

CRIME AND CRISIS:
THE CONJUNCTURE OF SOCIAL FORCES IN EARLY MODERN LEIDEN

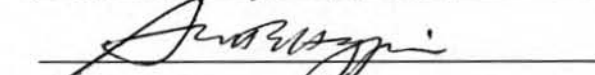
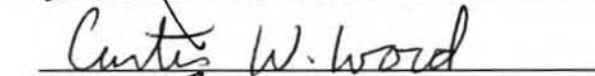
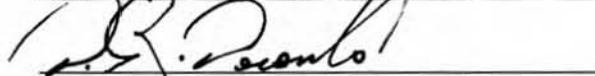
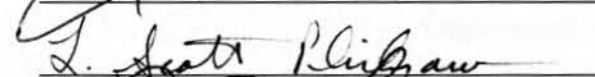
By

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A Thesis
Submitted to the
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of
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**CRIME AND CRISIS:
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A thesis presented to the faculty of the Graduate School of
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June 2005

Dedication

To my beloved grandparents, for their lifelong support and dedication

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To my beloved Grandparents, for their lifelong support and dedication

Table of Contents

	Page
List of Figures.....	vi
Abstract.....	viii
Chapter 1 : European Crisis and the Alteration of Leiden.....	1
Introduction.....	1
European Crisis of Religion.....	4
Leiden's Crisis of Religion.....	7
European Political Crisis.....	12
Political Crisis in Leiden.....	14
Economic Crisis in Europe.....	18
Economic Crisis in Leiden.....	20
Cultural Crisis in Europe.....	22
Cultural Crisis in Leiden.....	24
Conclusion.....	27
Chapter 2: Criminal Behavior in Early Modern Leiden.....	30
Leiden's Legal System.....	30
The Nature of Criminality in Leiden.....	36
Crimes Against Public Morality.....	39

Crimes Against Civil Authority.....	51
Crimes Against Property.....	72
Other Crimes.....	81
Chapter 3: The Increase of Violent Crime In Leiden.....	87
Nature of Violent Crime in Leiden.....	87
Analysis of Crime.....	97
Conclusion.....	102
Works Cited.....	108

List of Figures

Figure		Page
1.	Census data for Leiden compiled from Jonathan Israel, <i>The Dutch Republic</i>	38
2.	Graph of population growth in Leiden 1560-1795.....	38
3.	Table of sexual morality and adultery trials by quarter century.....	42
4.	Table of prostitution trials by quarter century.....	44
5.	Table of heresy trials by quarter century.....	47
6.	Table of riot trials by quarter century.....	53
7.	Table of vagrancy/ begging trials by quarter century.....	63
8.	Graph of trials for vagrancy/begging in Leiden 1547-1810.....	64
9.	Table of exile breaking trials by quarter century.....	70
10.	Graph of most frequent crimes against property by quarter century.....	73
11.	Table of fraud trials by quarter century.....	76
12.	Table of larceny trials by quarter century.....	78
13.	Table of burglary trials by quarter century.....	81
14.	Graph of violent crime trials in Leiden by quarter century.....	88
15.	Table of murder trials by quarter century.....	90
16.	Table of deadly assaults (<i>doodslag</i>) by quarter century.....	93
17.	Table of batteries by quarter century.....	94
18.	Table of comparative crime in Leiden by quarter century.....	104

19.	Graph of comparative crime in Leiden.....	105
20.	Total crime in Leiden.....	105

CRIME AND CRISIS: THE CONJUNCTURE OF SOCIAL FORCES IN EARLY MODERN LEIDEN

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We were Cynopsis Leiden 476, August 2015

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This document is a study of criminal behaviour in the Dutch town of Leiden from the middle sixteenth century until the eighteenth century. The thesis maintains that the crime and criminal responses to general, may be used as a criteria by which to judge social stress in Early Modern Europe. This period has been termed an age of crisis by a number of historians who point to economic and political instability. This document argues that this crisis also had a social component with the marked rise in criminal behaviour as the main indicator of this.

The document details the historical, geographical and political factors of the crisis. It outlines the regional components of the crisis in a Pan-European context. It argues against the position that Holland escaped the crisis by illustrating the extent of turmoil which Leiden shared with the rest of Europe.

The document goes on to provide evidence of a dramatic rise in violent and property crime which occurred at the height of the crisis period. Individual trends for each crime and the appearance of social control within the town are also illustrated in order to consider their relationship with the general crisis.

Abstract

CRIME AND CRISIS: THE CONJUNCTURE OF SOCIAL FORCES IN EARLY MODERN LEIDEN

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This document is a summary of criminal behavior in the Dutch town of Leiden from the middle sixteenth century until the eighteenth century. The thesis maintains that this crime, and criminal statistics in general, may be used as a criteria by which to judge mass social unrest in Early Modern Europe. This period has been termed an age of crisis by a number of historians who point to economic and political instability. This document argues that this crisis also had a social component with the marked rise in criminal behavior as the main indicator of this.

The document details the historiographical arguments behind the crisis. It outlines the recognized components of the crisis in a Pan-European context. It argues against the assertion that Holland escaped the crisis by illustrating the extent of turmoil which Leiden shared with the rest of Europe.

The document goes on to provide evidence of a dramatic rise in violent and property crime which occurred at the height of the crisis period. Individual trends for each crime and the apparatus of social control within the town are also illustrated in order to examine their relationship to the general crisis.

Chapter 1

European Crisis and the Alteration of Leiden

Introduction

By the middle of the sixteenth century Western Europe was a region in turmoil. The stability offered by medieval existence had all but vanished. Europe had entered a time of crisis in which every facet of individual and communal existence was in flux. The crisis was the harbinger which destroyed the traditional cultural security of the waning middle ages and replaced it with a world of insecurity in almost every aspect of life.

During this time of turmoil the newly independent Dutch Republic was exceptional, experiencing what is termed its Golden Age. The United Provinces underwent a period of incredible economic growth, cultural expansion, exploration, and artistic flowering. This has led many historians, most notably Ivo Schöffer, to argue that while all Europe wallowed in the doldrums of crisis the northern Netherlands were immune.¹ This argument has a number of merits. The Netherlands also underwent an economic and demographic stagnation which gripped the majority of European states. The period saw a rise in Dutch culture with the highest literacy rates in Europe, a giant building boom, and an enormous volume of art. The Dutch Republic became a major

¹Geoffrey Parker and Lesley M. Smith, eds. *The General Crisis of the Seventeenth Century, Did Holland's Golden Age Coincide with a Period of Crisis*, by Ivo Shöffer (London: Routledge and Kegan Paul, 1978), 87-107.

colonizing power. On the other hand, the Netherlands underwent a crisis of a different sort during this period. It suffered from warfare, religious turmoil, social unrest, and brief economic downturns which deeply affected the lower classes of Dutch society. These are the same elements which historians termed crisis pressures in the rest of Europe.² Trial Records from the Dutch industrial town of Leiden point to another unexplored criteria by which to judge the extent of the crisis. The period saw a drastic rise in crime. Property crime, violent crime, and vagrancy doubled and tripled during this period.

Historians first began to view this crisis as a European wide phenomena after the Second World War. In a collection of essays entitled Crisis in Europe 1560-1660, historians outlined the elements of the crisis and argued as to what phraseology to use in describing it.³ The very word crisis was in debate with Eric Hobsbawm terming it a period of European stagnation not out right crisis.⁴ H.R. Trevor-Roper expanded the crisis from the economic to the social sphere. Borrowing his method and terminology from the *Annales* School, he ventured that the crisis would be better understood as the insertion of an immovable wedge between the people and the privileged monarchical class.⁵ Ivo Schöffer, in addition to his statements about the Low Countries, saw the

²Geoffrey Parker and Lesley M. Smith, eds., *The General Crisis of the Seventeenth Century* (London: Routledge and Kegan Paul, 1978), 87-107.

³Christopher Hill, *Crisis in Europe 1560-1660, Introduction*, by Christopher Hill (London: Routledge and KeganPaul, 1978), 1-5.

⁴Christopher Hill, *Crisis in Europe 1560-1660, The Crisis of the Seventeenth Century*, by E.J. Hobsbawm (London: Routledge and Kegan Paul, 1978), 5-63.

⁵Christopher Hill, *Crisis in Europe 1560-1660, The General Crisis of the Seventeenth Century*, by H. R. Trevor-Roper (London: Routledge and Kegan Paul, 1978), 103-124.

crisis as a period of stabilization or a shift in economics and contemporary society.⁶ In his work on the Thirty Years War, Josef Polisensky described the crisis period as “an aggravation and culmination of the internal contradictions in the structure of a given society ... which brought about a violent impact on... economic, social, cultural relations, and has as a result either regional or general regress or a rapid progress of... social development,” a definition which summarizes most of the crisis’s key elements.⁷ However historians defined this period, it embodied a disintegration of much of the earlier European tradition and heralded an era which was radically different. Later historians added even more criteria to the debate. It was termed a period of revolution or a time when the conditions for revolution were set.⁸ Climate, disease, and even sun spots were postulated as possible factors contributing to the problems.⁹ Historians even began to see the crisis as a global phenomenon.¹⁰ However, no one has looked at criminal behavior and incidence of crime as a basic

⁶Geoffrey Parker and Lesley M. Smith, eds., *The General Crisis of the Seventeenth Century, Did Holland's Golden Age Coincide with a Period of Crisis?*, by Ivo Shöffler, (London: Routledge and Kegan Paul, 1978), 87-107.

⁷J. V. Polisensky, *The Thirty Years War* (Berkeley: University of California Press, 1971) 1-11 and Theodore K. Rabb, *The Struggle for Stability in Early Modern Europe* (New York: Oxford University Press, 1975), 35.

⁸Geoffrey Parker and Lesley M. Smith, eds., *The General Crisis of the Seventeenth Century, Revolution and Continuity in Early Modern Europe*, by John Elliott (London: Routledge and Kegan Paul, 1978), 108-128.

⁹Geoffrey Parker and Lesley M. Smith, eds., *The General Crisis of the Seventeenth Century, The Maunder Minimum; Sunspots and the Climate in the Reign of Louis XIV* by John A. Eddy, (London: Routledge and Kegan Paul, 1978), 264-299.

¹⁰Geoffrey Parker and Lesley M. Smith, eds., *The General Crisis of the Seventeenth Century, A Seventeenth Century General Crisis in East Asia* by William S. Atwell, *The Crisis of the Seventeenth Century in Southeast Asia* by Anthony Reid, *The Seventeenth Century Crisis and the Unity of Eurasian History*, by Niels Steensgaard. (London: Routledge and Kegan Paul, 1978), 206-255.

measure of social instability.

The crisis period, which included most of the seventeenth century, was a period of fundamental change from earlier tradition. This period altered the world of medieval stability and community, creating a world of competitive uncertainty in many aspects of life. It was a time in which Europeans questioned the fibers of their culture and overturned much of their collective past. Without a real change in the building blocks of civilization, society reshuffled the same familiar cards and created an unfamiliar world. The crisis altered the pre-existing elements of religion, culture, economics, and politics. The earliest societal element to be altered was religion, exemplified by the break in traditional religious continuity brought about by the Reformation and confessionalization. The importance of the inclusion of the later Reformation into the periodization of the crisis is essential. Confessionalization in turn altered the cultural components of daily life, community, and personal identity.

European Crisis of Religion

The Protestant and Catholic (Counter) Reformations, were the result of a re-evaluation of religious faith. The choice of confession created a great divide between many individuals and their former communal identity. During Western Europe's medieval period one's confession was to Roman Catholicism. This tradition represented security, identity, and most importantly, community. The deep questions brought about by the Reformations altered these facets of faith and life. The

temporary result was the near anarchy of the radical reformation.¹¹ Both during and especially after the heightened turmoil of this period had subsided, congregants of Western Christendom were granted the solemn option of choosing which of the new faiths they would adhere to. This went well beyond *Cuius regio, eius religio*, down to a personal level, which meant that if an individual could not in good conscience remain in a land where the religion went against his or her individual beliefs then he or she must emigrate in order to find a secure place among co-religionists.¹² This choice could easily sunder them from their former sense of community and cut them off from familiar traditions. The break with past tradition often removed the security of the old communal existence. Such a process and the migration it necessitated was doubtlessly difficult to deal with on both a personal and societal level.

This choice of confession created for the first time a competition for the souls, hearts, and minds of adherents. This religious struggle would alter not only religion, culture, and national identity but also transform notions of communal identity from thinking of oneself in a collective sense to understanding the universe as an individual, a process that was already well advanced. Confessionalization led converts to seek out like-minded individuals, and migration rates to escape persecution, and war were very high. Confessionalization, population migration and growth in urbanization eliminated the communal existence in which Europeans had

¹¹Lewis W. Spitz, *The Protestant Reformation 1517-1559* (New York: Harper Row, 1984), 145-192.

¹²John Bossy, *Christianity in the West, 1400-1700* (Oxford: Oxford University Press, 1985), 127-128.

lived throughout the Middle Ages. This process did not occur quickly, but the social alteration took place gradually over several centuries reaching its final critical juncture during the seventeenth century when the final vestiges of the Middle Ages were altered into a precocious modernity.¹³ No longer could an individual depend on the help of community alone but had to depend solely personal labor, or skills to survive and prosper. The settled existence of the peasant meant relative security from hunger and violence, while that of a wage laborer was less than secure.

Faced with a breakdown in the older system of faith and a marked decline in a sense of communal identity the new Protestant churches attempted to fill the gap. In many cases they were less than successful, due to their own disorganization and the fractious nature of early Protestant Theology.¹⁴ The result was an inability of the community to regulate itself as it had done in the Middle Ages. Communal failings led to an increase in individual uncertainties and disenfranchisement with the world, as evidenced by instances of riot, suicide, violence, and political conflict.

As a result of this societal crisis, secular government had to intervene in order to exact population-control, or the direct coercive power of the state in order to uphold the law and maintain social order. The decline in communal and religious social welfare systems made it necessary for municipal governments to step in and

¹³R. Po-Chia Hsia, *Social Discipline in the Reformation: Central Europe 1550-1750* (London: Routledge and Kegan Paul, 1989), 80-115.

¹⁴Lewis W. Spitz, *The Protestant Reformation 1517-1559* (New York: Harper Row, 1984), 145-192.

administer alms, poorhouses, hospitals, and orphanages.¹⁵ The elevated incidence of crime and disorder created the precedent for the implementation of civic justice, law enforcement, state-sponsored capital punishment, and incarceration on a level never before reached in earlier times.¹⁶ Even defense, the bastion of the nobility became more and more the responsibility of centralized government. The result was standing armies and the beginning of the end of the chivalric tradition.¹⁷ By the end of the seventeenth century, the secular government was more directly involved in the lives of its citizens than ever before.¹⁸ The Dutch city of Leiden fits well with this model of the Pan-European crisis in religion and confessionalization.

Leiden's Crisis of Religion

The Catholic Church in sixteenth-century Holland was largely neglected by Rome and had been since the years of the Black Death. By the sixteenth century, many Dutch Catholics had adopted views about faith which would have been considered heretical or at least questionable in the rest of Catholic Christendom. The *Devotia Moderna*, with its emphasis on simple piety and non-hierarchical worship,

¹⁵ Ann McCants, *Civic Charity in a Golden Age: Orphan Care in Early Modern Amsterdam* (Urbana: University of Illinois Press, 1997), 10-23.

¹⁶ Pieter Spierenburg, *The Spectacle of Suffering: Executions and the Evolution of Repression: From a Preindustrial Metropolis to the European Experience* (Cambridge: Cambridge University Press, 1984), 200-208.

¹⁷ Geoffrey Parker, *The Military Revolution* (Cambridge: Cambridge Univ. Press, 1988), 45-82.

¹⁸ John Bossy, *Christianity in the West, 1400-1700* (Oxford: Oxford University Press, 1985), 153-161.

was strong in the province and the writings and views of Erasmus, particularly his emphasis on moderation in religious controversies, were widespread. This state of affairs developed into a breeding ground for revolt against the Catholic Church.¹⁹

Leiden in the middle sixteenth century was a city undergoing massive change. In 1572 the city declared itself in open rebellion against its monarchical government.²⁰ It suffered a debilitating siege in 1574 and much of the former urban community perished.²¹ By 1577 large numbers of Protestant immigrant industrial workers poured into the town altering its demographics; this alteration forever eliminated the former dynamics of the medieval market town.²² The crisis of religion was at the heart of all these events.

Confessionalization was responsible for changing the existing urban structure of the city. The siege debilitated the community and the influx of Protestant refugees from the Southern Netherlands further altered the communal fabric. The major towns of the southern Netherlands such as Antwerp, Ghent, and Brugge had a large vocal population of Protestants. These individuals had been very supportive of the revolt against Spain and as a result, became the target of much Spanish hostility. After the tides of revolt had turned against the southern provinces large numbers of Protestants

¹⁹Jonathan Israel, *The Dutch Republic: Its Rise, Greatness, and Fall* (Oxford:Clarendon Press, 1995), 45-54.

²⁰Christine Kooi, *Liberty and Religion, Church and State in Leiden's Reformation, 1572-1620* (Leiden: Koninglijk Brill NV, 2000), 19.

²¹Jonathan Israel, *The Dutch Republic: Its Rise Greatness and Fall*. (Oxford: Clarendon Press, 1995), 180-182.

²²Christine Kooi, *Liberty and Religion, Church and State in Leiden's Reformation, 1572-1620* (Leiden: Koninglijk Brill NV, 2000), 19-22.

fled to seek sanctuary in the north. Most notable of these immigrants were rich entrepreneurial industrialists and sea merchants who transported their capital to the north and laid the framework for much of the later economic prosperity in the Republic. A good number of the immigrants were, however, not as well off. Some were doubtlessly fleeing with little more than their lives.²³ These southerners, through their choice of confession, left behind not only their homes but also their sense of traditional continuity. In addition to these religious refugees, large numbers of rural laborers flocked to the city in search of work.²⁴ On arrival in Leiden many seem to have been quite disorganized and doubtlessly desperate as indicated by the number of persons receiving both poor relief or brought up on charges of vagrancy and trespass. Tax records show that almost half of the town's population lived in poverty.²⁵ These persons, both Southerners and rural laborers, ceased to be identified by their place of birth as was the traditional norm but became primarily defined by their chosen vocation and their religious persuasion. Many of the former peasant class, immigrants from the eastern provinces or rural hinterlands of Holland, had to adjust to being wage laborers, a condition in which they were not assured some portion of the harvest, but had to buy what food was available with their wages. When real wages decreased as they did on several occasions the results were

²³Jonathan Israel, *The Dutch Republic: Its Rise, Greatness, and Fall* (Oxford: Clarendon Press, 1995), 308-311.

