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Drama in the dailies : violence and gender in Dutch newspapers, 1880 to 1930

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Citation

Wilkinson, E. C. (2020, April 23). *Drama in the dailies : violence and gender in Dutch newspapers, 1880 to 1930*. Retrieved from <https://hdl.handle.net/1887/87416>

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Issue Date: 2020-04-23

Chapter 2: The socioeconomic and legal context

This chapter sets the scene for the chapters that follow by examining the socioeconomic and legal developments in the Netherlands between 1880 and 1930. This was a period that saw big shifts in the relationships between the classes, between the sexes, between adults and children, and between the state and the family. Those shifts were partly economic, with the rising affluence of the working class and the move to a breadwinner model, but were also seen in civil society campaigns that focused on protecting the family and of children in particular. The state too was increasingly prepared to intervene to protect women and children and promote a domestic ideal. This chapter explores these developments and their impact on the prosecution of family and sexual violence.

Two specific questions are addressed in Chapter 2. The first question concerns the evidence for the increased condemnation of male private violence in the Netherlands. As discussed in the previous chapter, historians of Britain have argued that there was an increased focus on male private violence in the nineteenth century as part of a middle-class civilizing offensive in response to urban working-class disorder.¹ The question is whether this also applied in the Netherlands. Did Dutch moral entrepreneurs and the Dutch police and courts target family and sexual violence among the poor? The second question addressed in this chapter concerns participation by Dutch women in the public sphere. Again, the literature on Britain is the main point of reference. In that country, feminists and women in social purity organizations played an important role in turning private violence into a social issue and agitating for legal reform. Yet, as was seen in the previous chapter, while women became politically organized in other countries as well, they did not necessarily use their voice to place private violence on the agenda.² This chapter considers the situation for Dutch women: to what extent did they become organized as a group, and did they use their public position to address the problem of private violence?

Those questions are addressed in the following six sections. The first section sketches the process of economic growth and urbanization. Initially, large-scale migration to the cities led to social problems and a perceived threat of disorder. The middle class responded with a civilizing offensive, which was eventually supplemented by state action to improve living conditions. From the turn of the century, working-class families enjoyed rising incomes and workers achieved political representation. Section 2.2 examines two priority areas in the moral offensive, namely the philanthropic campaigns that targeted male drinking, and male sexuality. These campaigns problematized men's behaviour and gave

¹ Wiener, *Men of Blood*, 1-8; Shani D'Cruze, *Crimes of Outrage. Sex, Violence and Victorian Working Women* (London: UCL Press, 1998), 140; Emsley, *Hard Men*, 60-63; Carter Wood, "Criminal Violence," 82-83.

² Bland, *Banishing the Beast*, 97-101; Susan Hamilton, "Making history with Frances Power Cobbe: Victorian Feminism, Domestic Violence, and the Language of Imperialism," *Victorian Studies*, no. 3 (2001): 441-443; Aitken, "Horrors of Matrimony".

women a voice in the public sphere, yet they did not extend to private violence. The following section (Section 2.3) deals with the changing position of women and children in the family. With the rise of the male breadwinner model, women and children became economically dependent on the male head of the household while the home became a domestic haven. At the same time, family relations became the subject of public debate and state intervention. Feminists campaigned on marriage laws and the state set up a system for the protection of children. Section 2.4 compares Britain and the Netherlands and concludes that while both saw debates and campaigns on related issues, family and sexual violence as such were only construed as a social problem in Britain. The subsequent section (Section 2.5) introduces the Dutch criminal justice system. It examines the distinct nature of this system compared with other countries and its implications for the discourse on gender and violence. The sixth and final section looks at the law and prosecution of violence against family members and sexual violence. It shows increasing criminalization and prosecution of sexual acts involving the young, but relatively little change for other forms of private violence.

2.1 Political and economic developments

The Netherlands experienced economic growth and the rise of democracy between 1870 and 1939, which improved the socioeconomic and political position of the working class. The interests of workers were increasingly represented in national and local government. This was an important factor in establishing a welfare system, which reduced financial insecurity for most households. Such changes were not unique to the Netherlands, but the precise chronology was specific to the Netherlands and is important in understanding the changing perceptions of the working class in newspapers between 1880 and 1930, as detailed in the following four chapters.

The Netherlands was late to industrialize, lagging far behind not just Britain but also its southern neighbour Belgium. There was only a shift to a modern economy with consistently high growth in the 1860s. The acceleration of growth was fuelled by the integration of the domestic market. Internal tariffs and barriers to trade were dismantled while investments were made in railways and waterways that improved internal transport.³ This led to a shift in employment away from agriculture and towards industry and the service sector, especially transport and distribution. The Dutch economy had strong links to the German economy and benefited from the booming Ruhr area. Rotterdam became an important transit port for goods transported down the Rhine from Germany.⁴

³ Van Zanden and Van Riel, *Nederland 1780-1914*, 377-387; Wielenga, *Nederland*, 44-54; E.H. Kossmann, *De Lage Landen 1780-1980. Twee eeuwen Nederland en België. Deel I: 1780-1914* (Amsterdam: Olympus, 2005), 340-345.

⁴ Van Zanden and Van Riel, *Nederland 1780-1914*, 353, 387-393; Paul van de Laar, *Stad van formaat. Geschiedenis van Rotterdam in de negentiende en twintigste eeuw* (Zwolle: Waanders, 2000), 91-117.

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The economic growth was accompanied by rapid population increases in the towns and cities, especially the working cities of Rotterdam and Amsterdam. Amsterdam's population increased by 79 per cent between 1879 and 1909 and Rotterdam's population rose by as much as 182 per cent in the same period.⁵ This was due to a combination of falling mortality plus migration from more rural areas in the Netherlands. Migrants were pushed towards the cities by the agricultural depression between 1882 and 1886, and attracted by the employment opportunities in the urban areas.⁶

This sudden influx of new workers put huge pressure on the housing and infrastructure of the Dutch towns and cities. The new migrants were accommodated by dividing large houses into smaller multiple units, building on vacant plots (infill) and on the sites of market gardens on the outskirts. The most notorious developments were the slum courts, accessible only via a narrow passageway and with insufficient air and light.⁷ Urban sanitation systems were unable to cope and infant mortality in particular was high.⁸ Cramped housing conditions also meant that working-class people lived much of their lives on the streets. Children were sent out onto the streets unsupervised by their mothers and women did their washing together in the courtyards.⁹ Problems such as male drunkenness and vagrancy were also more visible in the crowded urban environment where the middle classes and lower orders lived at close quarters.¹⁰

The fast-growing urban working class from the 1870s onwards and the associated social problems prompted a response from the elite. The 'social question' – the question of how to improve conditions for the working class – was placed high on the political agenda. This was not just altruism. There was an economic interest as the rise of the factory system meant that the business class had become dependent on disciplined, properly functioning working-class labour. Moreover, there was increasing fear among the elite of social unrest and socialism. These fears were intensified by public disorder incidents such as the *Palingoproer* in 1886, when police attempts to suppress a folk sporting event in a working-class district in Amsterdam resulted in a riot and 26 fatalities.¹¹

The initial response by the middle classes to the 'social question' was a civilizing offensive that aimed to teach working-class families the middle-class values of

⁵ Van Zanden and Van Riel, *Nederland 1780-1914*, 354.

⁶ Auke van der Woud, *Koninkrijk vol sloppen. Achterbuurten en vuil in de negentiende eeuw* (Amsterdam: Bert Bakker, 2010), 38-45; Van Zanden, *Klein land*, 21-47; Van Zanden and Van Riel, *Nederland 1780-1914*, 353-376; Van de Laar, *Stad van formaat*, 181-199; K. Doevendans and R. Stolzenburg, *Stad en samenleving* (Groningen: Martinus Nijhoff, 2000), 225-242.

⁷ Van der Woud, *Koninkrijk vol sloppen*, 96-113; Doevendans and Stolzenburg, *Stad en samenleving*, 243-359.

⁸ Van der Woud, *Koninkrijk vol sloppen*, 269-272.

⁹ Martine van Leeuwen, "'De vrouw wascht zijn vuile goed'. Huiselijke normen op Scheveningen tussen 1900 en 1940," *Holland Historisch Tijdschrift*, no. 3 (2012): 142-154; A.J. de Regt, *Arbeidersgezinnen en beschavingsarbeid: ontwikkelingen in Nederland 1870-1940* (Amsterdam: Boom, 1984), 125.

¹⁰ Gemma Blok, *Geschiedenis van de verslavingszorg*, 33.

