140v.

[36] Dekker, ed., *Oproeren in Holland,* p. 31-32.

[37] Idem, p. 23.

[38] Gemeentebibliotheek Rotterdam, Remonstrantse Gemeente Ms 1511. The same had happened in 1617: Universiteitsbibliotheek Amsterdam Ms III H 4 (Dagverhaal... proceduren... te Leiden; Ms W 38, Verhael van de plonderinge van 't huis van Rem Egbertse Bisschop).

[39] C.J. Gonnet, ed., *Briefwisseling tusschen de gebroeders Van der Goes*, 2 vols. (Amsterdam, 1899-1909), II, p. 280.

[40] GA Rotterdam, Stad, 1151 H, declaration B. Scheepers.

became more severe in this period[41]. This is most clearly reflected in laws against strikes of labourers; fees became higher, and were replaced by banishment, whipping and jail, and, finally, in 1700 by capital punishment[42]

In practice the punishment of rioters usually was rather mild at least compared to those meted out for other crimes, such as theft. Food riots never led to capital punishment, and only once to a whipping. Tax revolts were more severely punished, in three cases with death sentences, in other cases often with whippings. In the case of political and religious revolts, the punishments could differ greatly, especially because they usually took place at times when the authorities had lost their grip on the public order.

It is no coincidence that the most severe sentences were meted out by the courts with the most authority: the Hof van Holland, Gecommitteerde Raden, in the Hague, and the «schepenbank» of Amsterdam. These courts knew that they were directly backed by a powerful government, provincial or local. They also knew that their verdicts were, if need be, carried out with the assistence of the town's garrison. In a few cases local courts gave sentences more severe than expected. In those cases, for example, in Rotterdam and The Hague in 1653, pressure from the Saten of Holland was responsible.

Local communities often tried to get a pardon for rioters from the stadhouder or the Staten van Holland, who in such cases used to ask advice from the Hof van Holland. Pardon could be asked either for convicted rioters, for rioters who were arrested and waiting for their trial, or, more generally, for all involved persons. The town of Delft ensured a pardon from the Staten in 1616. It was specified that it excluded those who were then already sentenced[43]. In 1624 a committee of villagers and the local clergyman of the village of Spaarndam, near the town of Haarlem, travelled to the Hague to ask pardon for an arrested woman. The leader of a tax riot, she had been brought to the Hague for a trial before the Hof van Holland. The Hof answered that «she would merit exemplary punishment», but that «in such cases it is impossible to punish all involved persons». And, because other rioters had already received their sentence, she was set free. After revolt of 1678 in the Zaan region, the Hof issued a pardon at the request of the local authorities[44]. Individuals could also ask for a pardon. In the same year the mother of an arrested 17 year old boy, who had participated in a food riot in the Hague, asked the Hof to pardon him. The result was that he was only put in jail for four days[45]. But the Staten and the Hof were not always willing to be lenient. In 1633 they refused a request of the magistrate of the village of Zaandam[46]. The recommandations of the Hof were not always

---

[41] Pieter Spierenburg, *The Spectacle of Stuffering. Executions and the Evolution of Repression: from a Preindustrial Metropolis to the European Experience* (Cambridge, 1984).

[42] Dekker, Labour Conflicts.

[43] ARA, SH, 378, p. 86; RSH 18 March 1617.

[44] H. Soeteboom, *Noord-hollands ontrusting* (Amsterdam, 1678) p. 195-198.

[45] ARA, HH, 388, p. 202-204.

[46] ARA, HH, 388, p. 39v-41v.

followed by the Staten. In 1601, after a revolt in Gorinchem, twelve men were banished. Their families were still living in the town, and the Hof feared that the men would secretly return. This argument had no value for the Staten. On the contrary, they feared that a pardon in this case would lead to «disregard of justice». Instead the local bailiff was instructed to see that the banished men stayed out of the town[47].

After the waves of large scale political unrest in 1672, 1747-1750 and 1787, the Staten issued pardons for all participants in the province as a whole. In this case the political situation determined the policy of the authorities. The revolts of these years had led to important changes in the power structure of the provincial and local governments. The new government in fact was established thanks to this popular movement. No wonder that the new rulers refused to prosecute their own adherents.

When rioters were publicly executed usually extensive measures to guard public order were taken. The authorities always feared a new outbreak of revolt on such occasions. And not without reason. An eyewitness described the reactions of the public during an execution after a revolt in Haarlem in 1690: «The public showed various reactions, one looked to the ground with a pale face showing the dismay of the his soul, unable to gather his sense, and only lamenting the criminal for his unhappy fate. Another, with anger glittering in his eyes, breaks out in a bitter complaint: «What kind of man is the bailiff, now he has so many soldiers to guard him, how embarrassed must those [in the townhall] be, to have so may guards, only for a whipping of two innocent men«[48]. Such drastic measures were more often regarded as necessary. In 1701 the authorities of Leiden even asked for 200 soldiers from the Hague to help them keep orden during the public whipping of some arrested strikers[49]. Often more subtle measures were taken. In 1740 in Delft, a company of the burgher-militia was kept hidden in the town hall during a public whipping of some food rioters[50]. Extensive measures were taken in the Hague during an execution after the tax revolt of 1748. In this case all ways leading to the gallows were closed, «so that nobody could throw stones at the scaffold»[51].

Such measures were always successful. No revolt ever revived during a public execution. What did happen in a few cases, was a panic among the public or guard. In 1652, during the execution in Amsterdam of sailors who had participated in a riot to get their rightful wages, soldiers shot at the spectators, causing several dead[52]. In 1690, in the same city, panic broke out among the watching crowd, and some were trampled to death[53]. The same happened in

---

[47] RSH 8 June 1601.
[48] Dekker, ed., *Oproeren in Holland*, p. 22-23.
[49] GA, Leiden Stad, 565 p. 119.
[50] GA, Delft Stad res. wet 20 August 1740.
[51] ARA, HH, 5457-3.
[52] J. Wagenaar, *Amsterdam*, 4 vols. (Amsterdam, 1752-1759) vol. 1, p. 585.
[53] Dekker, ed., *Oproeren in Holland*, p. 107.

1748, causing many people —some eyewitnesses spoke of hundreds— to be pushed into the canals and drowned[54].

Conclusions

Criminal proceedings after riots in Holland were determined by the decentralized character of the state. Direct repression, sometimes by military force, was usually effective. However, bringing individual participants to trial proved to be a much more difficult task. The provincial authorities in The Hague always insisted on speed, efficiency and severity. If local bailiffs and judges did not act accordingly, in some cases provincial authorities took the initiative, either by having local proceedings supervised, or by ordering the provincial court of justice or Gecommitteerde Raden to hold a trial. Local authorities as a rule resisted such measures fiercely. For them, restoring the public order was often more important than arresting rioters or having them tried. The growing importance of the Gecommitteerde Raden as a criminal court in these cases shows that a process of centralization was not completely absent in the Dutch Republic. Trials and sentences were often, and certainly in the case of religious and political riots, much influenced by the political context and by developments which followed the disturbances themselves, and therefore could vary greatly.

---

[54] L. Fuks, ed., *De zeven provinciën in beroering. Hoofdstukken uit een jiddische kroniek over de jaren 1740-1752 van Abraham Chaim Braatbard* (Amsterdam, 1960), p. 59-61.