²⁴*Ibid.*, see also Figs. 1-2.

²⁵Jan de Vries and Ad van der Woude, *The First Modern Economy* (Cambridge: Cambridge Univ. Press, 1997), 565.

chaotic.²⁶ Urban poverty grew as economic conditions slowed and famine was not uncommon.²⁷ Plague still periodically reaped havoc on the town's growing population, although immigrants replaced those who died at a remarkable rate.²⁸ These periods of hardship appear to usher in increases in crime and riot, conditions which will be covered in more detail in chapters two and three.

The new Calvinist Reformed Church attempted to ease the situation, but was not successful to a large extent. The exclusive nature of church membership and high standards of morality made inclusion of a wide array of the populace impossible.²⁹ Further, many members of the urban population did not wish to submit to the church's consistory courts which policed morality and unchristian behaviors.³⁰ The Reformed Church's position was further complicated by its own disorganization, infighting among clergy, and conflicts of ruling interest with the urban elites.³¹ Despite the Church's early inability to deal with these dramatic changes, it should be noted that the Reformed Church did disburse vast amounts of charity in an attempt to alleviate the plight of the urban poor. However, this was rarely done without some

²⁶ Ibid., 634.

²⁷ Jonathan Israel, *The Dutch Republic: Its Rise, Greatness, and Fall* (Oxford: Clarendon Press, 1995), 332-337.

²⁸ Ibid., 484.

²⁹ A.T. van Deursen, *Plain Lives in a Golden Age* (Cambridge: Cambridge University Press, 1978), 233-319.

³⁰ Heinz Schilling, *Civic Calvinism in Northwestern Germany and the Netherlands: Sixteenth to Nineteenth Centuries* (Kirksville MO, Sixteenth Century Journal Pub., 1991), 1-115.

³¹ Christine Kooi, *Liberty and Religion, Church and State in Leiden's Reformation, 1572-1620* (Leiden: Koninklijk Brill NV, 2000), 29-118.

municipal oversight and was often aimed exclusively for church members only.³²

With religion in crisis, it became the government's responsibility to maintain population control in the town. With the elimination of monarchical power and the weakening politics of particularism practiced at the provincial level, the burden of what Dutch Historian Pieter Spierenburg terms governmental repression fell on the city elites.³³ The result was municipal oversight and control in matters of social welfare. Over time the city of Leiden built, occupied, organized, and administered almshouses, poorhouses, hospitals, orphanages, and a prison in an attempt to regulate the welfare of its citizenry. The town courts vigorously prosecuted criminal behavior, public morality, and laws against vagrancy. As detailed later, even these measures did not guarantee population control but went a long way in converting the chaos of the revolt era into a modern functioning urban community.

Leiden and Holland as a whole suffered through a period of social crisis as a result of religious disruption. The functions of the Catholic Church were undertaken by the fractious Calvinist establishment and its efforts were found wanting. In many ways these failures resulted from a lack of popular or governmental aid. The government became the facilitator for population-control. However in the interim a great deal of riot and criminality erupted.³⁴ It was this outbreak which should be

³²Ibid., 46-47.

³³J.L. Price, *Holland and the Dutch Republic in the Seventeenth Century* (Oxford: Clarendon Press, 1994), 19-57.

³⁴Pieter Spierenburg, *The Spectacle of Suffering: Executions and the Evolution of Repression: From a Preindustrial Metropolis to the European Experience* (Cambridge: Cambridge University Press, 1984), 200-208.

viewed as a tell-tale sign of the pan-European crisis.

European Political Crisis

In addition to the societal crisis created by the reformations, traditional political institutions were likewise undergoing a period of intense reorganization. The feudal system had been undergoing the process of collapse, but it was during the crisis period that this process reached its conclusion. In many regions of Europe monarchical power was also on its ascendancy towards absolutism, resulting in the embryonic development of the nation state. Society during the crisis period likewise underwent a fundamental alteration, as the late medieval class system and its relationship to the political elite was altered by mass urbanization (a feature already present in the Low Countries) brought about by enclosure or other revenue gaining schemes needed to finance the changing political realities brought about by a new military revolution.

The military revolution was central to the political upheaval in question. A change in military technology during the late medieval period altered not only the way war was waged but radically increased the expenditure necessary to successfully conduct successful military operations.³⁵ The increasing expense of maintaining a standing army, and constructing adequate fortifications to resist the more advanced military technology necessitated an immediate alteration of monarchical finance.³⁶ This

³⁵Geoffrey Parker, *The Military Revolution* (Cambridge: Cambridge Univ. Press, 1988), 45-82.

³⁶Ibid.

necessary alteration presaged a reorganization of state finance and some monarchies were successful in maintaining military growth in the form of standing armies due to financial innovations in taxation and receipt of credit.³⁷ In addition new methods of procuring food supplies to fuel these armies were also enacted.³⁸ The advent of the standing army created a new coercive force at the monarch's beck and call. No longer beholden to feudal institutions as they once were, monarchs were capable of wielding increasing power over individual populations and the lesser nobility. As a manifestation of this new power monarchs were free to engage in warfare on a scale far more destructive than previously possible with critical results for both the populace and the economies of the monarchies involved.³⁹ War was the major political endeavor of the age of crisis and as a result the populace of affected regions underwent long periods of predacious poverty, famine, pestilence, and death. Such wars were directly related to other issues of the crisis period such as the religious question and economic considerations. The most notable example of crisis period warfare was the futility and devastation of the Thirty Years War 1618-1648, during which large portions of central Europe were converted into virtual wastelands devoid of wealth and habitation.⁴⁰ The need for higher rates of taxation placed incredible

³⁷Marjolein t'Hart, *The Making of a Bourgeois State; War, Politics, and Finance During the Dutch Revolt* (Manchester U.K.: Manchester University Press, 1993), 34-59.

³⁸Geoffrey Parker, *The Military Revolution* (Cambridge: Cambridge Univ. Press, 1988), 45-82.

³⁹Ibid.

⁴⁰Geoffrey Parker, *The Thirty Years War* (London: Routledge, Chapman, and Paul, 1984), 208-215.

strains on many populations resulting in riot, rebellion, and anarchy, such as the 1648-1653 Fronde tax revolts in France, or the Catalonian revolts which engulfed northeastern Spain.⁴¹ Resistance to the pressures of absolutism fueled civil wars as well. The Dutch Revolt (1568-1648) and the English Civil War (1642-1660) being primary examples of civil war.⁴² Enclosure acts, devastation as a result of war, and religious persecution created the largest movement of people since the migration period of late classical times.⁴³ As the relationships between the newly developing absolutist governments and those they governed changed, there were in several instances violent backlashes and revolts. The Dutch Revolt against the policies of their Spanish monarch is one example.

Political Crisis in Leiden

The city of Leiden and Holland in general, similar to so many other towns and regions of Europe, was directly affected by the militarist politics of the crisis age. During the crisis period the County of Holland underwent three separate episodes of political instability brought about by the chaotic shifting politics of the time. These periods of instability included civil war or revolt, intensely politicized religious debates, and an attempted monarchial coup d'état.

⁴¹ Roger Merriman, *Six Contemporaneous Revolutions* (Hamden, Conn.:Archon Books, 1963), 9-155.

⁴² Pieter Geyl, *The Revolt of the Netherlands* (London: Ernest Benn Ltd. London, 1945), 79-96.

⁴³ Lewis W. Spitz, *The Protestant Reformation 1517-1559* (New York: Harper Row, 1984), 8-16.

The Dutch Revolt against Spain was the first in a series of political predicaments to befall the city. The revolt, also called the Eighty Years War (1568-1648), was brought about by a number of factors: religion, anger over the inquisition, resentment over taxation, and a desire to protect particularist economic interests.⁴⁴ The war was in many ways a civil war between those who wished to advance self-determination and those who wished to remain under the rule of Spain.⁴⁵ This civil war was also complicated by religious issues, fueled in no small part by the Dutch disdain for the inquisition and the imposition of a new series of expensive Catholic bishoprics.⁴⁶ A number of the prominent leaders of the revolt were Calvinists who were striving for the establishment of a Calvinist state in the Netherlands.⁴⁷ That is not to say that many Catholics did not also support the rebellion for financial or regionalist reasons as well.⁴⁸ The war further divided the Low Countries between Northern (Rebel) to Southern (Loyalist) factions, a situation which forever sundered the Dutch-speaking population.⁴⁹ The war concluded with northern independence and the establishment of the highly decentralized, though economically powerful, Dutch

⁴⁴Pieter Geyl, *The Revolt of the Netherlands* (London: Ernest Benn Ltd. London, 1945), 79-96.

⁴⁵Geoffrey Parker, *The Dutch Revolt, rev. ed.*, (London: Penguin Books, 1985), 30-41, 68-84.

⁴⁶Jonathan Israel *The Dutch Republic: Its Rise, Greatness, and Fall* (Oxford: Clarendon Press, 1995), 100-101.

⁴⁷Geoffrey Parker, *The Dutch Revolt, rev. ed.*, (London: Penguin Books, 1985), 57-64.

⁴⁸Jonathan Israel, *The Dutch Republic: Its Rise, Greatness, and Fall* (Oxford: Clarendon Press, 1995), 169-178.

⁴⁹Pieter Geyl, *The Revolt of the Netherlands* (London: Ernest Benn Ltd. London, 1945), 263-293.

Republic.⁵⁰

Leiden, one of the most important industrial towns of Holland, was at the center of the strife, especially early in the war. Leidenaars took part in the anti-Catholic, anti-monarchical riots and iconoclastic attacks of the 1560s.⁵¹ Leiden, as mentioned above, was the site of a devastating siege in 1572, during which the rebels won a great victory against the Spanish besiegers. The victory had a heavy cost for the town as a majority of the population lost their lives.⁵² The resulting victory was also not without turmoil as the political composition of the town elites were purged of loyalists and Catholics.⁵³ Further turmoil and instability occurred while the population of the city was rebuilt through the flood of immigrants escaping the war in the southern Low Countries.⁵⁴ Riots occurred regularly throughout this period with major riots occurring in 1588, 1598, 1601, and 1602 which led to a number of arrests.

Leiden was further affected by the unrest following the Remonstrant crisis of the early seventeenth century, which involved a politicized religious debate over the doctrine of freewill within the Calvinist church. The town was central to this crisis as many of the debates and the main intellectual founders of the Remonstrant and

⁵⁰Jonathan Israel, *The Dutch Republic: Its Rise, Greatness, and Fall*. (Oxford: Clarendon Press, 1995), 516-523.

⁵¹Christine Kooi, *Liberty and Religion, Church and State in Leiden's Reformation, 1572-1620* (Leiden: Koninklijk Brill NV, 2000), 26-27.

⁵²Jonathan Israel, *The Dutch Republic: Its Rise, Greatness, and Fall* (Oxford: Clarendon Press, 1995), 180-182.

⁵³*Ibid.*, 343-344.

⁵⁴*Ibid.*, 308-311.

Counter-Remonstrant debates were faculty at the University of Leiden.⁵⁵ The end result was a conservative, Counter-Remonstrant victory and a settlement of the issue at the Synod of Dordrecht in 1618-19.⁵⁶ What followed was yet another purge of the political elite and a number of riots which corresponded to the years of the political unrest.

Leiden's leadership was again purged just prior to the third political crisis to befall Holland. In 1650 the Statdthouder Willem II attempted to overthrow the government of Amsterdam and possibly set up an Orangist Monarchy.⁵⁷ He ultimately failed due to poor planning and his untimely demise from disease. Though considered of the highest importance by some historians, this event had the least effect of the three on Leiden.⁵⁸

The age of crisis was for much of Europe an age of almost continuous warfare and massive political reorganization. Holland and Leiden in particular were not exceptions to this. The town underwent three separate occurrences of political instability, including the uncertainty of a rebellion which lasted eighty years. The town's population was almost totally destroyed in a devastating siege and rebuilt through a flood of religious and political refugees. Leiden was the site of numerous riots and demonstrations which resulted in a number of arrests. In addition to all these

⁵⁵Ibid., 450-460.

⁵⁶Ibid., 460.

⁵⁷Ibid., 595-610.

⁵⁸Roger Merriman, *Six Contemporaneous Revolutions* (Hamden, Conn.: Archon Books, 1963), 9-155.

political upheavals, Leiden's government and political elite were repeatedly altered either through religious change or political purges. In a period of political strife and uncertainty Leiden was at the forefront of the reshuffling process brought on by the general Europe wide crisis. The political events in Leiden clearly indicate that the town did experience this crisis.

Economic Crisis in Europe

In conjunction with religious upheaval and political crisis, seventeenth century Europe was gripped by a period of severe economic stagnation. This period of stagnation was made considerably more acute by the near constant incidence of devastating warfare. The economy of central Europe was ravaged by the Thirty Years War for example. Spain likewise suffered reverses and bankruptcy on no fewer than six occasions during its conduct of the war in the Low Countries and France.⁵⁹

This economic crisis was rooted in the price revolution which took place prior to the great economic downturn. The period 1580-1620 was marked by a slow, constant rise in inflation. This rise averaged about two percent a year. The effects of this were worsened by the debasing of coinage which further fueled the inflation. While prices rose wages remained stagnate. By 1620 prices had leveled out and the European economy completely stagnated. The results were a severe depression of real wages and industrial prices while the prices of food and fuel continued to rise.

⁵⁹ David H. Fischer, *The Great Wave: Price Revolutions and the Rhythm of History* (Oxford: Oxford Univ. Press, 1996), 91.

Employers were forced to down-size to become competitive and as result unemployment increased. The absolutist monarchies' need to finance their new standing armies and wage their destructive largely futile wars through higher and higher taxation exacerbated the dire economic situation of their impoverished subjects.⁶⁰

The economic situation was worsened by a number of additional factors. Food prices remained high due in part to climate changes which produced a number of famines and severe crop failures termed the "great dearth" by contemporaries. These agrarian disasters in turn increased the populations susceptibility to a rash of epidemic diseases which played a role in curtailing the steady European population increases of the last century.⁶¹ Not since the Black Death had disease been so pervasive in eroding the European population.⁶²

As a result of this economic crisis a large number of people joined the ranks of the impoverished. Unsuccessful attempts to become more competitive led to numerous bankruptcies and further unemployment. Wealth was concentrated in fewer hands and the disparity between wealth and poverty was extremely acute. This situation resulted in a rise in civil unrest and crime. This is evidenced by the direct correlation between bread prices and property crime arrests documented in the crime

⁶⁰ Ibid., 89-93.

⁶¹ Ibid., 94-95.

⁶² Jonathan Israel, *The Dutch Republic: Its Rise, Greatness, and Fall* (Oxford: Clarendon Press, 1995), 624-625.

records of the English county of Essex from 1566-1602.⁶³ Economic stagnation induced migration and vagrancy became commonplace. On occasion the opportunity for permanent or seasonal employment did become available, though many migrants were disappointed in their search for work, and seasonal employment often was insufficient to make ends meet.⁶⁴ Higher taxation and constant war worsened the situation tremendously. During the Thirty Years' War for example, droves of homeless vagabonds followed the armies for protection and sustenance.⁶⁵

Economic Crisis in Leiden

While the rest of Europe was in the depths of deep economic recession, the Dutch Republic was at the zenith of its "Golden Age." The Dutch established hegemony over much of the world's trade. Amsterdam had replaced blockaded Antwerp as the entrepot of Europe, and Dutch financial power was unrivaled. Leiden also enjoyed the fruits of the Golden Age with its flourishing textile, printing, and warehousing industries. Such a rosy picture of wealth and plenty is misleading, due to the fact that records indicate the city was not without a significant number of less than fortunate people.

Despite the Dutch Republic's dramatic economic success in a time of

⁶³ J.S. Cockburn, *Crime in England 1550-1800* (Princeton, NJ: Princeton University Press, 1977), 68.

⁶⁴ Jan de Vries and Ad van der Woude, *The First Modern Economy* (Cambridge: Cambridge Univ. Press, 1997), 72-78.

⁶⁵ Geoffrey Parker, *The Thirty Years War* (London: Routledge, Chapman, and Paul, 1984), 101-208.

European economic disaster, prosperity was not evenly distributed. Holland and Leiden in particular still suffered to some extent from the economic malaise of the seventeenth century. In the 1610s and 20s, large numbers of workers were laid off or given only a fraction of their former work load as a result of the need to become competitive.⁶⁶ This necessitated a great deal of worker migration from town to town in search of employment as well as creating a situation in which seasonal labor was needed. A number of merchants were forced into bankruptcy, finding themselves unable to cope with the changes. Fluctuations in the ability to trade with foreign markets also played a role in dooming many Leiden enterprises. Though many of the wealthy merchant elites of Holland and Leiden were enjoying a Golden Age, for a large portion of society prosperity was more fleeting.⁶⁷

The other exacerbating aspects of the crisis period came into play in Leiden with terrible results. Insufficient crop yields in the early sixteenth century created an increase in the price of food. As a result of this increase a number of the town's poor were reduced to the level of starvation. The town attempted to stave off this specter by operating city bakeries to give out free bread.⁶⁸ The poor harvests within the town's agricultural hinterland probably played some role in the migration of a number of destitute villagers looking for work and sustenance. Leiden also suffered heavily

⁶⁶Jan de Vries and Ad van der Woude, *The First Modern Economy* (Cambridge: Cambridge Univ. Press, 1997), 634.