¹¹ Van Zanden and Van Riel, *Nederland 1780-1914*, 315-317; Kossman, *Lage Landen, 1780-1914*, 261-262.

industriousness and orderliness. There was a strong moral component to this approach: poverty was seen as the result of failings in the poor. Living conditions could be improved if housewives could only acquire hygienic habits and families' financial situations would be more secure if they could only learn the value of putting savings aside for the future.¹² These civilizing efforts had a long history. For example, the *Maatschappij tot Nut van het Algemeen* ('society for the benefit of all', known in short as 't *Nut*) was an upper-middle-class philanthropic organization founded in 1784 with the purpose of elevating working folk; it established its own savings banks, schools and lending libraries, among other things.¹³

Whether this civilizing offensive was effective is open to question. Some historians have pointed to the decline in macroeconomic indicators of 'uncivilized behaviour', such as rates of illegitimate births and alcohol consumption (see too Section 2.2), as evidence that it did have an effect, whether directly through disciplining by the middle classes or indirectly because middle-class values became something the lower classes aspired to as a means of improving their status in life.¹⁴ However, studies of specific civilizing activities show the working classes to be far from amenable to such efforts. A 't *Nut* library in Utrecht struggled for custom and readers were more interested in novels than the religious, elevated literature the organizers wanted them to read.¹⁵ Attempts by a middle-class society in Amsterdam to offer rational entertainment to replace the uncivilized fairs also suffered from a lack of interest.¹⁶

At the end of the nineteenth century, overt middle-class attempts to impose a civilizing programme receded as the working-class acquired representation on the political stage. The proportion of adult men eligible to vote increased from 11 per cent in 1870 to 59 per cent in 1910 and 100 per cent in 1917. Women of all classes acquired the right to vote in 1919.¹⁷ Working-class voters were courted not just by the socialists but also by the Catholic and Protestant parties, which saw the socialists as a pernicious influence on workers and made great efforts to appeal to this group. These confessional parties were in government for most of the period 1901 to 1939. Although the socialists were never in government, they

¹² Van Zanden and Van Riel, *Nederland 1780-1914*, 319-322; De Regt, *Arbeidersgezinnen en beschavingsarbeid*, 72-73; Wielenga, *Nederland*, 31-33; Dirk Jan Wolfram, "Schikken en inschikken. Plaatselijke elites in tijden van verzuiling 1850-1920," in *De verzuiling voorbij. Godsdienst, stand en natie in de lange negentiende eeuw*, ed. J.C.H. Blom and J. Talsma (Amsterdam: Het Spinhuis, 2000), 80-102.

¹³ Bakker, Noordman, and Rietveld-van Wingerden, *Vijf eeuwen*, 554; Boudien De Vries, *Een stad vol lezers. Leescultuur in Haarlem 1850-1920* (Nijmegen: Vantilt, 2011), 259-300.

¹⁴ Van Zanden, *Klein land*, 28-29; Schoonheim, *Mixing Ovaries and Rosaries*, 92-96; Van der Woud, *Koninkrijk vol sloppen*, 379-396.

¹⁵ Ad Van der Neut, "Zeventig jaar lenen. De Utrechtse Nutsbibliotheek 1847-1917," *De negentiende eeuw* 14, no. 2 (1990): 204-216.

¹⁶ Betty Dekker, "De Vereeniging tot Veredeling van het Volksvermaak te Amsterdam, 1871-1910 : van volksverheffing tot Oranjevereniging," *De negentiende eeuw* 20, no. 3 (1996): 192-204.

¹⁷ Wielenga, *Nederland*, 34-38.

consistently held about a quarter of the seats in parliament after full suffrage was introduced and had significant influence at the municipal level, for example in Amsterdam.¹⁸

There was a cultural aspect to this development too: a soft process of nation formation to accompany the hard process of state formation, to use the terminology of the Dutch historian Van Sas.¹⁹ From about 1890, celebrations were used to cultivate a national sentiment that incorporated all the classes. Nationalist feelings reached a high point at the end of the nineteenth century, with local celebrations to mark the coronation of Queen Wilhelmina in 1898 and a surge of activity with collections and mass meetings in support of the 'fellow folk', the Boers in the Second Boer War (1899-1902); on both these occasions, men and women from all ranks of society now helped organize activities, making them truly populist events.²⁰ To use Anderson's concept, the working classes became incorporated as members of the imagined community of the Dutch nation from the final decades of the nineteenth century.²¹

Partly because of the increased representation of working-class interests, the state took a more active role from the start of the twentieth century in ensuring financial support for working families. Successive governments introduced elements of a state welfare system, starting with a national insurance scheme for accidents at work in 1901. Most schemes were only implemented after World War I. Dutch historians have emphasized the piecemeal nature of these initiatives compared with other countries and the fact that benefits were often administered by a mixture of state and private-sector organizations. Even so, these schemes provided an increasingly extensive safety net for Dutch workers who were unable to work due to ill health, old age or a lack of jobs.²² But not everyone was covered. Those who fell through the gaps – mainly unskilled and casual workers – were forced to turn to the municipal poor boards.²³ Begging and vagrancy were increasingly

¹⁸ Arko van Helden, "De 'kleine luyden' van Abraham Kuyper - een vorm van populistische retoriek?," *De negentiende eeuw* 35, no. 3 (2011): 139-153; Wielenga, *Nederland*, 90-94; Van de Laar, *Stad van formaat*, 205-210; Jan Luiten van Zanden, Arthur van Riel, *Nederland 1780-1914. Staat, instituties en economische ontwikkeling*, (Amsterdam: Balans, 2000), 80-81. Jaap Talsma, "Voor u en voor ons. Initiatieven op het gebied van de sociale zorg," in *De verzuiling voorbij. Godsdienst, stand en natie in de lange negentiende eeuw*, ed. J.C.H. Blom and J. Talsma (Amsterdam: Het Spinhuis, 2000), 103-114.

¹⁹ N.C.F. van Sas, "De mythe Nederland," *De negentiende eeuw* 16, no. 1 (1992): 8-9.

²⁰ Anne Petterson, *Eigenwijs Vaderland. Populair nationalisme in negentiende-eeuws Amsterdam* (Amsterdam: Prometheus, 2017), 169-224; Betty Dekker, "Van volksverheffing tot Oranjevereniging," 200-202; J. Van Miert, "Nationalisme in de lokale politieke cultuur, Tiel 1850-1900," *De negentiende eeuw* 16, no. 2 (1992): 74-84.

²¹ Anderson, *Imagined Communities*, 6. See too Section 1.3.

²² Marcel Hoogenboom, *Standenstrijd en Zekerheid. Een geschiedenis van oude orde en sociale zorg in Nederland* (Amsterdam: Boom, 2004), 113-132, 203-237; Van Zanden and Van Riel, *Nederland 1780-1914*, 339-341.

²³ Van de Laar, *Stad van formaat*, 248-253.

criminalized and after 1886 those convicted could be sent to state labour institutions (*rijkswerkenrichtingen*) for up to three years.²⁴

Improvements were also made to urban infrastructure. After hygienists (doctors interested in public health) had been advocating investments in sanitation and better housing for decades, municipalities finally took action from the end of the nineteenth century. Whereas canals had previously been used both for waste disposal and as a source of drinking water, now sewer systems and separate drinking water supplies were built. Many canals were filled in.²⁵ In 1901 the Housing Act (*Woningwet*) was passed, giving municipalities greater powers to clear slums and regulate housing construction. Urban planning took off from the 1910s with dedicated housing for the working class and the construction of new districts on the outskirts of the cities.²⁶ These actions were motivated not just by public health considerations; social reformers and politicians saw slum housing as a breeding ground for moral degeneration. The new homes were designed to encourage an orderly life.²⁷

The improvements in urban sanitation have been cited as one factor in the significant expansion of the Dutch population between 1880 and 1930. Infant mortality fell dramatically during this period, although the relative influence of changes in diet, sanitation and breast-feeding practices are disputed.²⁸ While fertility rates also declined in the twentieth century, they did so only slowly (more slowly than in Britain, France or Belgium). The result was rapid population growth throughout the period: the population of the Netherlands rose from 3.6 million in 1869 to 5.1 million in 1899 and 8.7 million in 1939. One consequence of fast growth was that the Dutch population was relatively young: 44 per cent was aged under 20 in 1900 (compared with 24 per cent in 2000).²⁹

The first three decades of the twentieth century were largely a period of sustained economic growth. By 1930 (the final sample year for the newspaper reports) GDP was three times higher than it had been in 1880 (the first sample year). While the Great Depression started to be felt in the Netherlands in 1930, unemployment was still only 2.3 per cent in that year.³⁰ Economic growth did falter during World War I. Although the Netherlands was

²⁴ Marian H.A.C. Weevers, Margo De Koster, and Catrien C.J.H. Bijleveld, "Swept up from the Streets or Nowhere Else to Go? The Journeys of Dutch Female Beggars and Vagrants to the Oegstgeest State Labor Institution in the Late Nineteenth Century," *Journal of Social History* 46, no. 2 (2012): 418.

²⁵ Van der Woud, *Koninkrijk vol sloppen*, 243-250, 352-376; Van de Laar, *Stad van formaat*, 238-248.

²⁶ Doevendans and Stolzenburg, *Stad en samenleving*, 261-304; Van de Laar, *Stad van formaat*, 265-272; Van der Woud, *Koninkrijk vol sloppen*, 264-265.

²⁷ Christianne Smit, "'Het heele luidloos-rottend ellende-monument der hoofdstad'. Aandacht voor sloppen in Amsterdam'," *De negentiende eeuw* 28, no. 2 (2004): 174-179.

²⁸ Evelien C. Walhout, "Is breast best? Evaluating breastfeeding patterns and causes of infant death in a Dutch province in the period 1875-1900," *History of the Family* 15, no. 1 (2010): 76-79.

²⁹ Statistics Netherlands, www.cbs.nl; Knippenberg and De Vos, "Tussen crisis en verzuiling"; Nederlands Interdisciplinair Demografisch Instituut, *Bevolkingsatlas van Nederland. Demografische ontwikkelingen van 1850 tot heden* (Rijswijk: Elmar BV, 2003), 134.

³⁰ Van Zanden and Van Riel, *Nederland 1780-1914*, 345; Van Zanden, *Klein land*, 129, 132, 152.

neutral during the war, the economy was badly affected as routes for imports and exports were blocked off. Unemployment rose, and food and fuel rationing were introduced, prompting food riots in 1917 and 1918.³¹ But growth soon picked up again after the war ended.

Economic growth combined with the new welfare schemes and housing improvements translated into greater prosperity and better living standards for working families by the interwar period. Real wages more than doubled between 1860 and 1900 and wage growth remained steady in the twentieth century. The number of working hours fell, with an eight-hour working day being introduced in 1919. Households no longer had to spend such a high proportion of their income on food but were nevertheless eating more and becoming healthier.³² Higher disposable incomes for a broad section of society also created the conditions for the rise of consumerism. Standardized consumer goods (such as light bulbs, cocoa and margarine) were mass-produced and sold as branded products in an expanding range of shops and department stores.³³ The need to advertise the new mass consumer goods and retail stores was a key factor in the rise of the mass media, as will be discussed in Chapter 3.