⁶⁷Geoffrey Parker and Lesley M. Smith, eds., *The General Crisis of the Seventeenth Century, Between the Sixteenth and Seventeenth Centuries: The Economic Crisis of 1619-22*, by Ruggiero Romano, (London: Routledge and Kegan Paul, 1978), 153-205.

⁶⁸Geoffrey Parker, *The Dutch Revolt, rev. ed.*, (London: Penguin Books, 1985), 25.

century. Vagrancy was also a problem in the town as 159 vagrancy trials held between 1601-1640 alone. The town also suffered a dramatic rise in both violent and property crime during the crisis period as detailed in Chapter 2.

Leiden had a sizable population (forty five percent) of underemployed or unemployed people.⁶⁹ The period was also marred by the decline in real wages which caused unemployment, and as a result, crime.⁷⁰ The population suffered from high prices, high taxes, disease, and crime along with their contemporaries in other parts of Europe. Although to a lesser degree than other regions in Europe, Holland and Leiden did indeed suffer from the economic crisis.

Cultural Crisis in Europe

In addition to directly affecting religion, politics, and economics, the crisis of the seventeenth century altered the popular cultural conceptions of the people who experienced it. The religious turmoil created altered earlier conceptions of spirituality, prayer, and worship for a large number of Europeans. Confessionalization in many instances placed the choice of religion in the hands of the individual. If one made the wrong choices they faced the prospect of damnation. This doubtlessly placed a great deal of anxiety in the lives of many. Religious choice dictated a need to join with others of like mind. As mentioned earlier, this in turn led

⁶⁹ Jan de Vries and Ad van der Woude, *The First Modern Economy* (Cambridge: Cambridge Univ. Press, 1997), 565.

⁷⁰*Ibid.*, 634.

to physical migration in many instances. Such migrants had to cope with reinventing themselves in a new environment. Some migrants lost contact with their medieval roots, familiar landscapes, family, and the village/manorial life. Others lost their familiar civic landscapes, industries, and communities. This alteration must have played a role in the critical reshaping of an individual's world view.

The horrors of warfare likewise had an impact. The rapine destruction of the Thirty Years' War, for example, destroyed the populations of entire regions and left the survivors in an unrecognizable wasteland. The shift towards absolutism reorganized the relationships of ruler and governed. The political crisis dictated the events of life for many. Political decisions determined if one's home would be a barracks, one's fields a battleground, or if one's property would be forfeit as taxation. The economic situation also changed individual conceptions of the world. Wealth for much of Europe was short lived and belonged to only a few. Poverty and economic depression was the norm for most of the crisis period. Famine and disease also doubtlessly spurred a feeling of hopelessness among many.

It is little wonder that popular cultural material of the period was largely less than hopeful. The crisis period was close to being devoid of any great literature. The revolution in printing had made pamphlets popular and common.⁷¹ Many of these were fatalistic in nature, featuring sensationalistic yarns, moralist messages, and doomsday predictions featuring in some instances vile astronomical phenomena

⁷¹Craig Harline, *Pamphlets, Printing, and Political Culture in the Early Dutch Republic* (Dordrecht: Martinus Nijhoff, 1987), 36-60.

heralding the end of days.⁷² Much art was likewise fatalistic, often evoking hopes of a more benevolent afterlife. Architecture varied from somber and militaristic to the gaudy flamboyance of the Catholic Baroque, which was itself an attempt at overcompensation for the bleak prospects of the temporal world.⁷³ By evoking their perception of the gilded glory of heaven, Baroque artists and architects attempted to overawe the crisis period's downtrodden populace.

The crisis period altered individual perceptions of both life and the afterlife. Confessionalization placed the burden of religious choice on the individual. The political and economic crisis dictated death, war, wealth, and poverty. Famine and disease probably likewise altered European culture, and contributed to a fatalistic outlook reflected in the art, literature, and architecture of the time. Such drastic critical changes had to have a negative effect on the collective European psyche.

Cultural Crisis in Leiden

The crisis of the seventeenth century also altered the popular cultural conceptions of the people of Leiden. The religious turmoil and changes altered the religious composition of the town. Under the new regime church attendance was neither mandatory nor was non-attendance punishable. A large portion of the towns population, as much as seventy percent of the population, were not formally affiliated

⁷²Ibid.

⁷³Hugh Honour and John Fleming, *The Visual Arts: A History* (New York: Prentiss Hall Pub. 1982), 466-478.

with any church at all.⁷⁴ The suspension of formal Catholic worship in Leiden drove Roman Catholic parishioners underground. Catholic worship was ostensibly a punishable offence, although in reality if services remained private, persecution was minimal. Even without threat of persecution, such a situation had to be stressful for Catholics. The persecution of the Spanish was responsible for creating an influx of migrants fleeing oppression in the southern Low Countries. They were forced like so many other Europeans of the period to leave their ancestral homes and move to a new location to begin anew.

The horrors of warfare likewise had an impact on Leiden. The siege of 1576 almost completely depleted the original population of the town. Those who lived through the siege saw their town transformed in subsequent decades by the arrival of thousands of new immigrants, enticed by relaxations in citizenship requirements. No longer a small market town with a few industries, Leiden became one of the major industrial towns of Holland. The town was also the site of the University founded in 1575. Having an educational institution of such importance doubtlessly altered local culture through education and the role of the university in municipal affairs.

The economic crisis also affected the townspeople's world view. With forty five percent of the cities inhabitants either in constant poverty or tottering on the edge of it and another thirty-five percent in the working class, any economic fluctuations

⁷⁴A.T. van Deursen, *Plain Lives in a Golden Age* (Cambridge: Cambridge University Press, 1978), 233-321.

would have been deeply felt.⁷⁵ There was a notable disparity of wealth among the population, in which the rich elites enjoyed incredible finery while those of the lower ranks in society suffered poverty. Simon Schama referred to this situation as “an embracement of riches.” Evidence of malcontent over the economic situation was expressed by the number of riots and other forms of political protest which the town experienced during the period. The general rise in crime, detailed in later chapters, likewise indicates the changes which took place among the working poor and serves as another criterion by which to judge the crisis.

Other aspects of culture in Leiden show subtle signs of the crisis the town was experiencing. Historian Theodore Rabb maintains that the crisis can be detectable in the art of the time, this seems to hold true in Leiden.⁷⁶ The Leiden Fijnschilder School of Art contains numerous paintings whose interpretation features subtle indications that the crisis was possibly on the painter’s mind. The works of Gerrit Dou (1613-1675), a famous pupil of Rembrandt and native Leidenaar who painted in the town during his entire professional career, is an excellent example.⁷⁷ He often depicted poor workers performing their duties, as well as more pastoral images. These paintings evoke a sense of serenity and calm, perhaps as a artistic release from the pressures of town life. He also painted a series of Hermit pictures in which the

⁷⁵Jan de Vries and Ad van der Woude, *The First Modern Economy* (Cambridge: Cambridge Univ. Press, 1997), 561-567.

⁷⁶Theodore K. Rabb, *Art and History: Images and Their Meaning* (Cambridge: Cambridge University Press, 1988), 32.

⁷⁷Ronni Baer, *Gerrit Dou 1613-1675: Master Painter in the Age of Rembrandt* (New Haven: Yale Univ. Press, 2000), 20-45.

subjects seem to be pondering wasted lives. The art depicts mortality, poverty, and meaninglessness of wealth much as the popular “*vanitas*” genre did.⁷⁸ Dou’s hermit pictures, however, feature images of destitute aged individuals with lost, fearful, longing, and searching countenances. Other Dou art contains images of people undergoing periods of sickness perhaps indicative of the mass disease prevalent in Leiden at the time. Still other paintings depict merchants standing in stalls looking forlorn next to empty or broken scales and maids in plain clothing working among the wealthy with their finery of imported textiles, gold, and jewels. These subtle images seem to depict a time of troubles in the town.

Leidenaars, like the rest of European society, were undergoing a period of crisis in which their interpretation of the world was changing. Religious turmoil changed the way many perceived religion both publicly and probably in private as well. War and political upheaval altered the towns leadership and depleted the towns original population changing the culture of the city through immigration and industry. These forces created wealth and ironically hardship which was radically different than what some of the people of the town were accustomed to. Economic crisis, disease, and poverty altered world views and facilitated a dramatic increase in criminal behavior. The hopelessness of other parts of Europe was reflected in the work of Leiden’s most famous artists. The crisis probably redefined the way the people who experienced it viewed the world in which they lived.

⁷⁸Ibid.

Conclusion

The period 1560-1660 was one of great turmoil, prompting historians to dub it an age of crisis. It was indeed an appropriate name. Europe went through over a century of massive alterations in every aspect. Likewise evidence of the crisis may be seen in the study of smaller geographic regions such as the Dutch town of Leiden. Despite the strident claims for Dutch exceptionalism, it seems fair to say that Holland and the town of Leiden in particular did undergo a period of crisis.

Leiden, like Europe, underwent a crisis in the mid-sixteenth through the later half of the seventeenth centuries. Historians of the crisis have typically not included the religious turmoil of the Reformations within their definitions of the crisis. Since religion is so central to much of the period's critical alterations this is problematic. Confessionalization enhanced personal individualism and changed the way people perceived organized religion. It broke the cultural continuity represented by Catholic traditions for a large number of Europeans and spawned large faith-based migrations, which in turn created social upheaval.

The political situation in Europe was also undergoing a crisis and Leiden's situation reflected this. Siege, the reordering of elites, and the dramatic influx of migrants altered the city in ways which were not dissimilar to the changes in government, military, and demography occurring across Europe. Leiden entered the crisis period as a medieval market town with some industry and a long Catholic tradition, leaving the period an important industrial center without any real central religious power and experiencing notable fluctuations of criminal activity, riot, and

violence. This period was a chaotic transformation for the town.

The crisis period was further marked by a great economic downturn and resulting riot and turmoil. The situation in Leiden was not as severe as in some areas of Europe, though turmoil was present. It was a period in Holland known as the Golden Age, although this age was not so golden for all members of society. Leiden's native poor had a difficult time making ends meet, accentuated by the prevalence of a series of debilitating plagues. Unemployment was also a common side effect of economic troubles. All these things were reflected in the art and literature of the time. A rise in crime coincides with the crisis period and this criminal activity and riotous behavior were aspects of the crisis which has yet to be explored until now.

Chapter 2

Criminal Behavior in Early Modern Leiden

Leiden's Legal System

Crime and criminal behavior escalated in Leiden during the seventeenth century, a sign of crisis within its social, political, and cultural institutions. Before analyzing the criminal records of Leiden, it is useful to look at the law and judiciary systems of the town. This allows the latter information to be placed in a more substantive contemporary legal framework.

The law in its most basic form is a social instruction manual handed down for a governmental power as the template by which criminal misbehavior and unauthorized violence may be coerced and repressed. Leiden and Holland as a whole used a modified version of Germanic Law known as the Carolina. This code was created at the behest of Emperor Charles V in 1532.¹ The Low Countries as a whole maintained over seven hundred different law codes.² What exactly was codified depended on the city or region in which one was charged. Although the Carolina was the basis of the legal system, older precedents and privileges remained. The enforcement of the law and its interpretation was left up to the individual municipalities in which trial occurred. Many of these legal

¹Joy Wiltenburg, *The Carolina and the Culture of the Common Man: Revisiting the Imperial Penal Code of 1532* (*Renaissance Quarterly* 53, 2000), 713-734.

²Geoffrey Parker, *The Dutch Revolt, rev. ed.*, (London: Penguin Books, 1985), 34.

codes are no longer extant or may only be appreciated through looking at the recorded legal precedents over time. The Carolina moved the trial process from an accusational system, common in older Germanic law to a inquisitional system, in which the burden of proof was placed on the accused.

Criminal records were kept by a town notary or notaries. These individuals copied down the information presented for each case into books retained by the town government. Each entry was formulaic beginning with the accused criminals name, birth place, martial status (if female), age (if found relevant or noteworthy), and occupation. Following biographical details, the records indicate the charge and recommended punishment. The final section deals with information on the actual sentence and any notes on the sentence's execution.³

Law enforcement in Leiden was faced with a number of problems, including a shortage of personnel, governmental mandates, and the lack of ability to pursue criminals out of their respective jurisdictions. This led to frequent escapes, and the need for absentee sentencing of many criminals. In Holland this problem was solved by the verdict of exile. Under this sentence, if the accused returned to the town they would be severely punished. In general, early modern law enforcement in Holland was limited to the settled areas within their direct purview.

The Leiden law enforcement organ had its origins in the Middle Ages. Called

³ H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), vii.

schutterij, they constituted a civic militia and, other than hired mercenaries, constituted the only military, and civic coercive force. The members were often not drawn from the town elites, perhaps presenting the common man with some means to influence the politics of his town. The *schutters* were responsible for obtaining their own equipment at their own expense, which prevented the very poor from entering their ranks. They answered to a number of officers who were typically part of the lower levels of the upper class. In addition to guarding the gates, ramparts, and canals, the *schutterij* acted as an honor guard at executions and public events. They had a number of ceremonial functions and at times membership was similar to being part of a gentlemen's club as evinced by their depictions in a wide array of paintings such as the famous portraits by Frans Hals or Rembrandt's *Nightwatch*, depicting solemn, upstanding members gathered around a table with banners, flag, and finery. The *schutterij* held a great deal of power in civic government. They were typically the only armed and trained soldiery in town, so therefore, if the civic government went against popular opinion these citizen guardians could act against the regency.⁴

As a law enforcement agency, the effectiveness of the *schutterij* left much to be desired. Their direct control was measured by the towns encircling walls. Even within the town they were limited in the duties they could perform. In all likelihood the *schutterij* probably blundered into most criminal acts in process, had the good fortune of receiving good tips from the citizens, or apprehended known criminals at

⁴J.L Price, *Holland and the Dutch Republic in the Seventeenth Century* (Oxford: Clarendon Press, 1994), 90-108.

the gates on entry or exit from the city. They were limited both by method, and personnel to conduct organized investigations, excluding death inquests, or interrogation of witnesses or prisoners. These limits should be kept in mind when making judgments on the criminal records of the town. The recorded crime rates likely only reflect a tiny fraction of total crime in the city.⁵

The trial process in Holland varied from town to town. Generally the accused was denounced to the court for a particular act. Law enforcement would then apprehend, or attempt to apprehend, the accused and bring them before the court to answer charges. The trial involved testimony, held in front of a panel of judges, or in some cases a single judge, who would determine the weight and merit of the case and find for guilt or innocence.⁶ In sentencing the judge(s) had leeway in proscribing punishment, and in some cases increased, or lessened the severity of punishment as they saw fit. Such a system was subject to some coercion based on popular opinion, social class, and monetary worth as evidenced in several of the cases below.

Because punishment under Dutch law was exacted in degrees based on the nature of the crime and the opinion of the trial judge or judges, it was extremely varied. The Leiden courts maintained a long list of capital crimes, including murder, deadly assault, homosexual behavior, rioting and various crimes against property, and religious morality. Punishment usually involved implementation of either public

⁵ Pieter Spierenburg, *The Spectacle of Suffering: Executions and the Evolution of Repression: From a Preindustrial Metropolis to the European Experience* (Cambridge: Cambridge University Press, 1984), 43-81.

⁶Ibid.

corporal, or capital execution. Such a process involved a great deal of ceremony, or as Dutch Historian Pieter Spierenburg called it “a Spectacle of Suffering,” in order to show the power of the authorities and act to scare other would be criminals.⁷ These executions were further divided into the categories of: punishment of pillory, and punishment of scaffold. Pillory executions involved physical discomfort, ridicule, and display. While scaffold executions involved physical pain, maiming, and in many cases capital punishment.

Capital punishment had religious meaning, and justifications in addition to the secular coercive powers of spectacle abovementioned. The rationale of capital execution was also based on Christian notions of penance, pain, and redemption. The medieval Doctrine of Satisfaction was interpreted as meaning the criminal should follow a Christ-like journey of pain and purity whereby at the end of the process they would be penitent and redeemed of their sins. Clergy held a very prominent position in the ritual of death, lending comfort and reassurance to the condemned. This remained true both before and after the reformation.⁸

Capital punishment in early modern Leiden was exacted in a number of ways. In general, the courts followed the principle of the more heinous the crime, the more graphic the punishment, i.e., an eye for an eye. Murderers in the earlier part of the period were often broken on the wheel, a process by which the convict was stretched upon a wagon wheel and had their limbs broken or amputated by hammers or axes.

⁷Ibid.

⁸Ibid., 59-64.

This was followed either quickly (a sign of mercy) or slowly (as a punishment for lack of remorse) by decapitation often with a sword. This horrific display had its origins in the Middle Ages and was designed for maximum punishment and maximum display.⁹ Other methods of capital execution involved burning, hanging, drowning, garroting, and decapitation. The latter part of the period saw the move to more “humane” punishments such as hanging, and garroting.

Non-lethal corporal executions involved flogging and branding. Flogging often involved being beaten in public with a faggot of cane rods.¹⁰ These corporal punishments also seemed to diminish as the period progressed. They were first removed from the public view and implemented under the auspices of a corrections facility. By the eighteenth century, such punishments had virtually disappeared from the records.¹¹

Some criminals, even in the early part of the period, received jail time. This is unusual for the period. In most European countries, jail was used primarily as a holding place before trial and execution of the sentence, not as a punishment unto itself. The Dutch were pioneers of the use of imprisonment as punishment and early on implemented programs to rehabilitate criminals.¹² Work houses (*tuchthuisen*) sprang up in all the major Dutch towns and Leiden’s Gravensteen prison was one of

⁹Ibid., 43-81, 110-183.

¹⁰Ibid., 11-183.

¹¹Ibid., 183-200.

¹²Pieter Spierenburg, *The Prison Experience: Disciplinary Institutions and Their Inmates in Early Modern Europe* (New Brunswick: Rutgers University Press, 1991), 44-93.

the more famous. Work house inmates were forced to learn a trade and often were given a hefty dose of imposed Calvinist ideology and Protestant work ethics.¹³ It is likely impossible to say with any certainty if such programs yielded results, although these programs might be part of a number of factors which reduced the incidence of crime in the city during the latter part of the period. It is far more likely that Leiden's eighteenth century population decrease was a larger factor.

The Nature of Criminality in Leiden

The courts of Leiden became increasingly busy in the seventeenth century. The recorded trials varied from crimes of morality, such as swearing in public, to multiple homicides. In order to better analyze these cases, it was necessary to create artificial categories, in which crimes which share certain features, causes and contemporary responses may be placed together. These categories are consistent with modern legal organizational methods. This method allows for a more complete understanding of the prevalence of the specific category in the town and what particular traits such crimes had in common. Categorization does this by facilitating the computation of numeric data as well as creating a basis for numerical comparison between the different categories. Additionally, breaking the categories down into twenty five year cohorts aids in determining of changes in the numeric trends over time. For example some crimes, such as deadly assault, were prevalent during the

¹³Simon Schama, *The Embarrassment of Riches* (Berkeley: University of California Press, 1988),15-25.

first two cohorts (1600-1650) of the seventeenth century but tapered off dramatically in the latter part of the century. Without placing the data in such cohorts, this trend would be far more difficult to track. Categorization allows for the comparison of similar and dissimilar crimes can give hints as to how various forms of criminality were viewed by contemporaries and what variations in punishment occurred both chronologically and by individual categories.

There are other factors which affect criminal behavior and need to be presented in order to better understand the recorded data. First among these is population figures. Leiden, along with the other Dutch urban centers underwent a sizable increase in population. This increase was prompted by a number of factors. Religious persecution brought an upwards of half a million immigrants to Leiden. These individuals were also drawn for economic reasons as many were textile workers in the home regions and flocked to their familiar vocation once it was established and prospering in Leiden. Rather than all at once this immigration occurred over about a hundred and fifty year span creating a constant flow of new labor. Certainly a large number of these immigrants were impoverished as previously mentioned data indicated at least 45% of the urban populations of Dutch towns were either completely destitute or constituted a class of working poor (*het grauw*), the element of society often associated with incidences of criminal behavior.¹⁴

¹⁴Jan de Vries and Ad van der Woude, *The First Modern Economy* (Cambridge: Cambridge Univ. Press, 1997), 72-78.

Year	Population of Leiden
1560	14000
1570	15000
1600	26000
1622	44500
1632	54000
1635	55000
1647	60000
1672	72000
1688	72000
1700	63000
1720	65000
1732	60000
1749	36000
1795	31000

Fig. 1. Census data for Leiden compiled from Jonathan Israel, *The Dutch Republic*

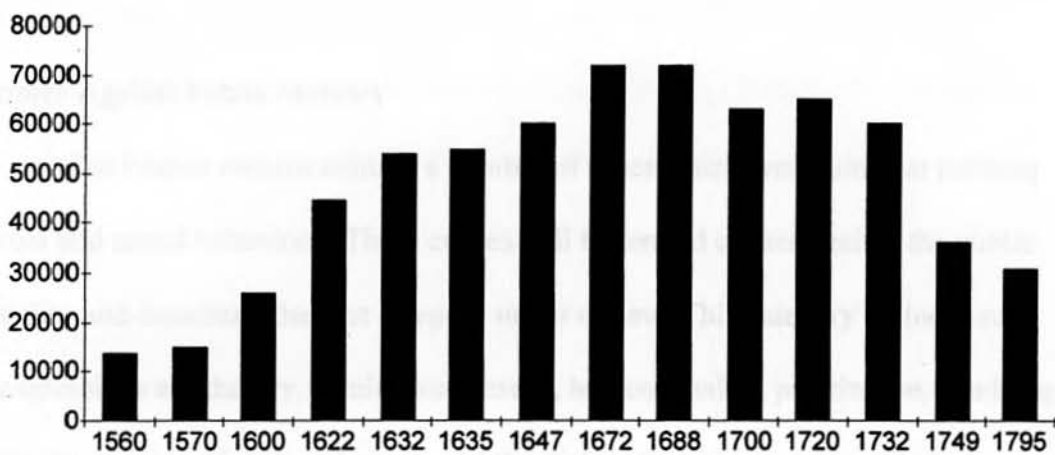


Fig. 2. Graph of population growth in Leiden 1560-1795

Another factor which can influence crime is the ratio between men and women in a given area. The earliest immigrants seem to have consisted of family units, but this pattern changed during the first half of the seventeenth century when the majority of immigrants were single males. This change in the sex ratios coincides with an increase in criminal activity. Later in the century and throughout the eighteenth century the trend was reversed as more women immigrated into the province and shifted the balance the other way. It is interesting to note that excluding the rash of crime at the turn of the eighteenth century, crime in eighteenth-century Leiden leveled out and began to decrease towards the end of the century.¹⁵ It is an interesting correlation but its true effects are hard to judge with certainty. Because more violent crimes were committed by unmarried males than any other social group, it is likely that the changing demographic composition of the town affected its crime rates adversely in the seventeenth century and more positively in the eighteenth.

Crimes Against Public Morality

The Leiden records contain a number of cases which were aimed at policing sexual and moral behaviors. These crimes will be termed crimes against the public morality and constitute the first category under review. This category includes such transgressions as adultery, fornication, heresy, homosexuality, prostitution, gambling, swearing, singing of immoral songs, and the distribution of immoral tracts and pamphlets. Nine hundred and forty eight crimes within this category appear in the

¹⁵Ibid., 72-73.

criminal records of Leiden. This number constitutes 15.52% of the total crimes committed in the city from 1540-1800. These numbers included 627 cases of adultery, fornication, and disturbing public tranquility (public drunkenness etc), 225 cases of prostitution, and 96 cases of heresy and blasphemy. The laws criminalizing such actions were created to police public morals and help maintain what religious contemporaries considered a God-like Christian community. The secular authorities were more concerned about guarding against popular uproar and the disturbances such crimes would create in day to day family and civic functions. This is evidenced by the continuous tension between hard line Calvinist clergy and civic officials over the role the church should play as a moral authority in the town.¹⁶ It was also the regent class's mandate to set and enforce a higher standard in order to set good examples for those ruled.

Many of those arrested and tried for these crimes were guilty of what their society deemed as sexual misconduct. These individuals often had these crimes leveled against them in addition to others such as brawling, rioting and drunkenness. For members of the Reformed Church these crimes could lead to inclusion in religious Consistory courts as well as the town's secular courts.¹⁷ Defendants found guilty in Consistory courts received penalties including public humiliation and possible permanent excommunication from the church. In addition to the crimes

¹⁶Christine Kooi, *Liberty and Religion, Church and State in Leiden's Reformation, 1572-1620* (Leiden: Koninglijk Brill NV, 2000), 29-132.

¹⁷Heinz Schilling, *Civic Calvinism in Northwestern Germany and the Netherlands: Sixteenth to Nineteenth Centuries* (Kirksville MO, Sixteenth Century Journal Pub., 1991), 1-115.

listed above the church courts also concerned themselves with sleeping in church, drunkenness, and failure to attend church.

Two of the most common crimes in this category were the crimes of adultery and fornication (*overspel*). There were 627 cases in the records which constituted 10.2% of the total crime recorded. Some of those arrested for these crimes were caught with prostitutes or while committing the deed in a public or semi-public place such as an alley, or stable. In the majority of the cases it is unclear how the parties were apprehended. Certainly accusations from third parties played some role in arrests. The disparity between the number of females to males found guilty of this crime could point to two possibilities. Perhaps the legal system operated on a double standard whereby attitudes about male sexuality were more lax. Women with illegitimate children were frequently charged with the crime. The common medieval religious notions of females as temptresses and being incapable of self control could possibly play a role in this. The level of fraud or bribery involved with such cases are also a matter of speculation as it would be with all early modern crime, but certainly a man of means could probably pay his way out of compromising situations where a women with limited assets would be disadvantaged.

Cohorts	Morality/Adultry
1547-1575	4
1576-1600	71
1601-1625	75
1626-1650	47
1651-1675	30
1676-1700	76
1701-1725	97
1726-1750	95
1751-1775	31
1776-1800	49
1801-1810	52
	627 total

Fig. 3. Table of sexual morality and adultery trials by quarter century

The case of Jannetje Jansdr was fairly typical. She was arrested and charged with fornication and attempted theft in January 1637. Jansdr, a native of Rotterdam, was possibly a servant. She was charged with the commission of an act of sexual misconduct with the master or another member of the household. She was also charged with attempted theft (possibly the main reason for her arrest). No male counterpart went to trial with her, which was also not an uncommon occurrence. On discovery that she had received earlier punishment for an undisclosed crime, possibly in Rotterdam, she was sentenced to twelve years in exile from the city and provinces.¹⁸

The case of Damian Bonnet and Magdalana Verkinder was fairly typical of

¹⁸ H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 200.

an adultery trial heard in Leiden criminal court. In October of 1608 Bonnet, a drapery maker in Leiden's textile industry was caught in the torrid act with Verkinder. Verkinder's spouse, Jan de Sau, was obviously not pleased and brought charges against the couple. Bonnet was found guilty of both adultery and fraudulent behavior and was sentenced to the harsh term of four years duty at sea and twelve years exile from not only the town, but the provinces of Holland and Zeeland as well. Verkinder likewise received a harsh sentence of fifty years exile, though through the pleadings of her family it was commuted to only three.¹⁹

The year 1593 was apparently a time of great moral policing as thirty-four individuals were charged with either keeping a mistress or acting as one. The majority of those charged were sentenced to ten years exile, others were fined and a few (all male) were found innocent and released.²⁰ One tragic case was that of Anthony Hoevenaar. Hoevenaar, a Rotterdam native, committed adultery with Maartje Jans. Jans became pregnant and died from the ensuing complications. On 4 October 1678, Hoevenaar was brought up on charges of adultery and accidental death of the girl. Throwing himself on the mercy of the court he was made to declare the infamy of his crime and escaped with a fl200 fine.²¹

The crime of prostitution was also a serious offence in early modern Leiden. There were 225 cases or 3.6% of total crime in the period recorded. This crime was

¹⁹Ibid., 90.

²⁰Ibid., 54-56.

²¹Ibid., 262.

prosecuted with a much higher frequency during the eighteenth century, perhaps indicating a change in law enforcement methods or a change in the moral climate of the town. With the rise of property and violent crime in the first quarter of the seventeenth century, it is possible that assets were used elsewhere rather than in efforts to curb this crime and as the wave of crime decreased (along with the town's population) efforts were made to eliminate prostitution. Those arrested often were part of a series of arrests indicating a raid on a house of ill repute. Occasionally women were arrested alone probably for plying their trade in a local ale house or on the street. Often in the records an occasional male will be charged with adultery or fornication along with the prostitutes indicating that the luckless individual was caught in the act.

Cohorts	Prostitution
1547-1575	0
1576-1600	2
1601-1625	5
1626-1650	8
1651-1675	4
1676-1700	21
1701-1725	47
1726-1750	68
1751-1775	14
1776-1800	44
1801-1810	13
total	226

Fig. 4. Table of prostitution trials by quarter century

For example, a raid on a brothel in July 1678 netted three prostitutes. Grietje Hendricks, a 45 year old native of Leiden, was probably the madam because of the harsher sentence she received. She was charged with lewdness and exiled from the town. The other two women, one of which was Hendricks' own daughter were sent to jail for eight days to be given only bread and water.²² A typical case of the arrest of a lone prostitute was that of Lijsbeth de Pauw. She was arrested and brought to trial in January of 1679 for prostitution and sentenced to two years in the work house. Like so many of Leiden's criminal element she was not native, coming from the small town of Alphen.²³

Homosexual behavior was considered a crime in Leiden and 42 individuals were arrested and tried. The majority of the cases came from the early eighteenth century and punishment was harsh, varying from execution to life exile. The severity in which these cases were punished possibly indicates the threat that the courts felt these individuals posed to the community morality.²⁴ The criminality was based on the Protestant interpretation of biblical morality, which deemed such behavior as an abomination against God. Further, the model of an ideal Protestant family, often viewed as a microcosm of political relationships, assigned strict gender roles. These individuals violated that ideal and were seen as deviant as a result.²⁵

²²Ibid., 269.

²³Ibid., 270.

²⁴Rudolf Dekker and Lotte C. van de Pol, *The Tradition of Female Transvestism in Early Modern Europe* (New York: St Martins Press, 1989), 44-87.

²⁵Lyndal Roper, *The Holy Household, Women and Morals in Reformation Augsburg* (Oxford: Clarendon Press, 1989), 59.

The case of Eduard Siljade a thirty-three year old cheese maker who immigrated from The Hague, is one example of the extremity to which homosexuality was punished. After his trial Siljade was executed publicly by garroting (*wurging*).²⁶ Matthijs van Oosten received a harsh punishment, though milder than Siljade's. The 37 year old Leiden native was charged with unnatural lewdness and fornication and was given life exile from the city and province.²⁷ In one of the most extreme punishments exacted for any crime in Leiden 48 year old Frans Groljon was hanged along with his partner 44 year old Karel Kaarstekker. According to the trial record Groljon was strangled slowly and branded on the face with an iron, afterwards the body was burned.²⁸ In an earlier and much rarer case Maeilken Joosten was charged with an attempted lesbian affair with Bertalmina Wale. She fled the city to avoid being executed by drowning and received the sentence of life exile on 17 October 1606, in her absence.²⁹

Laws against heresy were enforced in the city both before and after the revolt. The change in administration, however, altered the nature of these laws. The Spanish administration tried 76 cases against Protestant heretics and often executed those found guilty. The later republican administration tried only 20 cases, a considerable drop, and often exiled the guilty rather than sentencing them to death. Dutch heresy

²⁶H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 469.

²⁷Ibid., 469.

²⁸Ibid., 470.

²⁹Ibid., 84.

cases often involved the distribution of texts deemed to be anti-Christian, such as the works of Spinoza or others.³⁰ The republican administration also exiled people who dealt in fortune telling and the occult, perhaps a measure designed at least in part to rid the town of gypsies, whose fortune telling abilities were widely renowned.

Cohorts	Hersey Trials
1547-1575	76
1576-1600	3
1601-1625	0
1626-1650	2
1651-1675	0
1676-1700	7
1701-1725	1
1726-1750	1
1751-1775	1
1776-1800	2
1801-1810	3
total	96

Fig. 5. Table of heresy trials by quarter century

An example of the brutality with which the Spanish administration dealt with heresy was the case of five Protestants tried in the summer of 1544. These individuals listed as repeat offenders in the records were sentenced to be executed.

³⁰Jonathan Israel, *The Dutch Republic: Its Rise, Greatness, and Fall* (Oxford: Clarendon Press, 1995), 499-506.

The four women found guilty were drowned to death in the Rijn probably by having weights placed around their ankles. The sole male was beheaded, his body displayed as an example and denied burial.³¹ Matters became more moderate by 1548.

Aelbrecht Gherijtszn. was also charged with heresy and received only life exile from the town.³² His case constituted only a short respite, however, and by 1552 the death sentence had been restored as the choice punishment for heretics. Five more repeat offenders were killed in the autumn of that year.³³ The two offending women were drowned as before while the three men were garroted. Their bodies were beheaded in what was touted as a more merciful execution technique.³⁴

A decade later, the strict adherence to the tactics of the Spanish-imposed inquisition was beginning to wane. In the year 1567, the city erupted into the riots of iconoclasm and numerous churches were ransacked. The town arrested and placed twelve individuals on trial for taking part. Rather than executing the heretics, as was typical, the convicted men were sentenced to hang but the courts substituted life exile instead.³⁵ After the change of administration following the devastating siege, heresy trials almost ceased in Leiden. Of the 96 cases of heresy in the records, 76 took place

³¹H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 2-3.

³²Ibid., 4.

³³ Ibid., 6-7.

³⁴Pieter Spierenburg, *The Spectacle of Suffering: Executions and the Evolution of Repression: From a Preindustrial Metropolis to the European Experience* (Cambridge: Cambridge University Press, 1984), 110-183.

³⁵H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 17-21.

before the siege. Of those that remained, most involved the dissemination of anti-religious texts, fortune telling, and swearing. The civil administration in these cases seemed more concerned with the secular disruption of such incidents might cause them in enforcement of religious interests. The courts seemed content to leave matters of policing strictly religious behavior to the consistory courts, which had become more numerous and more active.³⁶ A typical heresy case under the new republic involved Willem Arentsz van der Pol. Pol and his compatriots were arrested for disturbing the peace along with an additional charge of blasphemy. He received eight days in jail and was fined 4 silver ducats, a far step from what happened to blasphemers under the old administration.³⁷

In addition to the above-mentioned cases there were numerous cases of crimes against public morality that do not easily fall into the above categories. These include gambling, swearing, public drunkenness, and singing songs deemed to be immoral in nature. While often carrying a moral component, the court's interest in these cases was also likely due to their desire to maintain social order rather than to correct the sinful transgressions of the perpetrators. Daniel Charles, an Utrecht native living in Leiden, was picked up on a plethora of charges in the summer of 1700. Among the charges were fraudulent dealings, gambling, and having a mistress. He was found guilty and placed in the public stocks, publicly flogged, then sent to the work house

³⁶Heinz Schilling, *Civic Calvinism in Northwestern Germany and the Netherlands: Sixteenth to Nineteenth Centuries* (Kirksville MO, Sixteenth Century Journal Pub. 1991), 1-115.

³⁷H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 265.

for six years. Before the sentence could be carried out, he absconded and received the arbitrary exile in absentia.³⁸

Cases of public drunkenness were not uncommon and often led to difficulties for the night watch. One of the most notable instances was the 1580 case of Dammas Quirijnszn, a textile worker. He ran afoul of the local authorities when he took his drunken debauchery out of the ale house and into the street. It was the Burgomaster (mayor) Nicolaas Adriaen's misfortune to come across Quirijnszn, who proceeded to tell the highest official in the town just what he thought of him. On arrival, the night watch doubtlessly attempted to calm him but received only insults and resistance. His night of drinking and foray into political debate left Quirijnszn in a bad situation. He was dragged around the city behind a cart then ran out of town not to be allowed to return for twenty five years.³⁹ Another case involved Adriaan Pieterzsn. After having one too many, Pieterzsn proceeded to scream obscenities at his wife while in public. After eight to ten days in the work house he was greatly reformed and released.⁴⁰

Public swearing and general insolence to the civic authorities were frowned upon. This was evident in the 1697 case of Willem Backer. He was charged with insolence and exiled from the town for two years. Apparently the singing and recording on paper of songs deemed inappropriate for public consumption was also considered criminal. Jan Claeszn a Leiden bookbinder was charged with writing

³⁸Ibid., 318.