2.2 Problematizing male behaviour: drink and sexuality

As explained in the previous section, the initial response to the rapid urbanization from the 1870s and perceived problems of public disorder was a civilizing offensive. Two key areas of philanthropic activity were the temperance movement and the abolitionist campaign to end prostitution. Both of these movements problematized male behaviour – drinking and the sexual double standard respectively – that had previously been seen as natural and acceptable. The abolitionist campaign turned into a broader social purity movement that tackled issues such as the dangers to young women travelling alone and the plight of unmarried mothers. In these campaigns, male activists took on a chivalrous role, defending women and children from the harm caused by other men's weakness and lack of restraint. But these movements also gave women a voice in the public sphere. According to Henk te Velde, the prominence of such social questions in the fin-de-siècle political debate focused attention on the 'feminine' virtue of caring. At the same time, the rise of pillarization was associated with a shift in the political style of male politicians to a more emotional style that

³¹ Wielenga, *Nederland*, 73-77.

³² Van Zanden and Van Riel, *Nederland 1780-1914*, 354; Merijn T. Knibbe, "De hoofdelijke beschikbaarheid van voedsel en de levensstandaard in Nederland, 1807-1913," *Tijdschrift voor Sociale en Economische Geschiedenis* 4, no. 4 (2007): 93.

³³ Chris Dols and Maarten van den Bos, "King Customer. Contested Conceptualizations of the Consumer and the Politics of Consumption in the Netherlands, 1920s-1980s," *Low Countries Historical Review* 132, no. 3 (2017): 97-98.

prized self-sacrifice. These developments gave room for female interventions in the public sphere based on public motherhood and compassion.³⁴

A useful concept for understanding women's roles in these philanthropic movements is that of 'caring power', introduced by Annemieke van Drenth and Francisca de Haan. Drawing inspiration from Foucault, they see care as a form of productive power that reshapes the identity of both the caregiver and the recipient. Moreover, they see the practice of caring power by women as an important step in creating a shared political identity. They distinguish between *women's activism*, defined as activities by women on behalf of 'others' (not necessarily female), the *women's movement*, defined as organized activities by women on behalf of other women and based on identification with their own sex, and *feminism*, defined as activities aimed at achieving equal rights.³⁵ This notion of caring power is incorporated in the analysis of women's contribution to the two movements.

Drink

Drink was seen as a problem of working-class men and a threat to their families. Women had an important part to play in combating alcohol abuse, both as wives creating a pleasant home environment as an alternative to the pub and as temperance campaigners. Men too were active in the temperance movement; they presented a chivalrous form of masculinity, protecting women and children from drunkards and setting an example in their moderation.

In the late nineteenth century, drunkenness became a public order problem that required legislation. Alcohol consumption was rising, from four litres of pure alcohol per capita per annum in around 1850 to seven litres by 1880. For the poor in the cities, alcohol was a part of everyday life: wages were paid in the pubs and it was standard practice for workers to turn up late on Mondays so that they could sleep off their hangover. However, the large-scale migration to the cities and the overcrowding that pushed people onto the streets also made the drinking problems of the poor more visible.³⁶ The first national attempt to tackle the drink problem was the 1881 Drink Act (*Drankwet*), which was repressive in nature and focused on drink as a social rather than a personal problem. Public drunkenness became an offence throughout the Netherlands. In 1886 the new criminal code introduced special state labour institutions for drunkards, beggars and vagrants.

³⁴ Henk te Velde, "Viriliteit en opoffering. 'Mannelijkheid' in het Nederlandse politieke debat van het fin de siècle," *Groniek* 132, (1996): 283-289.

³⁵ Annemieke van Drenth and Francisca de Haan, *The Rise of Caring Power* (Amsterdam: Amsterdam University Press, 1999), 12-17, 46-47.

³⁶ J.C. van der Stel, *Drinken, drank en dronkenschap. Vijf eeuwen drankbestrijding en alcoholhulpverlening in Nederland* (Hilversum: Verloren, 1995), 124-127; Gemma Blok, *Geschiedenis van de verslavingszorg*, 32-33; Johanneke van Vliegen, "Insania Toxica. Drankzuchtige mannen in het fin-de-siècle," in *Gender & Gekte. Jaarboek voor Vrouwengeschiedenis* 30, ed. Gemma Blok et al. (Amsterdam: Aksant Academic Publishers, 2010), 145-157; Chris Dols, *De geesel der eeuw. Katholieke drankbestrijding in Nederland, 1852-1945* (Zaltbommel: Aprilis, 2007), 17-22.

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Drunkards sentenced for a repeat offence could be sent to one of these institutions for a period of one year.³⁷

Concerns about drunkenness remained despite the legislation, and the temperance movement gathered momentum at the end of the nineteenth century. New Protestant and Catholic temperance societies were founded, memberships of existing societies grew and the production of propaganda materials intensified. For the emergent pillars, the temperance societies were also a way of engaging the faithful and extending the pillar's reach.³⁸ The Catholic society *Sobriëtas* had separate divisions for men, women and children, and for specific occupational groups such as soldiers and railwaymen. At its peak in 1921, it had nearly 180 thousand members.³⁹ Women played an important role in the temperance organizations; this was an example of women's activism, to use Van Drenth and De Haan's terminology.⁴⁰ In 1914, the *Sobriëtas* divisions for women and girls had more members than the respective divisions for men and boys.⁴¹ It is telling that in 1911 the Catholics, who normally saw only a subservient role for women, allowed women to serve on the main board of *Sobriëtas* as recognition of their central position in the struggle against alcoholism.⁴²

The temperance movement saw drunkenness as a working-class problem, more specifically a male working-class problem. The effects on the family are a recurring theme in temperance propaganda. Posters and prints showed the drunkard squandering his wages on drink, leaving his wife and children destitute. For the man himself, drinking inevitably led to a life of crime, poverty, disease and madness. However, domestic violence did not feature prominently in temperance campaign material and there was no suggestion that a wife should leave her alcoholic husband. On the contrary, the wife had an important role in changing her husband's behaviour. As one pamphlet urged: "Housewife, make the home clean and cosy for your husband. If he feels truly happy there, he won't go to the pub."⁴³

If working-class drunkards were examples of 'bad' masculinity, the temperance societies presented an alternative kind of masculinity, one that emphasized self-control. Whereas drink made a man weak and a slave to 'King Alcohol', the man who had conquered the urge to drink was strong and independent. The male temperance campaigners

³⁷ Gemma Blok, *Geschiedenis van de verslavingszorg*, 43-44; Van der Stel, *Drinken, drank en dronkenschap*, 155-156, 178.

³⁸ Van der Stel, *Drinken, drank en dronkenschap*, 157-165; G. Blok, "Van 'zedelijke verheffing' tot 'harm reduction': verslavingszorg in Arnhem en Nijmegen, 1900-2000," in *Van streek: 100 jaar geestelijke gezondheidszorg in Zuid-West Gelderland*, ed. J. Vijselaar and L. de Goei (Utrecht: Matrijs, 2007), 153-167.

³⁹ Dols, *Katholieke drankbestrijding*, 76-96.

⁴⁰ Van Drenth and De Haan, *Caring Power*, 46.

⁴¹ There were 44,700 women members compared with 35,200 men, and 5,600 girls compared with 4,800 boys. Dols, *Katholieke drankbestrijding*, 96.

⁴² Dols, *Katholieke drankbestrijding*, 71.

⁴³ Van der Woud, *Koninkrijk vol sloppen*, 76-77; Van der Stel, *Drinken, drank en dronkenschap*, 169, 174, Dols, *Katholieke drankbestrijding*, 25.

presented themselves as the chivalrous protectors of the innocent victims, the wife and children affected by the husband's drinking. These men were sensitive and caring but at the same time strong, militant and ready to fight. In the iconography of the temperance print materials, they are frequently shown as crusaders.⁴⁴ According to Gemma Blok, the masculine model espoused by male temperance workers changed in nature around the turn of the century. They increasingly focused on the drunkards themselves rather than their families. They took a gentler, less critical and more personal approach to these men, while at the same time being harsher on themselves – heroically choosing abstinence as teetotalers rather than the easier option of moderation in the consumption of alcohol.⁴⁵

This shift presaged a wider change in attitudes to drunkards. Alcoholism increasingly became viewed as a disease to be treated rather than a public order problem and a moral failing that could be solved through self-discipline. It became the province of the medical profession, who received alcoholics in their sanatoriums and surgeries.⁴⁶ This medicalization extended to the criminal justice system. While public drunkenness remained a crime, with the introduction of the suspended sentence in the early twentieth century offenders with a drink problem could be ordered to seek treatment as a condition of their suspended sentence. This option was popular and probation work became an important source of income for temperance organizations; offenders on suspended sentences made up two-thirds of all clients attending the alcoholism surgeries in Rotterdam and Amsterdam by the late 1920s.⁴⁷

Alcohol consumption, as measured by the Dutch statistics agency in litres of pure alcohol per capita, fell sharply from around 1890 to the 1930s.⁴⁸ By the 1920s the temperance movement lost momentum too and membership fell.⁴⁹ As discussed in the previous section for the civilizing offensive in general, it is debatable whether the declining alcohol consumption was the result of the endeavours of temperance workers. Van der Stel maintains that the steep decline in drinking can only be explained by the civilizing efforts of the temperance campaigners.⁵⁰ Yet here too, evidence from specific temperance activities is less convincing. The alcoholism surgeries of the early decades of the twentieth century were able to report relatively few success stories.⁵¹ Other factors such as the reduction in the availability of alcohol and improved living standards for male workers may also have had an effect.