³⁹Ibid., 34.

⁴⁰Ibid., 266.

down the words to scandalous little songs (*scandaleuse liedjes*). His odd punishment was to carry a lit candle of one pounds weight in an embarrassing procession through the city streets and offer it publicly to the clergy of the Pieters Kerk. In another twist on the normal, he was forbidden to leave Leiden for a year, perhaps so he would be forced to endure his public humiliation.⁴¹ Another case of unappreciated vocal performance occurred in 1679. Adam Andrieszn a thirty one year old Leiden textile worker found himself in the work house for eight days, and exiled from the city for twelve years, after being charged with singing forbidden songs and various other curses leveled at the authorities.⁴²

Crimes Against Civil Authority

Crimes against the civil authority constituted another category of crime in early modern Leiden. These crimes share a level of commonality in that they were all perpetrated against either the state, in this case the civic authorities, or against the community at large. This category includes crimes against riot, sedition, vagrancy, begging, counterfeiting, contempt of justice, and breaking the stipulations of ones sentence, such as escaping or attempting to escape prison (or work house) or returning after being ordered into exile.

The records contain 393 cases of returning after being exiled, 709 cases of vagrancy/begging, 96 cases of riot, and 279 of all the remaining crimes such as

⁴¹Ibid., 6.

⁴²Ibid., 273.

sedition, contempt, and jail breaking. These cases make up 24.1% of all crimes recorded in the town. The record reflects the civic administration's attempt to control the behavior of its citizens and create an environment in which their authority was respected. These cases are also reflective of the civic authority's attempts to maintain the public peace through enforcing laws against riot, vagrancy, and other criminal acts that they felt led to violence and loss of property.

Riot and street demonstration were not uncommon occurrences in Leiden from 1550-1650. The records fail to indicate the exact details behind most riots in the city although in some instances the times in which rioting occurs correspond with times of civic or national crisis. A riot in which at least five persons, probably ringleaders, were arrested occurred in the years 1567, 1588, 1598, 1601, 1602, 1609, 1611, 1613, 1615, and 1627. Nine riots occurred in Leiden during the fifty year height of the crisis period. It is interesting to note that after 1628 there were no arrests for this charge. This is key evidence to indicate the level of social unrest which occurred in Leiden during the crisis period. 71 of the riot trials took place during the first quarter of the seventeenth century. That number constitutes almost 74% of all riot trials. The period corresponds to a period of heightened unemployment and massive population growth in the city.⁴³

⁴³Jan de Vries and Ad van der Woude, *The First Modern Economy* (Cambridge: Cambridge Univ. Press, 1997), 634.

Cohorts	Riot Trials
1547-1575	3
1576-1600	14
1601-1625	71
1626-1650	8
1651-1675	0
1676-1700	0
1701-1725	0
1726-1750	0
1751-1775	0
1776-1800	0
1801-1810	0
	96 total

Fig. 6. Table of riot trials by quarter century

The first, and probably the largest, riot of note occurred during the iconoclastic fervor of 1567. As detailed above twelve Leiden citizens were tried in connection to the *Beeldenstorm* (as the Iconoclasm was called in Dutch) and none of them received capital punishment.⁴⁴ Although this riot is well documented, the causes of the next (attempted) riot were less clear and open to some conjecture.

In the winter of 1588 a group, composed apparently of all men, attempted to stage an uprising with the intention of toppling the town government. This leader appeared to be a preacher named Christiaan van der Wouwer, an ex-president of the estates general of Flanders. Additional trouble makers included Adolf Meetkercken and Hobben Florijszn, a goldsmith and ex-member of the Council of State (*Raad*). On discovery of the plot, orders for the arrest of the ringleaders were issued. The

⁴⁴Ibid., 18-19.

men fled but were tried in absentia and sentenced to death by quartering, a common medieval punishment for treason. Without any prisoners on which to carry out this sentence, the men were exiled for life on pain of death.⁴⁵

The reasons behind this plot remain unknown. Perhaps it was an internal power struggle within the civic government. The fact that one of the members of the conspiracy was a noted Flemish émigré could point to “Malcontent movement” in Flanders during the early 1580s or perhaps a reaction against the restrictive economic policies adopted by the States General against the Scheldt ports. Perhaps this episode represents some discontentment or jealousy of the established ruling elite (*vroedschap*) and desired an end to their domination of town politics. Whatever the exact reasons, the plot demonstrates that some members of the population were disenchanted with either the Republic or the town’s state of affairs and wanted to force a change of their own choosing.

The next two examples of riot were closely related to economic circumstances. The first case was brought to trial on 4 February 1598 and involved a group of dockworkers, small craftsmen, and shippers. Of the six men arrested, two were Frisian and the rest were Hollanders. They were found guilty and those who had not already fled were sentenced to a variety of punishments, ranging from stiff fines to flogging on the public pillory. Those who escaped received the mandatory life exile in absentia.⁴⁶ It seems likely that economic issues were the cause of this riot as

⁴⁵Ibid., 43-44.

⁴⁶Ibid., 64.

all the participants listed worked in the shipping industry or had a vested interest in shipping. Unpopular changes in the exaction of customs taxes is the most probable cause for this riot. Frisian records dated 1599 indicated that a riotous disturbance over these issues did occur in Leiden on this year and voiced fears of similar riotous behavior over the implementation of similar customs taxation in that province.⁴⁷

The second case was the September 1601 riot of city carpenters and roofers. The exact cause of the riot is unclear in the records, although it could have had something to do with wages concerning the construction of a city project. A great deal of civic construction was undertaken in Dutch towns at the time and considerably more later in the century.⁴⁸ The town of Leiden expanded the city walls, constructed several city government buildings, as well as new churches.⁴⁹ Arrears in pay for anyone of these projects could have created this volatile situation. The result of the riot was the arrest and charging of five carpenters and roofers including the son of the city carpenter. These men were listed as having been repeat offenders, perhaps they took part in the riot of 1598 or perhaps they had rioted and been broken up in the past without being arrested. The court sentenced all five men to life exile from the town and the province of Holland.⁵⁰

⁴⁷M. H. H. Engels, ed. *Admiraliteit in Friesland, Notulen en Resolutieboek 1599* (Leeuwarden, NL 1999), 1-15.

⁴⁸Jonathan Israel, *The Dutch Republic: Its Rise, Greatness, and Fall* (Oxford: Clarendon Press, 1995), 863-873.

⁴⁹Ibid.

⁵⁰H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 69-70.

One year later in September 1602 another riot occurred. This riot was violent in nature, resulting in a number of beatings, which the authorities determined to be attempted murder. The three men charged with riot, fighting, and attempted murder all absconded and received life exile. One month later seven more men were accused of riot and murder in the beating death of a lesser nobleman Jhr. Barnard Dideric van Waldouw. Exactly what this man did to incite the others to kill him is not clear in the records. The riotous murders fled the city and received exile on pains of beheading should they return. It is interesting to note that two of the men involved worked in the shipping trade while two others were carpenters, although any connection based on the nature of the records would be highly tenuous.⁵¹

Five individuals were arrested and charged with riot in January 1609. The men were all textile workers, and it is possible that perhaps this like the riots of 1598 and 1601 was related to immediate economic issues. It is also possible that this incident and two other cases later in the year were related to concerns about the treaty of Antwerp and the proposed truce with Spain. The Twelve Year Truce (1609-1621) did have a negative impact on the financial situation for several sectors of Leiden's economy, by placing limitations on long distance and transit trade.⁵² For this and other political reasons the truce was opposed by the Organist elements within the town and province.⁵³ The earlier rioters were all sent to jail for a week and fined. The

⁵¹ Ibid., 74-75.

⁵² Jonathan Israel, *The Dutch Republic: Its Rise, Greatness, and Fall* (Oxford: Clarendon Press, 1995), 409.

⁵³ Ibid., 401-420.

later rioters were exiled for four years.⁵⁴ The year 1611 marked yet another year of riot in the town. This time four men were arrested as being leaders of a violent riot involving textile workers. These rioters resorted to violence, assaulting several individuals and causing property damage. The four arrested men were publicly flogged at the pillory and forced into exile for twelve years.⁵⁵ This riot could have been in response to either the economic or the political repercussions of the truce. The riots of 1613 and 1615 were similar. The men arrested were laborers and sailors and the cause was likely economic in nature.

In the first quarter of the sixteenth century, Leiden was the center of a academic debate over the nature of the Calvinist theology. One side of the debate, the Remonstrants wished to liberalize strict Calvinist predestination doctrine while the Counter-Remonstrants movement wished to uphold the strictness of the doctrine. This debate was quickly politicized by the States and Orangist parties. The crisis eventually led to the Counter-Remonstrant/Orangist victory at the Synod of Dort in 1618-19.⁵⁶ With the remonstrant and counter remonstrant debates taking place around the time of these riots and given Leiden's prominent position in this politicized religious crisis, it is possible the riots could have been in some way related. While this is an interesting possibility the records are far too vague and contain no direct

⁵⁴ H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (*Leiden Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken*, 1977-1978), 91-93.

⁵⁵ *Ibid.*, 101.

⁵⁶ Jonathan Israel, *The Dutch Republic: Its Rise, Greatness, and Fall* (Oxford: Clarendon Press, 1995), 456-489.

evidence to connect these events, apart from timing and proximity, to the heart of the issue.⁵⁷

The final record involving a multiple arrest riot occurred in May 1627 was unusual in that the four ringleaders arrested were all from the Southern textile town of Liege. All four men worked as textile spinners and carders. Perhaps this too was over some pay dispute or maybe some bigotry against these “foreign” workers in terms of fair pay. However it is far more likely that the riot was spawned by a revolt of the Anabaptist population in their home city which occurred at around this time. Just what these ex-patriots hoped to accomplish by rioting in Leiden is open to doubt. Perhaps they were angry over Holland’s unwillingness to provide support for the Protestant uprising in Liege. The men are listed as repeat offenders indicating that they had taken to the streets with their grievances before. Whatever the cause the courts found the men guilty and sentenced them to be flogged and exiled for twelve years. This sentence was later moderated to no corporal punishment and twenty five years exile.⁵⁸

The line between seditious behavior and riot was clearly blurred. This is evidenced by the attempted riot and coup of 1588, however there were a number of other crimes against the state or, in the case of decentralized Holland, the towns, which do not fall under the same definition of riot. This includes individual actions which jeopardize the well-being of the town, or attempting to incite a mutiny among

⁵⁷H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 107, 120.

⁵⁸*Ibid.*, 171.

the soldiers of the town guard.

The town's well was put into jeopardy by the carelessness (or maliciousness) of six members of the night watch. The men in question found it prudent to use the town's drinking water supply as a place to dump what the record refers to as rubbish. The courts were not amused by their behavior and sentenced them all to be publicly flogged and placed in the pillory to endure great public humiliation (*te pronkstelling aan de grote kaak*). After this ordeal the humiliated perpetrators received eight days in jail on bread and water. In addition, it seems unlikely that the men would be allowed to retain their positions on the night watch. Going through such an ordeal would probably make the men seek voluntary exile without the need for the court to order it.⁵⁹

On 30 March 1618 Adriaen Lenaertszn was tried for the crime of attempted mutiny. The Utrecht native was apparently the ringleader of a group of disgruntled soldiers of the city guard who refused to follow orders. He was found guilty and flogged, discharged under the signature of his superiors and exiled from the town. Early modern soldiers were most often mercenaries and various administrations often refused or delayed payment of wages. Perhaps this was one of those cases.⁶⁰ It is unclear why this was not a capital case. Perhaps the mood of the city guard soldiers was too volatile to

⁵⁹Ibid., 152.

⁶⁰Geoffrey Parker, *The Military Revolution* (Cambridge: Cambridge Univ. Press, 1988), 45-82.

risk an execution or maybe Lanaertszn had friends in the chain of command.⁶¹

Cases involving vagrancy and begging were common occurrences in the criminal records of Leiden. This is indicative of the large number of unemployed or under employed people living in the town and region. Jan de Vries maintains that 80% of the population of urban Holland received an income of under fl600. Forty-five percent of the total population were either the working poor, struggling to make ends meet, or *het Grauw* a Dutch term for those in absolute destitution.⁶² While the seventeenth century was a “Golden Age” for many, for the sizable almost voiceless minority, the crisis period was a time of want and destitution. In times of economic downturns such as the periods around the turn of both the seventeenth and eighteenth centuries the number of desperately impoverished residence of Leiden grew as many members of the working poor, or higher social classes became unemployed and joined the ranks of the poor or became members of *het Grauw*. It is also interesting to note that during these periods the number of criminal arrests rose sharply. During his tour of the Netherlands in 1549, Philip II of Spain’s entourage noted a great deal of poverty in the towns of the Low Countries.⁶³ In the later half of the sixteenth century these issues of poverty, and unemployment remained a constant source of concern for

⁶¹H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 132.

⁶²Jan de Vries and Ad van der Woude, *The First Modern Economy* (Cambridge: Cambridge Univ. Press, 1997), 561-566.

⁶³Geoffrey Parker, *The Dutch Revolt*, rev. ed., (London: Penguin Books, 1985), 25-26.

Leiden's town government.⁶⁴ If the number of cases of vagrancy are any indication, the seventeenth century was no exception to these observations. Every year saw a number of vagrancy cases tried, indicating that conditions of want were a constant presence, and directly related to the economic cycles of the town.

Several of these cases were arrests of groups the Dutch termed gypsies. While some were, in fact, culturally gypsy, many of these people were simply members of homeless destitute vagabond gangs who traveled from town to town in search of work, or less upright pursuits.⁶⁵ Many of the cases brought before the courts were of multiple arrests indicating the possibility of raids, given the task of cleaning up the streets of vagabonds. Other individuals charged with vagabondage and begging received other charges such as petty theft or adultery also. Sentences for cases of vagrancy and begging were often rather harsh, with long stays in the work houses or public floggings the most common sentences. As the century progressed punishments became milder, perhaps indicating either a change in the attitude, conditions, or circumstances of the town authority in regards these cases or a change in the demographics of those charged, from the roving bands of vagabonds to needy hard luck cases of destitution.

Initially harsh punishment indicates that the authorities saw these individuals as threatening and undesirable, possibly assuming that these persons would commit

⁶⁴Christine Kooi, *Liberty and Religion, Church and State in Leiden's Reformation, 1572-1620* (Leiden: Koninklijk Brill NV, 2000), 21.

⁶⁵Pieter Spierenburg, *The Spectacle of Suffering: Executions and the Evolution of Repression: From a Preindustrial Metropolis to the European Experience* (Cambridge: Cambridge University Press, 1984), 173-175.

other criminal activities if not suppressed. Evidence for this may be found in the notions of the Calvinist ideal of a hard working Christian burger class. Under this notion, work is a moral imperative dictated by the Bible. Work and the ensuing wealth and prosperity were a sign of God's favor. Successful work and the profits of labor were seen as signs of election and freedom from sin. Unemployment, destitution and poverty were signs of wickedness and immorality, therefore members of *het Grauw* and the other lower classes of society were judged to be sinful, wretched, and in need of reform.⁶⁶

The records contain 709 cases of vagrancy and begging. This number constitutes 11.6% of the total crimes listed. This number is higher since a number of other trials contained these charges as lesser offences. Unlike violence or property crime, charges of vagrancy begin at a high level in the latter quarter of the sixteenth century before becoming relatively stable then spiking again at the turn of the eighteenth century. The reason for this is not clear, perhaps the heightened volume of property and violent crime during the first half of the seventeenth century effected the ability or altered the priorities of the administration in actively dealing with this benign crime. There is a marked increase in trials from 1625-1650, a period during which real wages declined throughout the province.⁶⁷ This could perhaps indicate an influx of unemployed or destitute persons entering Leiden from other areas of

⁶⁶Simon Schama, *The Embarrassment of Riches* (Berkeley: University of California Press, 1988), 15-25.

⁶⁷Jan de Vries and Ad van der Woude, *The First Modern Economy* (Cambridge: Cambridge Univ. Press, 1997), 634.

Holland. Available census data support this as the population of Leiden rose from 44,500 in 1622 to 60,000 in 1647. Some portion of this increase would likely be destitute and therefore subject to legal harassment. The sources are largely unhelpful since it is rare for the place of birth to be listed on vagrancy trial records.

Cohorts	Vagrancy/Begging
1547-1575	186
1576-1600	51
1601-1625	62
1626-1650	97
1651-1675	16
1676-1700	35
1701-1725	172
1726-1750	17
1751-1775	30
1776-1800	7
1801-1810	36
	709

Fig. 7. Table of vagrancy/ begging Trials by quarter century

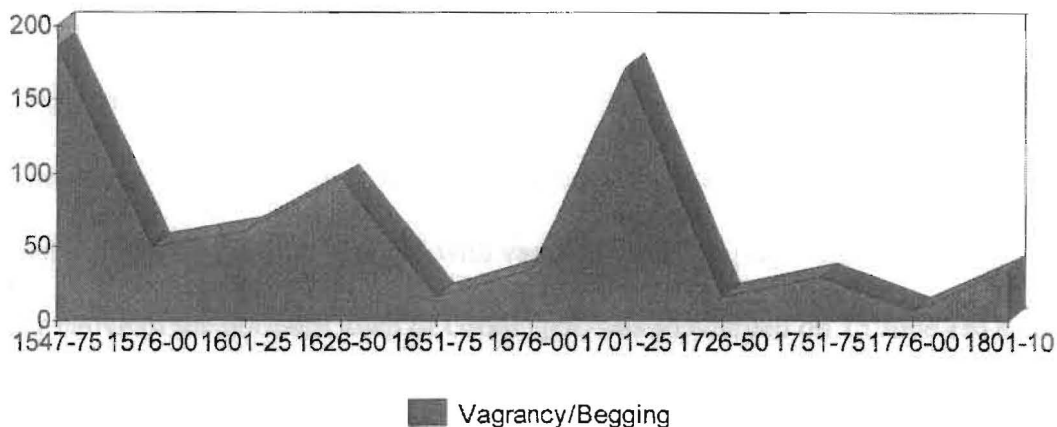


Fig. 8. Graph of trials for vagrancy/begging in Leiden 1547-1810

A typical case was that of Adriaen Henricxzn. The court charged him with a repeat offence of vagabondage and as a result gave him a harsh sentence which was later commuted to be less severe. The initial punishment was not unusual for such cases. He was to be publicly flogged, branded with the mark of the city, and exiled for life but instead received four months service on a galley and eight years exile.⁶⁸ A case in which multiple charges were applied was that of a Frisian, Sijmon Jasperszn of Dokkum. He was one of three individuals charged with vagrancy, begging, and a variety of other crimes and tried on 7 November 1612. Jasperszn was arrested for vagrancy, begging, petty theft, and adultery and was listed as a repeat

⁶⁸ H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 83.

offender. He was sentenced to be publicly flogged and forced into exile for ten years. The other men charged were placed in stocks alongside him and exiled for half his term.⁶⁹ All three men listed various textile related trades as their vocations, indicating that they had not always been reduced to such levels but had fallen on hard times. It was not only men who were charged with vagrancy and begging. Anne Egberts, a former native of the northern town of Groningen, was so charged on 15 June 1618. In addition to the regular charges, she was accused of having her young son commit a burglary on her behalf. She was sentenced to hang, though the courts, in an act of mercy, substituted public flogging with canes, branding and life exile for the capital sentence.⁷⁰

As the century progressed there was a marked decline in the use of severe punishment for these crimes. This trend, mirrored in other crimes, marked a change from coercive retribution to coercive correction. It was probably seen as inhumane to punish vagrants with corporal punishment, while exile was felt to be more merciful. This attitude would slowly shift toward a willingness to incarcerate in hopes of rehabilitating prisoners.⁷¹ A good example of this is the case of Abraham Jans van Malsem. Born in Utrecht, van Malsem had been like so many others, employed in the Leiden textile industry. The spring of 1628 had found him

⁶⁹Ibid., 105.

⁷⁰Ibid., 133.

⁷¹Pieter Spierenburg, *The Spectacle of Suffering: Executions and the Evolution of Repression: From a Preindustrial Metropolis to the European Experience* (Cambridge: Cambridge University Press, 1984), 183-200.

unemployed and taking desperate measures to survive. One of these measures involved begging and trespass, which got him arrested. At trial he received only a year's exile from the city, far milder than what someone in his position would have received earlier in the century.⁷² As the century progressed exile also went out of fashion for these crimes, as the social and economic causes of this infraction became accepted. Beggars and vagrants received sentences which involved periods in the work house where miscreants learned Calvinist work ethics and a trade.⁷³ This is indicative of new attitudes being taken towards criminals in the Netherlands, where harsher punishments were supplanted by sentences meaning to re-enforce moral principles and lead toward rehabilitative vocational training. These contain the seeds of many modern principles of correction pioneered by the growing Dutch penal system.⁷⁴

The crime of counterfeiting coins or bonds was considered a very serious transgression in the early modern Leiden. If caught this crime was almost always a capital offense. Leiden used the precious and base metal coinage produced by the province of Holland, and by contemporary standards this coinage series was very well executed, indicating a good measure of skill needed to replicate the dies and

⁷² H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 176.

⁷³ Simon Schama, *The Embarrassment of Riches* (Berkeley: University of California Press, 1988), 15-25.

⁷⁴ Pieter Spierenburg, *The Prison Experience: Disciplinary Institutions and Their Inmates in Early Modern Europe* (New Brunswick: Rutgers University Press, 1991), 66.

counterfeit such coins.⁷⁵ Despite the difficulty there were 17 cases of counterfeiting tried in the city from 1580-1720. The harshness of the punishments meted out in these cases indicates the seriousness with which the government viewed this crime. In most instances capital punishment was carried out. By contrast counterfeiters are consistently and frequently executed in a case by case basis than persons charged with deadly assault, a charge which shares the same characteristics as modern second degree murder.

The colorful case of an Italian counterfeiter and con-man, Antonio Canani, is typical of the fate of most counterfeiters brought before the Leiden court. Canani attempted to pass fake coinage, probably foreign, and was arrested. At trial it was learned that his real name was Antonio Mensacq, and that he was a native of Rome and fugitive counterfeiter and scoundrel. He was sentenced to be executed and was beheaded before the court in the summer of 1677.⁷⁶ An earlier case of counterfeiting occurred in 1588. Govert Hilbert, a native of Liege, was indicted for false minting of coinage. He fled justice to escape the exaction of public branding, losing his right hand, and being broken on the wheel. In his absence the court found him guilty and sentenced him to life exile on pains of the above mentioned punishment.⁷⁷

Even knowledge and association to the act of counterfeiting was grounds for

⁷⁵ Chester Krause and Clifford Michler, *17th Century Edition of the Standard Catalogue of World Coins* (Iola, WI: Krause Pub., 1993), 778-796.

⁷⁶ H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 266.

⁷⁷Ibid., 45.

serious punishment as twenty nine year old Trijn Jansdr discovered in the spring of 1682. In this case the existence of a counterfeiting ring was discovered by the city authorities who, on attempting to catch the culprits, found that they had absconded. Jansdr however was caught in possession of one of the fake coins and sentenced accordingly. It is possible that the ring had operated out of her or her husband's house or shed, further incriminating her. She was sentenced to death for her limited involvement and garroted later that year.⁷⁸

The crime of slander was not uncommon in the records. The crime was often leveled in conjunction with other charges. The records make it difficult to differentiate between the charge of perjury and slander. Perjury is either giving false testimony or withholding information in a trial scenario, while slander is dissemination of harmful libel against a private individual or entity. One case which does in fact seem to be slanderous libel was the case of Cornelis Dircxzn. Dircxzn worked as a messenger and had the opportunity to hear or witness all kinds of private conversation or peruse written correspondence in his charge. He apparently began circulating unflattering rumors about some moneyed individual and was charged with slander in 1585. He was found guilty and publicly flogged on the scaffold before being exiled for life.⁷⁹ Another slanderer was found guilty in 1585. Francois Beydaals, a native of Brussels, was found guilty of this crime and made to ask forgiveness from both Almighty God and the Courts before receiving twenty five

⁷⁸Ibid., 279.

⁷⁹Ibid., 40.

years exile. It seems Beydaals enjoyed a higher social class and had better connections allowing him to escape the full and fearsome penance paid by Dircxzn.⁸⁰

The implementation of the punishment of exile was very common as evidenced in many of the cases discussed earlier. It is for this reason that many individuals were charged with breaking the stipulations of their sentence by returning before the limit of the exile had been achieved. Exile was used in a number of ways by the courts. It was used as a punishment for persons who had fled before their sentencing. Such individuals were often tried in absentia sentenced to receive whatever punishment was appropriate for their crime. Exile was substituted in place of these punishments, however it was made clear that the full measure of the sentence would be carried out if the individual returned or was apprehended. The sentence of exile was also attached to some crimes in addition to other punishments on the understanding that breaking the exile component of the sentence would lead to further penalties. This crime was frequent throughout the period, with notable increases during the early part of the seventeenth and the turn of the eighteenth centuries. The increases in crime during these periods would create a larger body of exiles, therefore it is not surprising that such an increase in exile breaking would occur.

⁸⁰Ibid., 39.

Cohorts	Tresspass after Exile
1547-1575	7
1576-1600	9
1601-1625	57
1626-1650	86
1651-1675	20
1676-1700	47
1701-1725	66
1726-1750	38
1751-1775	11
1776-1800	25
1801-1810	27
total	393

Fig. 9. Table of exile breaking trials by quarter century

In some cases of breaking exile it seems likely that individuals were recognized on entering the town and detained or were informed on to the local authorities. Still others were apprehended on other charges only to be discovered as exile breakers. The full measure of exile often included the stipulation that the individual be exiled not only from the town but from Holland (and sometimes Zeeland) as well. In reality such a sentence was not enforceable given the nature of early modern law enforcement and the individual governmental sovereignty of the Holland towns. It was almost impossible to enforce exile outside of the town jurisdiction, and it would have been equally difficult without the aid of informants or the blind luck involved in detention at the gates or apprehension for another charge.

One typical case is that of Martigen Vredericxdr. She was charged with breaking exile and aiding and abetting known thievery. She was sentenced to be

hanged, however the court was more lenient and sentenced her to be publicly flogged, branded, and exile for life on pains of death.⁸¹ The branding would make it clear that she was a criminal if she should be apprehended in the town again or if she were apprehended for misdeeds within another municipality. This was one of the few methods used to identify criminals. An individual apprehended in another city who bore the brand of Leiden was guilty of criminal behavior in Leiden and was subject to harsher punishment since he or she was a repeat offender.⁸²

Another case was that of Thobias de Souter a textile worker and part time fencer of stolen property. He was sentenced on 5 February 1614 to breaking an earlier twenty five year exile term as well as possession of stolen goods. He was publicly flogged and received an extra four years exile.⁸³ Another more unusual case was that of Jan Lenaertszn a native of nearby Gouda. He was charged on 26 March 1614 with breaking his exile by being in Holland. He was exiled from Gouda earlier in the month and fled to Leiden. Once there he attempted to incite a riot and was reported to the local authorities. Given his past record, Lenaertszn received the Leiden brand on his shoulder to go with the Gouda brand he had received a few weeks before. He was flogged and exile for an additional thirty years. This is one of the rare cases of one town helping to enforce another town's exile stipulations,

⁸¹ Ibid., 38.

⁸² Pieter Spierenburg, *The Spectacle of Suffering: Executions and the Evolution of Repression: From a Preindustrial Metropolis to the European Experience* (Cambridge: Cambridge University Press, 1984), 69-70.

⁸³ H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 112.

although it should be noted that he first attempted to take part in criminal acts in Leiden before action was taken.⁸⁴

Crimes Against Property

One of the most common categories of criminal behavior in Leiden involved crimes against property. It is not surprising that with a continuous flow of immigrants and the high levels of poverty effecting at least 45% of the population, want and destitution would lead to an increase in property crime. The sheer numbers of these crimes are indicative of the socio-economic crisis rampant among the poor in the town. Of all the crimes recorded in Leiden for the period, 2771 out of 6105 (45.3%) fell under the definition of crimes against property. In the cases where a place of birth is listed, the majority of the criminals listed come from outside the city. Crisis pressures of religion, war, and famine were responsible for a great deal of this immigration.

Crimes against property may be defined as any crime in which material property is damaged, infringed, or removed by another without the owners consent. These crimes involved smuggling, fraud, burglary, larceny, mugging, and fencing stolen merchandise.

⁸⁴Ibid., 113.

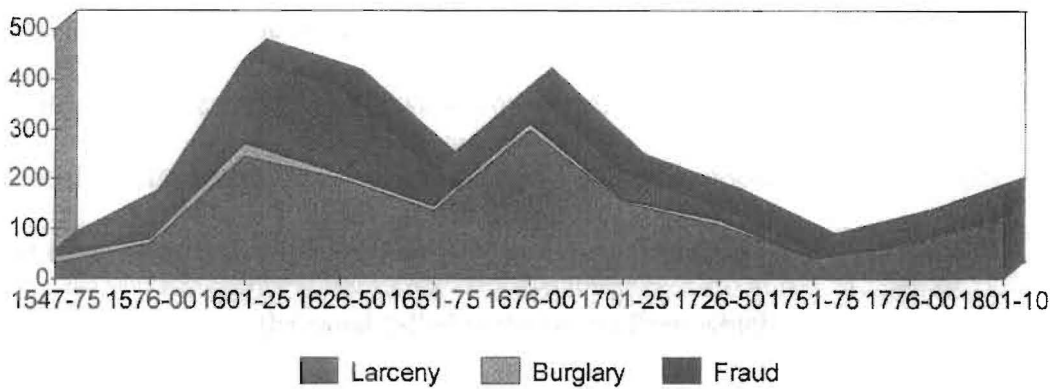


Fig. 10. Graph of most frequent crimes against property by quarter century

Like many of the other crimes discussed property crime rose precipitously around 1600 and again in 1700. The reasons for this are largely demographic and economic. These spikes in crime coincide with several factors. Both spikes occur during a time of high immigration of persons fleeing crisis pressures throughout Europe but especially in the southern Netherlands. Likewise the second spike occurs during the immigration of large numbers of migrant workers from Germany and the eastern provinces. Both spikes also occurred during a period in which real wages fell enough to have a negative impact on a large portion of the population, especially the lower 45% who represent the most impoverished members of society.⁸⁵

⁸⁵Jan de Vries and Ad van der Woude, *The First Modern Economy* (Cambridge: Cambridge Univ. Press, 1997), 634.

Smuggling has a long history in the Netherlands, a maritime country crisscrossed by navigable rivers and canals. The region of Leiden with its proximity to the Rijn and several other waterways was no different. Often local smugglers attempted to circumvent local imposts on spirits and other goods. Without proper means to stop and search vessels along the canals or rivers the authorities often created choke points in the canal called *waterpoorts* from which to conduct searches of goods for the proper paperwork. At other times smuggled goods were discovered while at dock and arrests were made at the waterside.

One such case was that of Esaias du Pre, a Frenchman from Valenciennes. In the fall of 1619 he was apprehended for smuggling untaxed beer and tapping it for illegal sale. At trial he was harshly sentenced to be flogged in public as well as be banned from the city and province for 25 years. The court commuted his sentence to exile for only ten years. It is possible that the courts felt magnanimous in this case, although given his position as a foreign merchant, some form of financial compensation could have been made to the town in order to avoid the more unpleasant aspects of the original sentence.⁸⁶

Another case of smuggling beer occurred in the summer of 1622. Claes de Radt and Omaer Kest were arrested and charged with importing and selling untaxed beer. These men were similar to the earlier case sentenced to public flogging and exile. Also identical to the other case, their sentences were modified to only exile

⁸⁶ H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 143.

with de Radt receiving it for life and Kest for 15 years. Again the reasons for this reduction is not clear as it could have been customary to reduce these cases voluntarily or to receive some form of undeclared monetary inducement from the accused.⁸⁷

Fraud was also highly prevalent in early modern Leiden, and often it was committed against the government and its officials, though on many occasions persons attempted to defraud others in business transactions and trade. Seven hundred and ninety-seven cases of fraud were tried during the period discussed, 13% of the total crimes recorded. The nature of the records unfortunately do not lend themselves to a very detailed account of what form these fraudulent activities took but simply lists the individual and the charge. A typical example of this would be the case of Adriaen Hame, a textile worker. In August of 1601 Hame was arrested for defrauding customers and sentenced to be hung. His sentence was commuted and substituted with life exile.⁸⁸ The other cases of fraud are largely identical, with exile substitution taking the place of hanging.

⁸⁷Ibid., 152.

⁸⁸Ibid., 69.

Cohorts	Fraud
1547-1575	14
1576-1600	77
1601-1625	174
1626-1650	173
1651-1675	73
1676-1700	78
1701-1725	56
1726-1750	30
1751-1775	15
1776-1800	31
1801-1810	46
total	767

Fig. 11. Table of fraud trials by quarter century

Mugging and pick-pocketing were also not uncommon in the town. This street crime is often associated with armed violence, however the Leiden cases seem to be of a less violent nature. Violent larceny, robbery, or mugging occurred and will be covered below. Mugging was probably one of the crimes law enforcement was especially keen on eliminating. Such crimes were especially worrisome when large crowds gathered, such as on market days or during public proclamations and executions.⁸⁹ Such as the case of Joachim Gijsbrechtszn who was arrested after law enforcement received word he was attempting to pick-pocket, probably on a market day in 1581. Brought to trial, he was sentenced to be flogged and exiled but was

⁸⁹Pieter Spierenburg, *The Spectacle of Suffering: Executions and the Evolution of Repression: From a Preindustrial Metropolis to the European Experience* (Cambridge: Cambridge University Press, 1984), 81-110.

released after the hearsay nature of the evidence was presented to the court.⁹⁰

Another case of petty mugging was committed by a German Hendrick Maeger during the winter of 1583. Maeger was apprehended red handed and threw himself on the courts mercy. His sentence of flogging and exile was reduced to only 20 years exile. This could have been due to his impoverished circumstances or for some other unspecified reason.⁹¹ Pieter Visch like so many other criminals in the records came from Flanders. Visch got off even lighter than Maeger. After mugging a Leiden resident in 1587, he probably absconded and received five years exile in absentia.⁹²

After circa 1600 the crime of pick-pocketing and mugging became rare in the criminal records of the town. This is not an indication that the night watch was better able to eliminate this crime than they were at eliminating any other. This change probably indicates a shift in the courts recording of criminal acts. It is likely that these crimes were just added to the category of larceny (*diefstallen*) because it seems highly unlikely that such incidents cease altogether.

Larceny was the most common crime prosecuted in Leiden during this period, a total of 1479 cases out of 6105 total crimes. These numbers indicate almost one in four crimes committed in the town involved theft. That is not counting 94 cases of burglary, discussed later, or the above mentioned cases of mugging. Larceny is often indicative of deeper social problems, especially poverty, and a number of these

⁹⁰H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 35.

⁹¹*Ibid.*, 37.