⁴⁴ See for example the illustrations in Dols, *Katholieke drankbestrijding*, 78, 79, 85, 89.

⁴⁵ Gemma Blok, "Gentle Knights. Masculinity, Teetotalism and Aid for Alcohol Abuse c. 1900," *Low Countries Historical Review* 127, no. 1 (2012): 101-126.

⁴⁶ Van Vliegen, "Insania Toxica"; Van der Stel, *Drinken, drank en dronkenschap*, 157.

⁴⁷ Blok, *Ziek of Zwak*, pp. 69-101, 92; Van der Stel, *Drinken, drank en dronkenschap*, 219-224.

⁴⁸ See graph and figures based on CBS (Centraal Bureau voor de Statistiek) data: Van Zanden, *Klein land*, 28-29.

⁴⁹ Van der Stel, *Drinken, drank en dronkenschap*, 184-185.

⁵⁰ Van der Stel, *Drinken, drank en dronkenschap*, 134-135.

⁵¹ Gemma Blok, *Geschiedenis van de verslavingszorg*, 90-91.

Sexuality

Alongside drink, another major concern among philanthropists in the late nineteenth century was prostitution. This led to the abolition campaign and the Dutch social purity movement, part of a transnational development. The social purity movement in Britain has been the subject of much debate among historians, with two distinct views emerging. Studies in the 1970s and 1980s painted it as repressive, a moral panic and an attempt to impose a Christian moral code on society as a whole. Feminist historians have challenged that view, pointing out that far from being ‘pruders’, social purity activists often had an emancipatory aim: they wanted an end to sexual double standards and the sexual abuse and harassment of women. More recent studies are more nuanced but still tend to see the movement either as essentially repressive or as essentially emancipatory.⁵² A comparable divide is seen in the Dutch historiography. Koenders, for example, sees an increasingly restrictive moral climate emerging in the early twentieth century as a result of the activities of Christian morality organizations. Bossenbroek and Kompagnie similarly view the abolitionists as repressive.⁵³ De Vries, on the other hand, places far more emphasis on the part played by women and secular socialists and on the extent to which the movement led to a rethinking of male sexuality.⁵⁴ De Vries is surely right to emphasize the gendered nature of the shift: male sexuality was problematized and sexually aberrant women were increasingly seen as victims. But age was also a factor: over time, morality campaigners came to focus on *young* women and girls.

The abolitionist campaign in the Netherlands sought to end the state regulation of prostitution. From the 1850s, various municipalities introduced the compulsory registration and medical examination of prostitutes in an effort to prevent the spread of syphilis. Underlying this approach was a belief that the male sex drive was naturally strong, and abstinence unhealthy and undesirable. Prostitutes therefore served a necessary function for bachelors and men separated from their families. The abolitionists challenged this assumption. They argued that men should be held to the same sexual standards as women. Men could and should control their urges, and chastity was the only acceptable option

⁵² Sheila Jeffreys, “Women and Sexuality,” in *Women's History: Britain, 1850-1945*, ed. June Purvis (Abingdon: Routledge, 1995), 193-299; Dean Rapp, “Sex in the Cinema: War, Moral Panic, and the British Film Industry, 1906-1918,” *Albion: A Quarterly Journal Concerned with British Studies* 34, no. 3 (2002): 422-451; Bland, *Banishing the Beast*, xviii-xix; Jeffrey Weeks, *Sex, Politics and Society: The Regulation of Sexuality Since 1800* (Harlow: Pearson Education, 2012), 100-118; Deborah Gorham, “The ‘Maiden Tribute of Modern Babylon’ Re-Examined: Child Prostitution and the Idea of Childhood in Late-Victorian England,” *Victorian Studies* 21, no. 3 (1978): 353-379.

⁵³ Pieter Koenders, *Tussen christelijk Réveil en seksuele revolutie. Bestrijding van zedeloosheid met de nadruk op repressie van homoseksualiteit* (Amsterdam: Stichting beheer IISG, 1996), 148-225; Martin Philip Bossenbroek and Jan H. Kompagnie, *Het mysterie van de verdwenen bordelen: prostitutie in Nederland in de negentiende eeuw* (Amsterdam: Bert Bakker, 1998).

⁵⁴ Petra De Vries, *Kuisheid voor mannen, vrijheid voor vrouwen. De reglementering en bestrijding van prostitutie in Nederland, 1850-1911* (Hilversum: Verloren, 1997); Petra de Vries, “Duel met Hendrik Pierson”; For a similar viewpoint, see: Van Drenth and De Haan, *Caring Power*, 142.

outside of marriage. The abolition campaigners also changed the perception of prostitutes. Rather than being licentious temptresses, they were seen as fallen women who needed rescuing. Prostitution was likened to slavery and the recurring trope was of the prostitute as a passive victim who had been tricked into her profession.⁵⁵ The abolitionists' campaign was successful. Bowing to their pressure, municipalities ended the regulation of prostitution or introduced bans on brothels from the late 1880s onwards. In 1911, they achieved their main political goal with the Morality Act (*Zedelijkheidswet*), when the Christian coalition government made brothel-keeping and trafficking in women criminal offences.⁵⁶

The abolitionists, who had their roots in evangelical Protestantism, combined rescue work with political activism and lobbying by both men and women. The main political pressure group was the *Nederlandsche Vereeniging tegen de Prostitutie* ('Dutch society against prostitution', NVP), which was governed by a male-only committee. However its female counterpart, the *Nederlandsche Vrouwenbond tot Verhooging van het Zedelijk Bewustzijn* ('Dutch women's association for the advancement of moral awareness', known as the *Vrouwenbond*), which was established at the instigation of the British social purity campaigner Josephine Butler, also played an important part in the movement's success. The *Vrouwenbond* organized major petitions in 1885 (protesting against the international trade in women after the Maiden Tribute affair in London, in which articles in the *Pall Mall Gazette* supposedly revealed large-scale underage prostitution) and in 1890 (against state-condoned prostitution). They also gave practical support for 'fallen women' and young women in danger of falling prey to prostitution. Van Drenth and De Haan regard the women's abolitionist organization as a feminist organization (that is, aiming for equality between men and women) as it demanded equal moral standards for men and women. De Vries too calls it as the first Dutch political woman's organization.⁵⁷ Nor were men only involved as political campaigners. While the women of the *Vrouwenbond* directed their attention towards the female victims, the all-male *Middernachtzending* ('midnight mission') addressed the male clients. They would stand outside brothels as 'soldiers' to persuade clients not to enter. Members of this activist Protestant organization espoused a militant

⁵⁵ Petra De Vries, "Josephine Butler and the Making of Feminism: international abolitionism in the Netherlands (1870-1914)," *Women's History Review* 17, no. 2 (2008): 259-261; Petra de Vries, *Kuisheid*, 111-119, 123-125; Bossenbroek and Kompagnie, *Mysterie*, 46-71.

⁵⁶ Bossenbroek and Kompagnie, *Mysterie*, 197-252; Petra de Vries, *Kuisheid*, 260-265; Gert Hekma, *Homoseksualiteit, een medische reputatie. De Utdoktering van de Homoseksueel in Negentiende-eeuws Nederland* (Amsterdam: Uitgeverij SUA, 1987), 128-213; Koenders, *Christelijk Réveil*, 150-169.

⁵⁷ Van Drenth and De Haan, *Caring Power*, 46-47, 149-150; Petra de Vries, *Kuisheid*, 83-88, 93-136; Petra de Vries, "Josephine Butler," 265-267; Martin Bossenbroek and Jan H. Kompagnie, "De Stille Trom der Vrouwenzusters. De Vrouwenbond en de Strijd tegen de Bordeelprostitutie," *Leidschrift* 14, no. 1 (1998): 23-44.

form of chivalrous masculinity that is reminiscent of the chivalry of the temperance groups.⁵⁸

As social purity campaigners started to achieve their abolitionist objectives, they widened their scope to encompass the moral threats to unprotected single young women. From the turn of the century, there was a growing focus on trafficking in women, the so-called 'white slave trade'. This was part of an international campaign, with international conferences and treaties to tackle the alleged problem. The typical victim in the Dutch narrative was an innocent young girl travelling alone in an unfamiliar city who was tricked into prostitution by a foreigner. The campaigners were successful in promoting this as a social problem because it tapped into contemporary fears about globalization, expanding transport possibilities and the mobility of young women; moreover, sexual danger was now portrayed as coming from outside the community in the shape of foreign white slave traders. This was a period when large numbers of single, young Dutch women were migrating from the countryside to work in the cities. Concerned about their moral safety, philanthropic women's organizations (including the *Vrouwenbond*) took measures to protect them, setting up women-only lodging houses in cities and organizing 'station ladies' – women posted at major stations to offer help to young women travelling alone. When German maidservants migrated to the Netherlands in large numbers in the interwar years, the same infrastructure was used to protect them from moral danger.⁵⁹

Worries about the young in the interwar years were fuelled by their greater spending power and independence. Cycling, which had previously been a pastime of the middle classes, now became affordable for the lower classes. This brought them freedom and a wider radius of action, as they were no longer tied to the timetables and routes of public transport.⁶⁰ Furthermore, the rise of the cinema and public dance halls made it easier for girls and boys to meet one another without parental supervision. Cinemas and dance halls were also suspect because they were thought to arouse the 'wrong' urges. Local authorities tackled these problems by introducing age limits and banning films.⁶¹ As De Koster has shown in her discussion of the same phenomenon in Belgium, there were class and gender aspects to these concerns: the main target was working-class girls. They were thought by philanthropists to be too attracted to entertainment and fashionable clothes,

⁵⁸ Rudolf Dekker, "De Middernachtzending, een buitenparlementaire actiegroep," in *Criminaliteit in de Negentiende Eeuw*, ed. J.E.A. Boomgaard et al. (Hilversum: Historische Vereniging Holland & Uitgeverij Verloren, 1989), 109-113; Koenders, *Christelijk Réveil*, 85-86.

⁵⁹ Petra de Vries, *Kuisheid*, 111; Van Drenth and De Haan, *Caring Power*, 152-156; Barbara Henkes, "Gedreven door nood of avonturenlust? Mobiliteit en respectabiliteit van jonge, ongehuwde vrouwen in de eerste helft van de twintigste eeuw," in *Jaarboek voor Vrouwengeschiedenis no. 21, 'Gaan en Staan'*, ed. Barbara Henkes et al. (Amsterdam: Stichting Beheer IISG, 2001), 123-154.

⁶⁰ Harry Oosterhuis, "Cycling, modernity and national culture," *Social History* 41, no. 3 (2016): 236-245.

⁶¹ Cas Wouters, *De jeugd van tegenwoordig. Emancipatie van liefde en lust sinds 1880* (Amsterdam: Athenaeum, 2012), 66-67; Andre van der Velden, Fransje de Jong, Thunnis van Oort, "De bewogen beginjaren van de Nederlandsche Bioscoop Bond, 1918-1925," *Tijdschrift voor Mediageschiedenis* 16, no. 2 (2013): 24.

and to be prepared to have sex in return for these material rewards. They were both vulnerable and a danger to public morals.⁶²

Another target group for philanthropists was the unmarried mother, who was increasingly seen as a victim of male sexuality rather than a promiscuous seductress. The social purity lobby opposed birth control, which was thought to encourage promiscuity. The 1911 Morality Act included articles making it easier to prosecute abortionists and restricting the provision of abortifacients, contraceptives and information on birth control.⁶³ It might be expected that the increasingly vocal rejection of abortion and contraceptives for encouraging sex outside of marriage would be accompanied by increasing condemnation of unmarried mothers, but the reality was more complicated. In a study of abortion policies in early twentieth-century France, Fabrice Cahen has argued that it is important to look beyond the repressive measures imposed through the judicial system and see the broader picture. In France, the moral crusade was fought on many fronts, with financial incentives for having babies and homes for unmarried mothers as well as prosecutions of abortions.⁶⁴ The same could be said of the Netherlands. From the late nineteenth century, philanthropic organizations were set up to help unmarried mothers, providing homes where they could stay, arranging adoptions and giving financial support.⁶⁵ These were often women's organizations with the avowed aim of helping their less fortunate sisters, an example being the *Vereeniging Onderlinge Vrouwenbescherming* ('society for the mutual protection of women'), founded in 1897. In the terminology of Van Drenth and De Haan, these constituted a women's movement, in which women work on behalf of other women based on a notion of sisterhood.⁶⁶ At the same time, the men who had made the single women pregnant were being called upon to take responsibility for their action. This was the thinking behind the campaign for a new paternity law. In the nineteenth century, investigations into the paternity of an illegitimate child were forbidden by law in the Netherlands. The prohibition was intended to protect marriage as an institution. Underpinning it was a view of the unmarried woman as a temptress seducing the man rather than being seduced by him. From the 1870s there was increasing criticism of this law from feminists, socialists and evangelical Christians – the same groups who were campaigning for the abolition of prostitution. Indeed, their view was that the two problems were closely related. Unmarried

⁶² Margot De Koster, "Los van God, gezin en natie. Problematisering en criminalisering van ongeoorloofde seks en jonge vrouwen in de vroege twintigste eeuw.," in *De Levenskracht der Bevolking. Sociale en Demografische Kwesties in de Lage Landen tijdens het Interbellum*, ed. Jan Kok and Jan Van Bavel (Leuven: Leuven University Press, 2010), 355-384; Wouters, *Jeugd van tegenwoordig*, 59.

⁶³ Petra de Vries, *Kuisheid*, 197-201.

⁶⁴ Cahen, "La lutte," 114-116.

⁶⁵ For example, *Vereeniging Onderlinge Vrouwenbescherming*, founded in 1897, *Beth Palet Vereeniging tot redding van gevallen*, founded in around 1880, and *Nederlandsche Vrouwenbond tot Verhoging van het Zedelijke Bewustzijn*, founded in 1884. In 1930, a federation of organizations supporting unmarried mothers was established: *Nederlandse Federatie van Instellingen voor de Ongehuwde Moeder en haar kind*. Resources.huygens.knaw.nl, accessed 15 March 2017.

⁶⁶ Van Drenth and De Haan, *Caring Power*, 46.

mothers were the victims of male sexuality and the double sexual standard, and their male seducers should be held to account. In 1909 a paternity law was passed that made it easier for single mothers to obtain financial support.⁶⁷

The social purity movement enjoyed wide public support and the backing of politicians. The abolitionist campaign was a broad coalition of evangelical and Catholic Christians, socialists and feminists. Importantly, it involved both men and women, from different ranks in society. By the early twentieth century, social purity organizations were firmly embedded in civil society. They had large memberships, received government subsidies and had close personal links with key politicians, who themselves often held official positions in these organizations.⁶⁸ Social purists did not agree on everything. Socialists, for example, primarily saw prostitution in class terms as the exploitation of poor, working-class women by middle- and upper-class men, whereas Christians saw it more in moral terms. But they were all essentially agreed on promoting a new understanding of male sexuality in which men were expected to exercise self-control. This was associated with the greater importance now attached to the family and the man's role as the protector of his wife and children, as is discussed in the following section.

2.3 Women and children in the family

The first section in this chapter described the increasing prosperity of working households. This was accompanied by the spread of the male breadwinner model to all strata of society, which brought about what Anne Parrella terms a "reordering of family relationships".⁶⁹ Women and children became economically dependent on the male head of the household, and the home changed from a productive unit into a domestic haven meeting affective needs.⁷⁰ At the same time, family matters entered the political arena to an unprecedented degree. Marriage law, women's work and the protection of children were all the subject of political debate. By taking part in this debate, women acquired a voice in the public sphere even as their economic citizenship was curtailed. This section first considers the legal and economic position of married women before turning to the position of children and adolescents.

⁶⁷ Selma L. Sevenhuijsen, *De orde van het vaderschap. Politieke debatten over ongehuwd moederschap, afstamming en het huwelijk in Nederland, 1870-1900* (Amsterdam: Stichting beheer IISG, 1987); Petra de Vries, "Duel met Hendrik Pierson"; Ulla Jansz, *Denken over sekse in de eerste feministische golf* (Amsterdam: Sara/Van Gennep, 1990), 47-49, 87-88.

⁶⁸ Koenders, *Christelijk Réveil*, 88, 129, 189-190, 209; Bossenbroek and Kompagnie, "Stille trom," 36.

⁶⁹ Anne Parrella, "Industrialization and Murder: Northern France, 1815-1904," *The Journal of Interdisciplinary History* 22, no. 4 (1992): 633.

⁷⁰ De Regt, *Arbeidersgezinnen en beschavingsarbeid*, 91-100. This process started in the middle class, as has been described by Tosh and Davidoff and Hall for the British case: John Tosh, *A Man's Place. Masculinity and the Middle-Class Home in Victorian England* (New Haven: Yale University Press, 1999); Leonore Davidoff and Catherine Hall, *Family Fortunes. Men and women of the English middle class 1780-1850*, rev. ed. (London: Routledge, 2002).

Married women

There are two ways of looking at married women's legal and economic position between 1880 and 1930. One is to consider the changes in the laws and regulations. This paints a negative picture. Marriage law placed women in a dependent position and this remained the case with only minor improvements until after the Second World War. Increasing restrictions were placed on women's work, making them economically dependent too. Another perspective is to consider the debate on the marriage law and married women's work. From this perspective, Dutch feminists acquired a voice in the political arena by broaching these issues, agitating for reform and opposing proposed restrictions.⁷¹ Feminist organizations campaigning for equal rights and suffrage began to appear in the Netherlands from around 1890. The campaign for the vote was ultimately successful: the constitutional barrier to women voting was removed in 1919 and women were able to take part in national elections for the first time in 1922. Women also began to take seats on local municipal councils in the interwar period.⁷² The feminist movement and women's political representation ensured that women's viewpoints were increasingly heard in the debates about family matters.

Feminists' complaints about the marriage law were directed at wives' lack of control over their own earnings and lack of say over their children's upbringing.⁷³ Dutch wives were legally dependent on their husbands. Under Dutch law, a woman became incompetent to act in law (*handelingsonbekwaam*) on marriage, although she had a delegated right to make household purchases. The husband had marital authority, which meant that he had ultimate responsibility for decisions about their children's upbringing and about where the family should live, among other things. The wife had a duty of cohabitation, that is she was required by law to live with him. In return, the husband had a duty to protect and provide for his family.⁷⁴ The extent of women's dependency in practice is however open to question. Much of the work on marriage law has been by legal historians. De Regt's social-history study of working-class families shows that wives often had full control of household finances and it was generally the wife who arranged savings accounts and burial insurance.⁷⁵

Divorce was possible but uncommon. The permitted grounds for divorce included adultery and severe physical abuse. Amicable divorce became easier in 1883 following a ruling by the Supreme Court enabling divorce on the grounds of adultery to be granted if

⁷¹ Jansz, *Denken over sekse*, 86-88, 124; Corrie Van Eijl, *Het werkzame verschil. Vrouwen in de slag om arbeid. 1898-1940*. (Hilversum: Verloren, 1994), 222-229, 276-278.

⁷² Jansz, *Denken over sekse*, 75-78; Margit van der Steen, "'Het was het nieuwe geluid dat gehoord werd.' De betekenis van de Pacificatie voor de emancipatie van vrouwen" (lecture, conference '100 jaar Pacificatie 2017-2017', Upper Chamber of the States General, 29 November 2017).