⁹²*Ibid.*, 41.

crimes involve stealing produce from gardens such as the case of a French émigré Henry Ardyen, an unemployed textile worker who was arrested in 1652. He was flogged and exiled for twelve years as a result of his crime.⁹³

Cohorts	Larceny
1547-75	31
1576-00	74
1601-25	247
1626-50	203
1651-75	136
1676-00	299
1701-25	154
1726-50	107
1751-75	39
1776-00	67
1801-10	122
total	1479

Fig. 12. Table of larceny trials by quarter century

Most larceny cases were fairly similar. The criminal was charged with larceny, found guilty and sentenced to hang, often with substitutions of flogging, and branding. Also, as with other crimes mentioned, these criminals often received life exile on pains of death or public torture if caught returning. The case of Pieter Janszn, a native of den Bosch, did not contain these typical elements. In 1590 Janszn decided to rob a Leiden house and cover the crime with arson. He was, however, caught in

⁹³Ibid., 235.

the act and arrested. He was sentenced to be executed by burning, however because the arson was stopped he was only burned repeatedly with a hot iron and given life exile from the city.⁹⁴

A more typical case was that of a Londoner with a Welsh name Owen Griffe (probably, Griffen) who was charged with theft in addition to living in sin with a Leiden woman. He was pressed into the navy's service for 25 years and given 5 years exile from the town after his service.⁹⁵ He probably ended up in the service of one of the United East India Companies Trading fleets as did so many other convicted criminals from the maritime provinces.⁹⁶ Two cases tried in the winter of 1612 are fairly typical. Pieter Cornelisz, a Flanders native, and an Englishman, Jonathan Elinck, both foreign textile workers, were tried on two unrelated cases of larceny. Both were sentenced to be publicly flogged and received a lesser sentence of exile. Elinck's sentence was further reduced to eight days in prison as a favor to an upper class gentleman, whether a noble or a member of the town council is unknown.⁹⁷ Another typical case was that of thirteen year old Cristoffel Strang, a textile worker and Leiden native. He was found guilty of theft and publicly flogged on 7 November 1699 and given eight years exile. He clearly did not possess powerful friends to help

⁹⁴ Ibid., 48.

⁹⁵ Ibid., 68.

⁹⁶ Charles R. Boxer, *The Dutch Seabourne Empire 1600-1800* (London: Hutchison Press Ltd., 1965), 73-93.

⁹⁷ H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 105.

him defer the pains of punishment.⁹⁸ Women also were frequently arrested for larceny. The 1601 case of a Frisian woman, Lijsbeth Jansdr was fairly typical. After her arrest for larceny she was found to be a repeat offender and was therefore sentenced to garroting. This was reduced to public flogging and twenty five years exile.⁹⁹

In addition to the cases of larceny there were 94 additional cases of burglary. Burglary involved the breaking and entering of a home or business in addition to the resulting theft. A typical case was that of three men who burglarized a tavern in January of 1591 and, on finding it occupied, threatened the owner with violence. They were arrested and sentenced to public flogging but, on begging God and justice for forgiveness, they were exiled from Leiden for a year.¹⁰⁰ Another case was that of a sailor Pieter Janszn who was arrested for burglary in 1618. He was sentenced to hang, but a substitution of flogging, branding, and life exile was carried out instead.¹⁰¹ It was unclear either what he burglarized or why the sentence was changed, perhaps his employer or ship mates begged his life from the courts, or perhaps other things not in evidence weighted the courts decision.

⁹⁸Ibid., 315.

⁹⁹Ibid., 68.

¹⁰⁰Ibid., 49.

¹⁰¹Ibid., 133.

Cohorts	Burglary
1547-75	14
1576-00	6
1601-25	24
1626-50	8
1651-75	8
1676-00	10
1701-25	3
1726-50	10
1751-75	3
1776-00	5
1801-10	3
total	94

Fig. 13. Table of burglary trials by quarter century

Other Crimes

In addition to the above mentioned categories of crime there are a number of criminal acts in the records which do not easily fall into categorization. These crimes may be defined as crimes against the person but cannot be categorized with violent crime due to different causalities. These include kidnapping, sex crimes, infanticide, and suicide. In general all these crimes are infrequent in the records. That does not mean they were uncommon, only possibly under reported. The most numerous, suicide, is listed only 39 times and including one attempt. Excluding suicide, these crimes had to be more numerous than those reported. It seems probable that the civil authorities were more concerned about other issues which they felt to be threatening to the civic order of the town and did not pursue the crimes with as much determination as they did vagrancy, riot, or larceny.

There was one kidnapping mentioned in the records and it occurred on the 22 July 1698. The kidnapper was nineteen year old Willemetje Jacobsdr Morre. She was a native of Amsterdam and apparently abducted a child of unknown age in Leiden and absconded to her place of birth. She was arrested, possibly in Amsterdam and she and the child were returned to Leiden. She was charged with the theft of a child and sentenced to hang. Her sentence was commuted to public flogging and sixteen years in the work house, an extremely long term there.¹⁰² It is interesting to note that the law seems to define the crime as one of theft indicating that the law viewed minor children as property in these cases.

Sex crimes were also uncommon in the records, and this must indicate that they were under reported. It is also possible that some of these crimes were covered by consistory courts. These crimes were often labeled as lewdness by the authorities. It is surprising that a legal system so interested in policing prostitution and extra marital sex was so uninterested in dealing with sex crimes such as rape. There were only 25 crimes recorded and many of these are so vague as to leave a great deal of speculation as to what occurred. It is interesting to note that most of the crimes recorded were perpetrated by women. The case of Josua Koos is fairly typical. Thirty two year old Koos, a grain worker and native of Amsterdam, was arrested and charged with lewdness and battery in the summer of 1687. It is quite possible that this was a sexual assault, possibly on a serving girl or someone else of low social

¹⁰²Ibid., 312.

standing. He received only 6 days in jail for his crime.¹⁰³

In another case Elsje van Rijp was charged with perversion and living in a den of thieves. What the court interpreted as lewd perversion in this case is unknown, although prostituting her children is one possibility. She received six years exile on 30 October 1692.¹⁰⁴ A typically vague case would be that of Aegje Flaman. She was arrested for perversion on 21 November 1692. The court sentenced her to life exile. The nature of her crime is unknown, making the study of sex offences and crimes in Leiden during this period extremely problematic.¹⁰⁵

Infanticide was even less commonly prosecuted. Only seven cases were recorded in the town during this period. Unlike other crimes, instances of this behavior were fairly evenly spread throughout the seventeenth and eighteenth centuries. This is not surprising based on the psychological postnatal psychosis which is involved with many of these cases.¹⁰⁶ The records also do not make it clear whether these were cases of abortion or true infanticide since no distinction was likely to have been made. One case which seems to confirm this is the highly unusual case of 32 year old Annetje Coupeau. Coupeau, a native of Picardy, in France died during what seems to have been a failed abortion on 12 June 1700. It was an unwed pregnancy as she was termed a spinster in the records. It is not clear whether she had the aid of a

¹⁰³ Ibid., 295.

¹⁰⁴ Ibid., 302.

¹⁰⁵ Ibid., 303.

¹⁰⁶ Lita Linzer and Nattalie Isser, *Endangered Children; Neonaticide, Infanticide, and Filicide* (Boca Raton, FL: CRC Press, 2000), 117.

midwife or other knowledgeable accomplice as she was the only one mentioned in the case. In a bizarre trial her dead body was found guilty of murdering her unborn and was sentenced to be displayed. In a macabre manner her lifeless corpse was bound to the executioner's wheel and placed on the rampart of the city. A wooden doll was placed in her arms as a symbol of her crime.¹⁰⁷ In the earliest case of infanticide in the records, a woman named Annetje was burned at the stake for killing her infant in 1547.¹⁰⁸ The punishment of a similar case in 1628 was less drastic. Leuntgen Ijsbrandt was given life exile on pains of death by garroting for her crime.¹⁰⁹

The most common of these crimes was suicide. Termed in Dutch *zelfmoord* or self-murder, this act was considered criminal for largely religious reasons as it breaks the holy commandment against killing. Suicide was extremely hard to determine and led to the initiation of a number of death inquests (*lijkschouwingen*). In all 374 inquests were held between 1576-1650, the majority were ruled accidental death, although a good portion could have been suicide, and an even larger number were victims of knife fights or murder. As the period progressed suicide and suicide investigation became less prevalent, the psychological causality became more readily accepted. The case of Jacob Jacobs was fairly typical. Jacobs hung himself on an undisclosed date in 1587.¹¹⁰ Although this case does not specifically mention it he was probably

¹⁰⁷H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 318.

¹⁰⁸*Ibid.*, 4.

¹⁰⁹*Ibid.*, 175.

¹¹⁰*Ibid.*, 43.

denied burial on church property as was typical in these cases.¹¹¹ Another case was that of Annetgen Dirxdr who killed herself in some undisclosed way on 6 May 1592. She was the wife of a textile worker. The body was examined ten hours after death by a court appointed death inquest which determined that she had committed suicide. The body was ordered to be buried outside the community by the town executioner.¹¹² This was a common arrangement and part of the executioners expected tasks.¹¹³

Certain patterns appear in the records of property crime in Leiden, the large spike in crime around the turn of the seventeenth century being most notable. This spike coincides with a decrease in real wages and a rise in inflation which would have been especially detrimental to the poorest segments of the population of the city. This spike corresponds to a similar trend in violent crime detailed below which give an indication of the levels of social unrest. The town government through the *schutterij* and court system attempted to live up to their duties as enforcers and protectors of the community in attempting to control these crime waves. The records are a collection of these efforts. With so many cases tried and the potential for so many criminal acts to go unnoticed, unreported, and untried it seems that they were not totally successful. Other evidence of the authorities' attempts may be seen in the more cyclical nature in which they prosecuted non-violent and property crimes.

¹¹¹Laura Cruz, *For the Fear of What the Neighbors Might Say: Social Networks and Suicide in Early Modern Holland* (Proceedings of the Second Global Conference, 2004).

¹¹²H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 51.

¹¹³Pieter Spierenburg, *The Spectacle of Suffering: Executions and the Evolution of Repression: From a Preindustrial Metropolis to the European Experience* (Cambridge: Cambridge University Press, 1984), 13-43.

Vagrancy and prostitution cases are tried in small batches indicating that perhaps enforcement assets were being over-taxed by the need to police more serious crimes and could only be spared for infrequent raids to deal with less serious offences when these became epidemic. The town government was likewise incapable of alleviating the most direst hardships of poverty in the city. With an influx of thousands of refugees, it seems this was a crime wave they were not prepared to cope with.

Chapter 3

The Increase of Violent Crime in Leiden

Nature of Violent Crime in Leiden

Of the many forms of crime, violent crime is the most horrific. An historic understanding of violence in society is useful in understanding what societies value or at what level a society has attained in the march towards Norbert Elias' definition of the civilizing process, what in present terms could be called social modernity. This category will be limited only to violent crimes, which will include murder, battery, and manslaughter. The incidence of infanticide and suicide will not be covered under the definition of violent crime, due, as mentioned above, to these crimes being independent of the established causality of other forms of violent crime. Suicide, while violent, is in its very nature an independent occurrence, unrelated to person-to-person violence. It is therefore out of the scope of violent crime. Violent crime in this category may be defined as a physical act typically with malice to either harming or killing another individual.

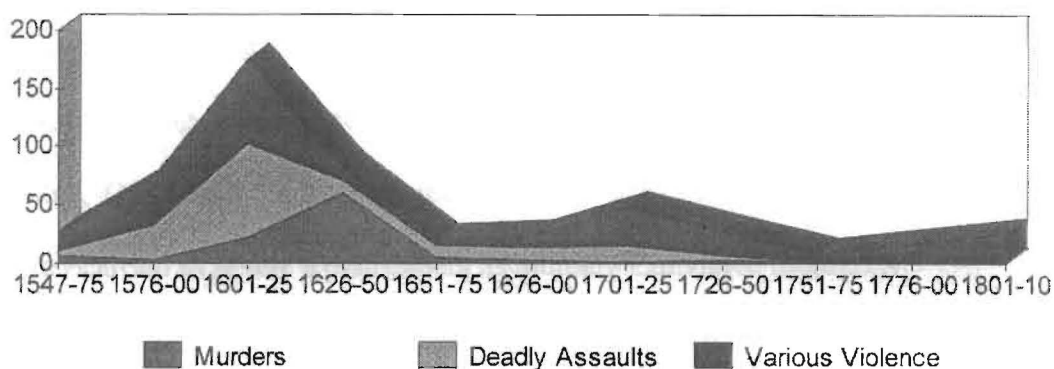


Fig. 14. Graph of violent crime trials in Leiden by quarter century

Not unlike property crime violent crime data exhibited two spikes, the first during the first half of the seventeenth century and the second although much less dramatic at the turn of the eighteenth. It may be argued that violent crimes increase was not unlike the rises of property crime, both being related to changing demographic and economic issues. These spikes in crime coincide with the same factors. Both spikes occurred during a time of immigration. Both spikes also occurred during a period in which real wages fell enough to have a negative impact on a large portion of the population, especially the lower forty 45% who represent the most impoverished members of society.¹ Some elements of this violence seem also to have a cultural causality as the period was marked by a culture steeped in alcohol,

¹Jan de Vries and Ad van der Woude, *The First Modern Economy* (Cambridge: Cambridge Univ. Press, 1997), 565.

tobacco, and the alehouse. Such an environment fostered an atmosphere where brawls and knife fighting was frequent.²

Murder, the killing of one person by another is doubtlessly the most heinous crime imaginable. Of all crime in the early modern period only treason against one's king and country carried as severe a punishment as murder. Convicted murderers were subjected to painful, violent, public deaths for their crimes. Despite its loathsome position atop the hill of collected criminality, murder was delineated into various degrees. Simple murder, the killing of another, such as a family member, an unarmed person, or a victim of robbery was defined as true murder, *moord* in Dutch. The early modern court system made no distinction as to premeditation in determining degrees as such. Premeditation, while doubtlessly taken into account during deliberation was not a defining element in the courts definition of murder as it is in modern instances. Killing another person in a brawl, or during a heated exchange in which the person was also displaying hostility, was seen as a lesser offence, though still serious. This crime, known as deadly assault, *doodslag* in Dutch, received a milder sentence, in some cases non capital punishments. This form of homicide was much more common during this period.

Assault and battery were commonly occurring forms of violence. The early modern courts did not note a difference in simple or armed assault, as most persons carried a weapon, such as knife or a dagger. Most assaults therefore were considered

²Pieter Spierenburg, ed., *Men and Violence: Gender, Honor, and Rituals in Modern Europe and America, Knife Fighting and Popular Codes of Honor in Early Modern Amsterdam*, by Pieter Spierenburg, (Columbus: Ohio State University Press, 1998), 103-127.

armed assaults, in effect attempted murders. Such cases could involve a brawl, as in the deadly assaults, in which an injured person did not expire due to his wounds, or they could involve fist fighting in which the injured party was in no danger of immediate death. All these crimes share one important trait, whether motivated by a quarrel or by the desire to rob one of the parties of some property, these crimes were committed by one individual, or individuals, against another.

From the years 1547-1810 one hundred and eight murderers were tried in Leiden. The vast majority of these cases were tried in absentia, although in several instances the convicted murderer was executed. These crimes varied from, domestic violence turned homicidal, to premeditated mass murder.

Cohorts	Murder
1547-1575	7
1576-1600	4
1601-1625	23
1626-1650	60
1651-1675	6
1676-1700	3
1701-1725	2
1726-1750	3
1751-1775	1
1776-1800	1
1801-1810	2
total	112

Fig. 15. Table of murder trials by quarter century

In addition to those tried for murder, there were 374 death inquests from 1576 to 1650. It is impossible to know with certainty how all of these cases should be

viewed, rather as evidence of violent crime or simply as a motley collection of accident reports. Some were accidental death or suicide, however the vast majority seems to have died by violence. Many of these were probably killed in deadly assaults, but some were doubtlessly victims of premeditated murder. In several instances a death inquest on the body of one individual will be followed some time later with an indictment of some individual for the murder or deadly assault of the inquest victim. One example of this is the case of Leendert Steekelingh a textile worker whose body was discovered and determined to have been killed by wounding. Twenty days later another man was found dead. This was Pieter Steenlandt, whose body was discovered also killed by wounding. Two textile workers, Jan de la Maye and Claes Jamin, were convicted for Steekelingh's murder but fled the city and received exile while the murder of Steenlandt was never identified.³ In many instances the record details the nature of those deaths that were determined to be accidental. Less clear inquests often indicate that the subject died of wounding. In most cases those wounded were male and often later in the records an individual is convicted of their deadly assault. In some cases it is impossible to say if the wounds were from violence or as a result of an accident.

Notable among the Leiden murders was the case of Hüge Barentzn and his wife Aechte Ijsbrandtdtr. The couple was tried on 20 January 1560 for the crime of mass murder. Found guilty, the murderous couple were publicly branded and then

³H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 222-223.

broken on the wheel. Barentzn was exceptional in the fact that he was a goldsmith, and a member of the merchant class, as well as a born Leidenaar. ⁴ Another trial involved a double murder committed by an Englishmen, William Thomason, in the fall of 1587. He was also convicted and sentenced to death by the wheel, although his arm, the arm that had committed the act, was severed and burned during his execution.⁵ Domestic or familial murder was also common. Cors Osieren was convicted of killing his brother Huych in 1621. He fled the city and received life exile on pains of beheading should he return.⁶

In most of the cases the accused murderer escaped justice and received exile as his punishment. A perfect example of this is Lubbert de Kraaij. He was convicted of murder in 1738, and sentenced after fleeing the town to life exile.⁷ Not all felons escaped law enforcement. In 1807 Leiden native Jan Sehe, an industrial worker, jumped into a canal in an attempt to escape the night watch. He drowned in his attempt and the body was fished out and hung in a display to appease cheated justice.⁸

Deadly assault was far more common then true murder. Leiden trial records indicate that 158 persons were tried for deadly assault, not to mention the large number of death inquests pertaining to persons found dead of wounding. Such wounds could have possibly been a result of deadly assaults. In Leiden incidents of

⁴Ibid., 10.

⁵Ibid., 43.

⁶Ibid., 148.

⁷Ibid., 394.

⁸Ibid., 453.

deadly assault were numerous and had a great deal in common with one another. Most cases of deadly assault in Holland involved knife fights, which broke out in drinking establishments.⁹

Cohorts	Deadly Assault
1547-1575	4
1576-1600	29
1601-1625	79
1626-1650	11
1651-1675	10
1676-1700	11
1701-1725	14
1726-1750	4
1751-1775	1
1776-1800	1
1801-1810	0
total	164

Fig. 16. Table of deadly assaults (*doodslag*) by quarter century

One fairly common trial record is of a baker Gerrit Barentsz Valckenrijck, who killed a man in a fight, probably at a local alehouse, and fled afterwards to avoid prosecution. Like the escaped murderers mentioned above, Valckenrijck was given a trial in absentia on 14 July 1651, and sentenced to beheading, with a substitution of

⁹Pieter Spierenburg, ed., *Men and Violence: Gender, Honor, and Rituals in Modern Europe and America, Knife Fighting and Popular Codes of Honor in Early Modern Amsterdam*, by Pieter Spierenburg (Columbus: Ohio State University Press, 1998), 103-127.

life exile.¹⁰ In a fairly atypical case Frans Garansij, a textile worker, killed a man in a fight and was sentenced to death by beheading on 16 January of the same year.¹¹

Evidence in Leiden's records seems to indicate that a vast majority of batteries in the town fall into the bar brawl category of violence, not unlike the incidents of deadly knife fighting. A battery can be defined simply as either a fist fight in which non-deadly force is used typically with malice to physically harm another individual. In the time covered 256 cases of non-deadly violence came to trial in the town.

Cohorts	Battery
1547-75	17
1576-00	42
1601-25	74
1626-50	10
1651-75	4
1676-00	10
1701-25	33
1726-50	20
1751-75	7
1776-00	15
1801-10	24
total	256

Fig. 17. Table of batteries by quarter century

One example of battery was the case of Jan Janszn, Jan Lucaszn, and Jonas Jonaszsn, all Leiden textile workers who ran afoul of the night watch in what was doubtlessly an alehouse tussle in the autumn of 1651. The three violent men were

¹⁰H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 233.

exiled from the city for 12 years excluding Janszn, the senior man. He was made an example of, being publicly flogged and exiled for 20 years instead.¹² In another case from 1650, Adriaan van der Burch, an outsider of undisclosed profession from the Hague, was charged with some form of violence (*geweldpeging*), probably battery, and was held in jail until he paid a hefty fine of fl 2500, then he was exiled for life. With such a stiff fine one could infer that he was a man of some wealth or station. His is the only case in which that seems true, as all other cases for the decade involved poor or working class persons.¹³

In addition to the above-mentioned violent crimes there were a few violent crimes, which technically don't fall easily into the above cases. The case of Thobias Pinsde was given ten years exile in 1643, for firing his pistol during a court session.¹⁴ In a fairly uncommon incident of street violence Jan Buijsman was killed while attempting to beat up the authorities. His body was placed on trial and hung for public display in 1710. This incident was one of the few cases of riotous behavior in the records from the early eighteenth century.¹⁵

In terms of gender, violent crime was largely a male dominated form of delinquency, although women were not totally missing from the records. Ninety-five women were tried for violent crime in Leiden during this period, or around 10% of

¹¹Ibid., 232.

¹²Ibid., 234.

¹³Ibid., 232.

¹⁴Ibid., 217.

¹⁵Ibid., 336.

the total. There crimes varied from mass murder to simple battery. The number of women criminals remains fairly even, increasing with the total number of crime around 1601 and the declining steadily till the record ends. In addition to taking part in criminal acts more then a few women are mentioned as being victims of crime, such as Abigael Regot, a sixteen year old killed in a deadly assault in 1616.¹⁶ Other cases involve the death of wives, mothers-in-law and daughters.

The records for Leiden show that a large number of crimes were committed by persons who had moved into the city from abroad. Two hundred and five people out of the total of 864 tried for violent crimes came from outside the city. This totals around 24% of all recorded crimes. This number could be higher as many entries in the records contain no information on the birthplace or nationality of the criminal. The number of immigrants listed as being tried, however, remains constant throughout the records without a large influx of criminal outsiders making an appearance. These rates are not dissimilar from the records of property crimes committed in the city.

Class was also an issue in cases of violent crime. Many of those tried for violent crimes in Leiden came from the working poor, or out of a population of vagabonds (*het Grauw*). It is not surprising that most of the professions listed for violent criminals include an overwhelming number of industrial works, since this group made up the vast majority of the town's population. In cases where no

¹⁶Ibid., 126.

profession is listed one could with some degree of safety surmise that these individuals were unemployed, under employed, or simply vagrant. Of the 864 cases mentioned earlier over 400 came from the industrial working class. This is almost 50% of the total. A majority of the immigrant criminals also came from the industrial working class as well. In general violent crime was therefore specific to these lower classes of individuals.

Soldiers were only responsible for a negligible number of trials. Violence caused by exposure to war seems not so much the case. In only a small number of instances were soldiers responsible for a violent crime. Only 13 soldiers were identified as such and tried for a violent crime out of the 864 violent crimes tried during this period and many of these listed soldiers as a former profession, secondary to an industrial vocation. This does not correlate with theories on the violence of war producing unstable citizens during times of peace. Court-martials were not used for soldiers within the town as the soldiers were either under hire by the municipality and subject to its laws or were citizens in the case of the *schutterij*.

Based on the evidence, violent criminals seem to commit their crimes under a number of stimuli. The midst of an argument or as some might say today, in the heat of passion being typical. Alcohol and an environment of drinking seem also to aid in violent behavior during the period.

Analysis of Crime

Over the course of years certain trends appear in the town's criminal records.

The number of crimes tried in the town rise steadily culminating in a massive spike during the twenty-five year period from 1601 to 1625. It then lessens again with a rise in the period 1701-1725, before decreasing dramatically to almost nothing, as indicated by the large decreases evidenced by the lessening of the number and severity of the charges and trials recorded. This period coincides with a substantive increase in the town's population. From 1620 to 1625 the population increased from 43,500 to 51,000. Six and a half thousand immigrants, many who were refugees fleeing the turmoil of the revolt in the south, had an effect on the rate of violent crime. The population in Leiden likewise increased from 1700-1725, albeit not as spectacularly as a century before. The 1700 population of 63,000 increased to 65,000 by 1720.

Based on the rising population figures, immigration must have played a role in crime. Many criminals in Leiden appear to be outsiders or immigrants from the countryside. These are people who may not have felt they had a stake in society and therefore rebelled against it, or were so economically challenged as to have no alternative. As stated earlier the records for Leiden show that a large number of crimes were committed by persons who had moved into the city from abroad. Two hundred and five people out of the total of 864 tried for violent criminals came from outside the city. This totals around 24% of all recorded crime and due to omissions in record keeping the number could be higher. The number of immigrants recorded as being tried however, remains constant throughout the records with out a large influx of criminal outsiders making an appearance. This suggests that perhaps immigration

is not a root cause of the violence, but where it does occur it could merely be a symptom of the crisis-based cultural upheavals.

Historians and sociologists have postulated that during times of civil unrest or governmental decentralization, crime increases. This is not the case with Leiden. While the government of the United Provinces as a whole was highly decentralized, the city government was very much in control of the town throughout this period. They controlled the process of who became a citizen and the courts actively attempted to maintain order.¹⁷ The courts further documented and kept records, held trials, maintained the nightwatch, and exacted public punishment, all of which indicated a good degree of population control. For example, several instances, recorded from the last decades of the seventeenth century, indicated an increase in the number of knife fights in the city. The cases resulted in a number of trials, where not only those guilty of fighting were harshly punished, but even bystanders who did not attempt to break up the fights were jailed. The civic government clearly had a great degree of control in the city.

If a lack of civic order is not to blame, perhaps the breakdown of traditional societal continuity brought about by the revolt is responsible for the rise in violent crime. As mentioned earlier the presence of soldiers among those sentenced for violent crime was very low. In addition to this fact the worst episodes of military action and disorder connected to the revolt, which directly affected Leiden, had

¹⁷ J.L. Price, *Holland and the Dutch Republic in the Seventeenth Century* (Oxford: Clarendon Press, 1994), 19-32.

occurred during the siege of 1573-1574, long before the largest spike in the crime rates.

Evidence pointing to the high percentage of immigrants committing violent crime indicates that the rise in violence is connected to the influx of foreigners. This influx of refugees reaches its peak during the periods in which violent crime is at its height. The arrival of a vast numbers of people uprooted from their familiar surroundings and placed in a new town in great numbers would doubtlessly have a negative affect on those involved. Immigration alone is not the sole reason for the increase in violent crime in Leiden. The causes of the immigration and the conditions of society are also culpable.

Almost all of the immigrants fled from the southern Netherlands, or from rural areas around the town. The campaign of persecution being carried out by the Spanish authorities against Protestants induced large numbers of individuals to immigrate to the rebel provinces in the north. These people left, to avoid religious persecution or in the case of the rural immigrants, to find a better way in which to earn a living. After all the other possible explanations are dismissed Protestantism is left as a viable contributing factor.

The Dutch Reformed Church lacked the centralized organization and pervasive community presence which the Catholic Church maintained in Leiden before the revolt. These included housing for the poor, hospitals, and orphanages. The city lacked a coherent system of public welfare. The Calvinists would soon develop such organizations within the city, but at the time of the mass influx of

immigrants, such services and structures of public welfare were in their infancy.¹⁸ Further, the Calvinist Church did not build a similar relationship between its adherents as did the Catholic Church's doctrines of confession and absolution. In effect for a time, many of the people of Leiden were without familiar moral guidance, and community support, which had catered to lower economic groups, the homeless and destitute, as the Reformed Church was more interested in dealing with the needs of its own membership instead of the public at large.¹⁹

Unlike the pre-existing religious structure, the Calvinist Church was unable to maintain moral control over the population. Also dissimilar to the Catholic Church, the new Protestant religion allowed for personal choices and did not strictly enforce attendance. It has been argued that Calvinist doctrines relating to personal relations with God, pre-destination and the notion of the elect could have had a negative affect on the population, in the forms of increased guilt, suicide and ultimately violence. The break with traditional practice was probably disruptive to some Leidenaars.²⁰

The Calvinist doctrine of justified resistance could also be misinterpreted into justification for violence against any government which one felt was unjust. This could be a factor in the numerous cases of riot mentioned above. Evidence of Protestant militancy, possibly related to the doctrine of justified resistance, is

¹⁸Christine Kooi, *Liberty and Religion, Church and State in Leiden's Reformation, 1572-1620* (Leiden: Koninklijk Brill NV, 2000), 46-47.

¹⁹Ibid , 46-47.

²⁰A.T. van Deursen, *Plain Lives in a Golden Age* (Cambridge: Cambridge University Press, 1978), 223-319.

abundant in the records of the town. The 1618 case of Jacob Janszn is one example. Janszn was accused of attempted murder of a city official but fled the city before he could be executed.²¹ In the 1619 case of Cornelis Doe, he and a group of other assailants attempted to lynch the town notary and in a riotous manner did great damage to his dwelling.²² These individuals could have followed the spirit of the revolt and attempted to remove government officials they felt were unjust. This is supported by the dates of the crimes, which occurred during the national upheavals of the Remonstrant debates.

These violent crimes seem to indicate a deep level of urban unrest. The nature of many of these crimes point to general dissatisfaction with urban existence. These violent criminals were not using deadly force in order to survive. They were in most instances not engaging in an attempt to rob or gain financial reward by their actions. Fighting for formal honor seems not to be the case as these crimes were not treated as duels, a luxury of the rich and an intensely rare charge in Leiden court. Most of these crimes seem geared toward animalistic malice. These crimes reflect a disillusionment among the criminals, a vast majority of whom were simple industrial workers.

Conclusion

The town of Leiden underwent a great change in the sixteenth through

²¹H.M. van den Heuvel, ed. *De Criminele Vonnisboeken Van Leiden* (Leiden: Tijdschrift Voor Sociale Genealogie en Streekgeschiedenis Voor Leiden en Omstreken, 1977-1978), 132.

²²*Ibid.*, 141.

seventeenth centuries. The population was devastated by siege and rebuilt rapidly by the influx of Protestant refugees seeking opportunity in the growing industrial economy. With this influx came an increase in crime and poverty as real wages declined. As the evidence shows, the revolt itself, other than contributing to the influx of Protestant refugees, had little direct effect on the rise of crime in the town. Similarly the turmoil of independence and the founding of a new city government divorced from royal and outside interference did not lead to a breakdown in civic order, and thus did not contribute to the rise in violent crime. We are left with several possibilities, the immigrants themselves and the break in traditional societal continuity that their immigration created, issues with the establishment of Protestant social welfare and the rise of poverty created by the decline in real wages. The pressures created by the crisis were major contriving factors to the rise of crime in Leiden.

COMPARATIVE CRIME

Cohorts	Morality*	Violence**	Property	All
1547-1575	318	31	72	413
1576-1600	171	89	172	489
1601-1625	228	247	720	1437
1626-1650	276	89	421	861
1651-1675	111	20	238	370
1676-1700	251	24	419	695
1701-1725	337	49	217	604
1726-1750	236	27	160	423
1751-1775	85	9	64	157
1776-1800	159	17	106	282
1801-1810	165	27	182	374
total	2337	629	2771	6105***
* incl. suicide, sex crimes, infanticed ** incl. riots *** incl. 374 death inquests				

Fig. 18. Table of comparative crime in Leiden by quarter century

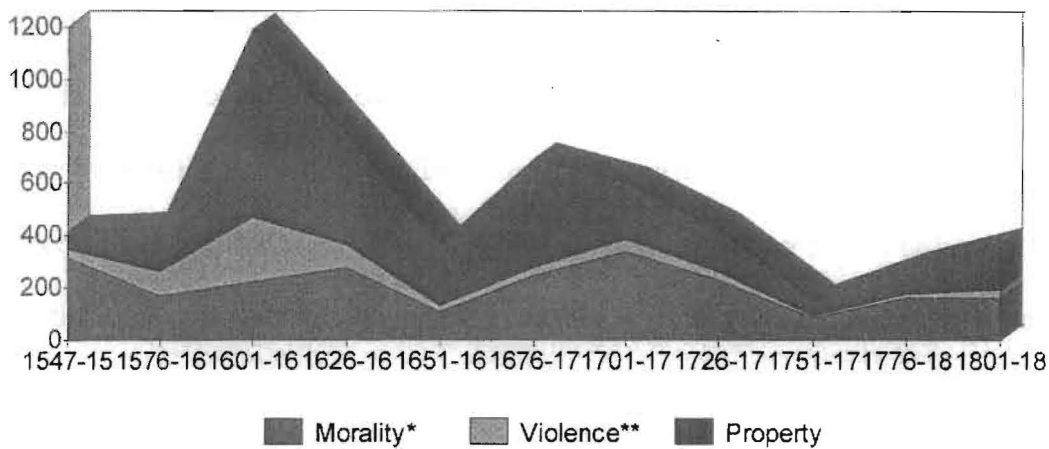


Fig. 19. Graph of comparative crime in Leiden

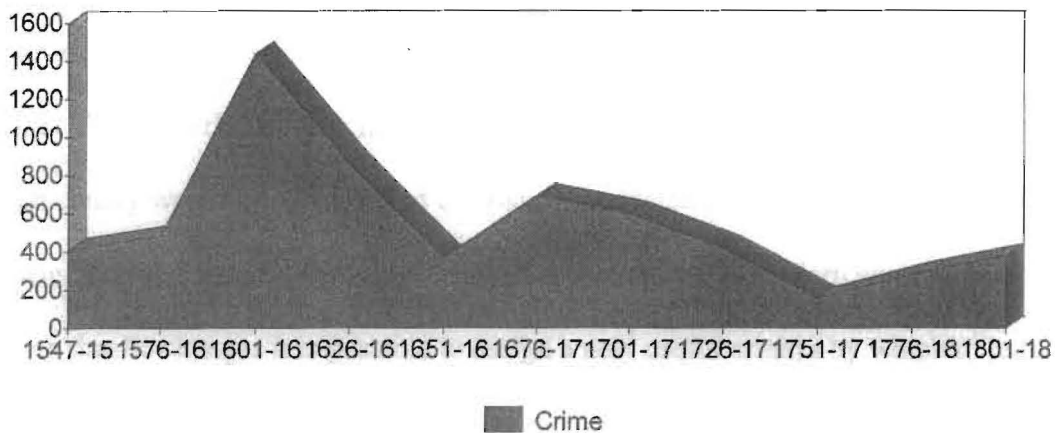


Fig. 20. Total crime in Leiden

Preliminary investigation into the crime data from other cities in Europe during the crisis period indicates that similar increases occurred at roughly the same time. The English counties of Essex and Hereford for example had a sizable increase in crime over earlier periods.²³ Calvinist Geneva likewise had an increase in crime. The records indicate that from 1601-1650 homicides increased by 50%. Further, during the same period deaths by stabbing (similar in many ways to the Leiden deadly assault charge) doubled from 24 in the sixteenth century to 48 in the period mentioned above.²⁴ It is the author's intention to continue research into these trends.

The historiography of the crisis contains mostly the analysis of the dire economic and political facets of the period. This analysis clearly indicates a period of decline, stagnation, and unrest. It is argued that during this period, the Dutch Republic was in the midst of a period of economic and cultural expansion, termed a Golden Age. However new evidence of the crisis in Holland exists in the criminal records of the town of Leiden. This evidence along with other arguments points to the fact that The Netherlands were not completely immune to the crisis surrounding it. Leiden clearly went through a period of crisis, manifested by social unrest and an increase in crime. By looking at the criminal records of early modern communities for such drastic changes it is possible to assign a new useful criteria by which to judge the extent or presence of the crisis in these locations, another step in gaining

²³ J. A. Sharpe, *Crime in Seventeenth-century England; a County Study* (Cambridge: Cambridge Univ. Press, 1983), 91-115.

²⁴ Jeffrey R. Watt, *Choosing Death; Suicide and Calvinism in Early Modern Geneva* (Kirksville MO: Truman State University Press, 2001), 52-56.

understanding of the distant past.

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