⁷³ Jansz, *Denken over sekse*, 124, 159-160.

⁷⁴ Marianne Braun, *De prijs van de liefde. De eerste feministische golf, het huwelijksrecht en de vaderlandse geschiedenis* (Amsterdam: Het Spinhuis, 1992), 15-38.

⁷⁵ De Regt, *Arbeidersgezinnen en beschavingsarbeid*, 74, 78.

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one of the parties failed to turn up or admitted guilt. But other barriers remained. For instance, neither the Catholics nor the orthodox Protestants, who together made up about half the population, recognized divorce.⁷⁶ Accordingly, while there was a slight upward trend, divorce rates remained low throughout the period.⁷⁷

Married women's dependency was all the greater because of their weak position in the labour market. There were few occupations open to them, their work was seen as inherently temporary and pay was much less than for men.⁷⁸ Moreover, married women withdrew from the labour market during this period 1880 to 1930. By the interwar years, the breadwinner husband and full-time housewife was the standard situation for all classes.⁷⁹ However, historians disagree about the reasons for this withdrawal. Poppel, Van Dalen and Walhout see it as the spread of a social norm whereby all families aspired to the ideal of the full-time housewife.⁸⁰ Other historians have argued that rising male wages and social insurance schemes enabled the shift as the wife no longer had to work to support the family.⁸¹ Corinne Boter however sees changes in the economic structure as the key driver for changing labour participation rates among married women.⁸²

Regardless of the reasons underlying married women's actual labour market participation, the issue itself increasingly became a matter for public debate. Married women who worked were seen as neglecting their homes and families, an argument that was already being aired by experts in 1887 in a Parliamentary enquiry into the labour market. This resulted in the 1889 Labour Act (*Arbeidswet*), which restricted the working hours of women and children but not men.⁸³ Further restrictions to married women working were debated at regular intervals between the 1890s and 1930s. The feminist movement took part in these debates through the *Nationaal Bureau voor Vrouwenarbeid* ('national

⁷⁶ Dirk Damsma, *Familiebond. Geschiedenis van het gezin in Nederland* (Utrecht: Kosmos-Z&K, 1999), 111-154; Braun, *Prijs van de liefde*, 39-63; Dirk Jaap Noordam, "Het Nederlandse gezin in de wet en de samenleving," *Pro Memorie* 2, no. 2 (2000): 288-301.

⁷⁷ Matthijs Kalmijn, Sofie Vanassche, and Koenraad Matthijs, "Divorce and Social Class During the Early Stages of the Divorce Revolution: Evidence from Flanders and the Netherlands," *Journal of Family History* 36, no. 2 (2011): 161-162.

⁷⁸ Marlou Schrover, "Gender en etniciteit. Overeenkomst en verschil in historisch perspectief," in *Jaarboek voor Vrouwengeschiedenis no. 21, 'Gaan en Staan'*, ed. Barbara Henkes et al. (Amsterdam: Stichting Beheer IISG, 2001), 180-207.

⁷⁹ Van Eijl gives participation rates for married women of 5 per cent in 1920 and 6 per cent in 1930: Van Eijl, *Het werkzame verschil*, 55. However, official figures must be considered an underestimate as the census failed to capture many forms of female labour, for example involvement in family businesses and in agriculture. For a discussion of married women's hidden work, see: Boter, "Dutch Divergence?" 73-96.

⁸⁰ Frans W.A. Poppel, Hendrik P. Van Dalen, and Evelien Walhout, "Diffusion of a social norm: tracing the emergence of the housewife in the Netherlands, 1812-1922," *Economic History Review* 62, no. 1 (2009): 99-127.

⁸¹ Van Eijl, *Het werkzame verschil*, 63-64; De Regt, *Arbeidersgezinnen en beschavingsarbeid*, 66.

⁸² Boter, "Dutch Divergence?" 175-177.

⁸³ Ulla Jansz, "Sociale kwestie en sekse in de politieke geschiedenis. De arbeidswet van 1889," in *Op het strijdtoneel van de politiek. Twaalfde jaarboek voor vrouwengeschiedenis*, ed. Marjan Schwegman et al. (Nijmegen: SUN, 1991), 70-90.

bureau for women's work', founded in 1901).⁸⁴ Despite their efforts, bans on married women's work were implemented for specific professions (notably teachers and civil servants), certain factories and certain municipalities.⁸⁵

Criticisms of married women's work went hand in hand with a 'cult of domesticity'. This increased the pressure on women to devote more time to the home. The neat, welcoming home was a weapon against men's drinking, deterring them from resorting to the pub after work, and against delinquent behaviour by their children, deterring them from spending all their time on the streets. Housewives were expected to meet higher standards of cleanliness and hygiene, and mothers to feed, clothe and raise their children appropriately. These high standards were imposed on working-class families by housing corporation supervisors, charity workers and poor board officials.⁸⁶

Children

Children were at the heart of the domestic ideal. Throughout the Western world, three key interrelated developments changed the nature of childhood during this period: the removal of children from the labour market and into schools, the substitution of affective family ties for economic family ties, and increasing state intervention in family life. Underlying these developments was a new ideology of childhood. Under the influence of Romanticism, childhood came to be construed in the nineteenth century as a separate phase in life. It was seen as a time of innocence and dependency when children could be free to play and learn, protected from the harsh reality of the adult world. From the late nineteenth century onwards, governments and philanthropists developed child-oriented policies aimed at rescuing "children for the enjoyment of childhood".⁸⁷ There was a class element to these policies, as they were designed to give the children of the poor the same carefree childhood that middle-class children had long enjoyed.⁸⁸ This public action led Ellen Key in 1900 to herald the twentieth century as the Century of the Child. The extent to which conditions actually improved for children is open to question; initiatives to reform and protect children at risk could, for example, result in more children being institutionalized for lengthier

⁸⁴ Van Eijl, *Het werkzame verschil*, 107-154; Bosch, "Domesticity, Pillarization and Gender," 279-283.

⁸⁵ Van Eijl, *Het werkzame verschil*, 256-298; Jan van Bavel and Jan Kok, "Uitstel en afstel van ouderschap tijdens het interbellum in Nederland," in *De Levenskracht der Bevolking. Sociale en Demografische Kwesties in de Lage Landen tijdens het Interbellum*, ed. Jan Kok and Jan Van Bavel (Leuven: Leuven University Press, 2010), 197-227.

⁸⁶ Els Kloek, *Vrouw des Huizes. Een Cultuurgeschiedenis van de Hollandse Huisvrouw* (Amsterdam: Balans, 2009), 154-157; De Regt, *Arbeidersgezinnen en beschavingsarbeid*, 143-239; Berteke Waaldijk, "Personeel van sociale instituties. Over het verband tussen vrouwenbeweging en maatschappelijk werk," *BMGN* 130, no. 2 (2015): 51-56.

⁸⁷ Cunningham, *Children and Childhood*, 137.

⁸⁸ Cunningham, *Children and Childhood*, 137-140; Harry Hendrik, *Children, childhood and English Society 1880-1990* (Cambridge: Cambridge University Press, 1997), 9-15.

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periods.⁸⁹ Looking back in 2000, Jeroen Dekker concludes it is more accurate to call it the Child-oriented Century, focused on the child but not exclusively for the benefit of the child.⁹⁰

In the Netherlands, policies were enacted to restrict children's labour, ensure their education and protect them from inadequate parents. The first step in the removal of children from the labour market was the 1874 Children's Act (*Kinderwet*), which banned children under the age of 12 from working in factories. However, it was largely ineffective as no inspectorate was set up to enforce it. That was remedied in the 1889 Labour Act. Its scope was wider, banning all work by children under the age of 12 except on farms and restricting labour by teenagers. Crucially, a Labour Inspectorate was set up.⁹¹ Then in 1901, the Compulsory Education Act (*Leerplichtwet*) came into effect, making six years of schooling mandatory for all children. Although the practical impact was limited as by that time most children were already attending primary school anyway, it established the principles that education was for all children regardless of income and social status, and that the state could intervene to enforce this.⁹²

Historians have argued that the removal of children from the labour market changed the nature of parent-child relationships. When children were workers too, families were organized according to notions of reciprocal rights and responsibilities: they were expected to contribute through their wages and through work around the house. As children's economic contribution declined in importance, the balance shifted from instrumental to more emotional relationships. They became "economically 'worthless' but emotionally 'priceless'".⁹³ This was reinforced by the decline in family size and infant mortality. Parents were now able to spend more time and bestow more affection on individual children. Moreover, as housing conditions improved, children began to spend less time on the streets and more time in the home. However, this concept of an emotionalization of family life has its critics. Dorien Campfort finds that Belgian parents continued to describe their children's importance in terms of their economic contributions until into the twentieth century. Also, as Hendrick writes, it is not clear that the earlier instrumental relationship based on

⁸⁹ Margo De Koster, "Jongeren en criminaliteit. Een lange geschiedenis van de Middeleeuwen tot heden," *Tijdschrift voor Criminologie* 52, no. 3 (2010): 315-316; Heather Shore, "'Inventing' the juvenile delinquent in nineteenth-century Europe," in *Comparative Histories of Crime*, ed. Barry Godfrey, Clive Emsley, and Graeme Dunstall (Abingdon: Routledge, 2012), 116-118.

⁹⁰ Jeroen J.H. Dekker, "The Century of the Child revisited," *International Journal of Children's Rights* 8, (2000): 143-146.

⁹¹ Bakker, Noordman, and Rietveld-van Wingerden, *Vijf eeuwen*, 240-242.

⁹² Bakker, Noordman, and Rietveld-van Wingerden, *Vijf eeuwen*, 575-577, 603.

⁹³ Hendrik, *Children*, 10

economic considerations “can be taken to be exclusive of other more ‘affectionate’ attendant practices”.⁹⁴

If young children were being removed from the labour market and put into schools, the situation was different for teenagers. Few Dutch working-class children continued their education beyond the minimum school leaving age. In 1930, only 17 per cent of children aged 12 to 18 attended some kind of full-time secondary education.⁹⁵ Teenagers were expected to find work and contribute their wages to the family budget. This could be a source of tension within the family. Children generally continued to live with their parents until they got married, and as they grew older, conflicts could arise about the amount of money they could keep for their personal expenditure. The wages of teenagers and young adults also gave them more power within the family in relation to the father as the main breadwinner, who could feel threatened by this.⁹⁶

A particular cause for concern for parents — and opinion-makers — was the kind of work suitable for daughters. Single young women were much in demand in the labour market, as many of the expanding sectors made extensive use of female labour. Whereas before they had worked mainly as maids hidden from view in private homes, now they were increasingly employed in factories, shops, in clerical positions and in teaching.⁹⁷ Factory work, where teenage girls made up a high proportion of the female workers, was particularly contentious. Young girls were thought to pick up bad language and be exposed to inappropriate sex talk. There were fears about the morally debilitating effects of working at close quarters with men and about the risk of sexual harassment. Factory employers tried to combat these complaints by providing separate areas for women workers and appointing female supervisors. But young female factory workers were cheap and therefore popular with employers. Indeed, much of the opposition to female employment came from male workers and their unions who thought the women were undercutting men’s wages and providing unfair competition.⁹⁸

⁹⁴ Hendrik, *Children*, 20; Cunningham, *Children and Childhood*, 155; Dorien Campforts, “‘Son excuse est dans sa jeunesse’. Jongeren en jeugddelinquentie in het Gentse Quartier de Discipline vanuit een gezinsperspectief, 1887-1921,” *Tijdschrift voor Sociale en Economische Geschiedenis* 12, no. 1 (2015): 31-52.

⁹⁵ Bakker, Noordman, and Rietveld-van Wingerden, *Vijf eeuwen*, 641.

⁹⁶ De Regt, *Arbeidersgezinnen en beschavingsarbeid*, 130-133; Megan Doolittle, “The Duty to Provide: Fathers, Families and the Workhouse in England, 1880-1914,” in *The Welfare State and the ‘Deviant Poor’ in Europe, 1870-1933*, ed. Beate Althammer, Andreas Gestrich, and Jens Gründler (Basingstoke: Palgrave Macmillan, 2014), 64.

⁹⁷ Van Eijl, *Het werkzame verschil*, 46-48, 55; Greet Kooij and Gerard Pley, “Principe en profijt. Drie kwesties rond vrouwenarbeid in de Nederlandse sigarenindustrie tijdens het Interbellum,” in *Vijfde Jaarboek voor Vrouwengeschiedenis*, ed. Jeske Reys et al. (Nijmegen: Socialistische Uitgeverij, 1984), 63-90; Nelleke Bakker, “Een mooi beroep voor een meisje. Onderwijzeressen tijdens het Interbellum,” in *Jaarboek voor Vrouwengeschiedenis*, ed. Josine Blok et al. (Nijmegen: Socialistiese Uitgeverij, 1982), 98-128; Gertjan de Groot and Marlou Schrover, “Between Men and Machines: Women Workers in New Industries, 1870-1940,” *Social History* 20, no. 3 (1995): 279-296.

⁹⁸ Angelique Janssens and Ben Pelzer, “Did Factory Girls Make Bad Mothers? Women’s Labor Market Experience, Motherhood and Children’s Mortality Risks in the Past,” *Biodemography and Social Biology* 58, no.

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In the eyes of philanthropists, the parental home too could be a source of moral danger for the young and they agitated for child protection legislation. After 1905, children and teenagers who were considered morally 'neglected' could be removed from their parents' custody under the Children's Acts (*Kinderwetten*) and placed in an institution or with a private family.⁹⁹ This was one example of a swathe of legislation passed by Western countries around the turn of the century to protect children from maltreatment by their parents, including in Britain in 1889 (the Children's Charter), in France in 1898 and in Belgium in 1912.¹⁰⁰ The Dutch legislation was based on an 1898 advisory report by the philanthropic organization *'t Nut*, which looked at child protection measures in other countries in order to draw lessons. But the Dutch laws did not simply replicate foreign legislation; the focus in the Netherlands was on moral dangers rather than physical abuse and neglect as in Britain and France. The Children's Acts stipulated that parents could lose custody of their child if there was a threat of the child's "moral or physical ruin" (*zedelijke of lichamelijke ondergang*), but physical maltreatment was thought to be rare in the Netherlands and barely played any role in the Dutch debate.¹⁰¹ The key concept in the Dutch child protection campaign was *verwaarlozing*. This translates as "neglect", but it was in fact a broad and usually undefined term that referred to a morally negligent upbringing. It evoked images of children who skipped school and were sent out to beg or steal while their parents drowned themselves in alcohol. These children had to be helped, it was argued, as they were potential criminals; the campaign, which involved both lawyers and philanthropists, was informed by a view that juvenile crime was largely the result of bad parenting. Thus, the Dutch legislation blurred the dangerous child and the endangered child. This is evident from the fact that the Children's Acts combined a civil-law act for the protection of maltreated children and a criminal-law act on the treatment of juvenile offenders.¹⁰²

The child protection legislation gave an impetus to state intervention in working-class families and the removal of children from their homes. The number of institutions of various kinds increased, becoming an archipelago of more than 250 homes around the start

2 (2012): 134-135; De Regt, *Arbeidersgezinnen en beschavingsarbeid*, 122-124; Van Eijl, *Het werkzame verschil*, 322-324, 330-333; Kooij and Pley, "Principe en profijt".

⁹⁹ Bakker, Noordman, and Rietveld-van Wingerden, *Vijf eeuwen*, 462-465.

¹⁰⁰ Behlmer, *Child Abuse*, 78-110; Bourquin, "René Bérenger"; Christiaens, "Belgium's Child Protection Act".

¹⁰¹ Bakker, Noordman, and Rietveld-van Wingerden, *Vijf eeuwen*, 463; R.M. Damen, "Verwaarloosd, mishandeld of crimineel? Onwetendheid over kindermishandeling in Nederland van 1896 tot 1905." (Bachelor's thesis, Leiden University, 2014), 25. Dekker also examines the Dutch legislation from an international perspective but he points to the public-private system and the central role played by Protestant and Catholic institutions as the defining characteristic of the Dutch child protection legislation. Jeroen J.H. Dekker, "Entre Rousseau et péché originel. Le modèle néerlandais de la protection de l'enfance au XIXe siècle," *Revue d'histoire de l'enfance* 5, (2003): 38-42.

¹⁰² Adri van Montfoort, *Het topje van de ijsberg. Kinderbescherming en de bestrijding van kindermishandeling in sociaal-juridisch perspectief* (Utrecht: SWP, 1994), 81-87; Bakker, Noordman, and Rietveld-van Wingerden, *Vijf eeuwen*, 452-457; Damen, "Verwaarloosd?" 9-20; Ido Weijers, "The Debate on Juvenile Justice in the Netherlands, 1891-1901," *European Journal of Crime, Criminal Law and Criminal Justice* 7, no. 1 (1999): 63-78.

of the First World War.¹⁰³ The number of children removed from their homes by the guardianship boards rose from 211 in 1906 to around 11,100 as at the end of 1929. In 1922, a new measure was introduced: preventive supervision in the home. This was intended to reduce the number of children being taken out of the home but in practice it had no effect on this and simply increased the total number of children who came into contact with the child protection apparatus.¹⁰⁴ Thus the Dutch legislation was highly ambiguous in nature: while the state now attached legal consequences to inadequate parenting, it was the children who felt the effects most rather than the negligent parents themselves. And at a time when domesticity and family life was being extolled, more children than ever were being removed from their families and placed in institutions.

The classic literature on the Dutch Children's Acts has seen the legislation as a milestone, taking a Whiggish view of progress in the interests of the child while assuming there was little protection before the acts.¹⁰⁵ Other scholars have been more sceptical. Historians influenced by Foucault and Donzelot see the protection apparatus in terms of expanding the social control of families, in particular among the poor.¹⁰⁶ Dekker however emphasizes the continuity with previous practices and the interests of the institutions themselves in lobbying for the child protection legislation.¹⁰⁷ As in other countries, there was a trend in the nineteenth century towards greater institutionalization of various categories of children. In the criminal justice system, more children were imprisoned and by the end of the century they made up one quarter of the prison population.¹⁰⁸ In the philanthropic sector, new Protestant and Catholic institutions were established to house neglected or abandoned children, while long-established orphanages widened their scope to include neglected children.¹⁰⁹ The philanthropists' motive in campaigning for the child protection legislation was therefore to give a firmer legal basis for an existing practice; children were already being removed from their families and placed in institutions 'voluntarily', for example at the advice of Poor Boards, which were able to exert pressure because they controlled the allocation of benefits. However, the institutions' governors complained that parents could demand their children back before they had been properly

¹⁰³ S. Groenveld, J.J.H. Dekker, and T.R.M. Willemse, *Wezen en boeffjes. Zes eeuwen zorg in wees- en kindertehuizen* (Hilversum: Verloren, 1997), 358-359.

¹⁰⁴ Van Montfoort, *Topje*, 113-116.

¹⁰⁵ This celebratory attitude is reflected in the fact that anniversary publications have appeared every 25 years since 1905. For the most recent publication, see: D. Lechner, *Honderd jaar kindbescherming. Uitgave ter gelegenheid van het jubileum van de Raad voor de Kinderbescherming en de Kinderwetten (1905-2005)* (Amsterdam: B.V. Uitgeverij SWP, 2006).

¹⁰⁶ Van Montfoort, *Topje*, 73-76; Hendrik, *Children*, 39-40.

¹⁰⁷ Jeroen J.H. Dekker, *Straffen, redden en opvoeden* (Assen: Van Gorcum & Comp. BV, 1985), 302-308.

¹⁰⁸ Manon Van der Heijden and Valentijn Koningsberger, "Continuity or Change? The Prosecution of Female Crime in the Eighteenth and Nineteenth Century Netherlands," *Crime, History & Societies* 17, no. 1 (2013): 115-119.

¹⁰⁹ Groenveld, Dekker, and Willemse, *Wezen en boeffjes*, 286-289.

rehabilitated.¹¹⁰ The 1905 Children's Acts gave the institutions the power to reject such demands *and* strengthened their financial position as they now received state funding. Because most institutions were either Protestant or Catholic, this amounted to the consolidation of the Protestant and Catholic pillars' activities in the field of child rescue.¹¹¹

2.4 Private violence and social problems in Britain and the Netherlands

To a large extent, the political debates and philanthropic and state actions described above for the Netherlands were part of transnational movements. Temperance, the white slave trade and child protection were all issues in many industrializing countries, and Dutch campaigners often had contacts with activists in other countries. That includes Britain, the country that has been the subject of most work on family and sexual violence. Yet whereas the British account of private violence revolves around campaigns that constructed this violence as a social problem and agitated for new legislation, that never happened in the Netherlands. Dutch campaigners were more interested in public disorder.

To analyse this requires an understanding of how social problems arise and how they spread across country borders. Joel Best's book on the subject states that social problems are constructed as a subjective response to a certain condition. The process starts with 'claimsmakers', for example activists or experts, making claims about this "troubling condition". The claimsmakers seek to persuade policy-makers to take action. The claimsmakers may do so by obtaining media coverage for their ideas and thereby changing public opinion, or by lobbying policy-makers directly.¹¹² Best also discusses the diffusion of social problems claims to other countries, where they might be adapted with modifications to suit local conditions, or alternatively resisted.¹¹³ The transnational diffusion and its limits have attracted increasing attention from historians of civil-society movements in recent years. With regard to the Netherlands, Maartje Janse has discussed why Dutch abolitionists rejected the methods of the British anti-slavery movement and Mieke Aerts has examined the rejection by Dutch feminists of the radical approach taken by British suffragettes. In both cases, knowledge among Dutch campaigners of British activities did not lead to the transfer of British priorities and methods to the Netherlands.¹¹⁴

¹¹⁰ Addy Schuurman, "Enkele voorbeelden van kinderbescherming in Utrecht voor de totstandkoming van de kindwetten in 1905," *Oud-Utrecht* 0, December 1993, 130-135; Lechner, *Honderd jaar kinderbescherming*, 11-23.

¹¹¹ Groenveld, Dekker, and Willemse, *Wezen en boefjes*, 291-292, 358-361; Jeroen Dekker, "Le modèle néerlandais," 40-41.

¹¹² Best, *Social Problems*, 3-28, 66-67.

¹¹³ Best, *Social Problems*, 304-309.

¹¹⁴ Maartje Janse, "'Holland as a little England'? British anti-slavery missionaries and continental abolitionist movements in the mid nineteenth century," *Past and Present*, no. 229 (2015): 123-160; Mieke Aerts, "'Hollandsche vecht-suffragettes'? Een kwestie uit de geschiedenis van het Nederlandse feminisme," *Low Countries Historical Review* 124, no. 4 (2009): 599-617.

The physical abuse and neglect of children is another example of such imperfect diffusion. In Britain in the 1880s, this phenomenon was defined as a new social problem – cruelty to children. A new organization, the National Society for the Prevention of Cruelty to Children (NSPCC) was established and campaigned for legislation to combat the problem. George Behlmer has described how the organization publicized its activities through its magazine the *Child's Guardian* and by using the newspapers as a forum. In these accounts, the children were depicted as helpless little victims. According to Monica Flegel, the NSPCC portrayed parental abuse as something hidden from view, within the home. Only the NSPCC's inspectors would be able to recognize and deal with it.¹¹⁵ The Dutch child protection campaign in the 1890s adopted the same broad aim of legislation to protect children but gave this a different interpretation, even though the 't Nut report on which the Dutch Children's Acts were based specifically analysed the British situation. Physical cruelty within the home was assumed to be rare in the Netherlands, and the real problem was considered to be the public disorder caused by 'neglected' and potentially criminal children in the streets.

Wife-beating too was constructed as a social problem in Britain but not the Netherlands. In the mid-nineteenth century, the British reformers Harriet Taylor and John Stuart Mill were publicizing wife-beating among the poor and criticizing the judicial leniency towards the offenders. This subject was taken up again by feminists including Frances Power Cobbe thirty years later. Her article 'Wife-torture in England' has been credited as a key factor in the 1878 Matrimonial Causes Act, which enabled abused wives to obtain separation and maintenance payments. Further pressure for reform from feminists and activists led to new legislation in 1895 extending the circumstances in which women could be granted separation from abusive husbands.¹¹⁶ Changes to the marriage law were an important aim for Dutch feminists but they were primarily interested in achieving a more equal distribution of rights and duties within marriage rather than facilitating separation. Domestic violence played no role in their arguments.¹¹⁷ The Dutch temperance movement was potentially another forum for identifying wife-beating as a social problem but in practice the 'demon drink' was deprecated mainly for causing poor health and penury for the family; domestic violence was not seen as a major issue.¹¹⁸

Infanticide was another "condition" that became a social problem in Britain but not in the Netherlands. In the 1860s, the medical doctor Edwin Lankester caused a stir by claiming through the pages of *The Times* that thousands of infanticides were being

¹¹⁵ Behlmer, *Child Abuse*, 82-83; Monica Flegel, "Changing faces: the NSPCC and the use of photography in the construction of cruelty to children," *Victorian Periodicals Review* 39, no. 1 (2006): 4-6.

¹¹⁶ Hammerton, *Cruelty and Companionship*, 52-67; Susan Hamilton, "Frances Power Cobbe," 441-443; Olive Anderson, "State, Civil Society and Separation in Victorian Marriage," *Past & Present*, no. 163 (1999): 165.

¹¹⁷ Jansz, *Denken over sekse*, 92-3, 124.

¹¹⁸ Van der Stel, *Drinken, drank en dronkenschap*, 169; Dols, *Katholieke drankbestrijding*, 40, 60.

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committed every year in London.¹¹⁹ Infanticide was in the news again in 1921, when the conviction of Edith Roberts for infanticide prompted a campaign led by local newspapers. This eventually led to the 1922 Infanticide Act, whereby infanticide was effectively treated as manslaughter rather than murder.¹²⁰ In the Netherlands, the plight of single mothers received increasing attention from philanthropists and women's organizations, as was noted above. However, the problem of infanticide was never a prominent aspect of their discourse.¹²¹

Child sexual abuse is the final example of a condition that was turned into an issue by British philanthropists but not by the Dutch. In Britain, moral entrepreneurs campaigned to raise the age of consent and protect young girls. In 1885, that campaign drew international attention through the publication by W.T. Stead in collaboration with Josephine Butler of a series of articles entitled 'The Maiden Tribute of modern Babylon' in the *Pall Mall Gazette* on under-age prostitution. This coupled with mass rallies around the country helped bring about the successful passage of the 1885 Criminal Law Amendment Act with new age-of-consent legislation.¹²² Louise Jackson argues that although the campaign presented the problem as one of juvenile prostitution, the details of the debates show that "the sexual assault of children, by fathers, neighbours or employers as well as by strangers, was an issue of concern"; this was reflected in the activities of child rescue organizations.¹²³ Dutch abolitionists campaigning against prostitution had close contacts with Butler and were aware of the 'Maiden Tribute' affair. Yet the Dutch philanthropists were almost completely silent on the subject of child sexual abuse in any form other than juvenile prostitution. Incest was regarded as a rare event.¹²⁴

To summarize, parental cruelty to children, wife-beating, infanticide and child sexual abuse were all constructed as social problems at some point by claimsmakers in Britain. This led to media coverage, public debates and policy changes. In the Netherlands on the other hand, private violence was never politicized in this way. Dutch philanthropists focused on *public* disorder, for example due to drink, prostitution by 'public women', and morally neglected children. There is evidence that they assumed violence within the home was unusual in the Netherlands. This inevitably affected the media discourse, as will be discussed in the following chapters. Whereas in Britain, claimsmakers used the media to draw attention to private violence, there were no equivalent activists in the Netherlands to

¹¹⁹ Goc, *Women, Infanticide*, chap. 3.

¹²⁰ Goc, *Women, Infanticide*, chap. 6; Grey, "Discourses of Infanticide," 120-143.

¹²¹ Although it could be mentioned as one of the many undesirable consequences of the double sexual standard, see: Petra de Vries, *Kuisheid*, 173-174.

¹²² Judith R. Walkowitz, *City of Dreadful Delight. Narratives of Sexual Danger in Late Victorian London* (Chicago: University of Chicago Press, 1992), chap. 3;

¹²³ Louise A. Jackson, *Child Sexual Abuse*, 15-16; Louise A. Jackson, "'Singing Birds as well as Soap Suds': The Salvation Army's Work with Sexually Abused Girls in Edwardian England," *Gender & History* 12, no. 1 (2000): 107-126.

¹²⁴ Petra de Vries, *Kuisheid*, 211-212; Van Drenth and De Haan, *Caring Power*, 146-152.

publicize family and sexual violence. The theme of difference with respect to other countries is continued in the next section, which looks at the Dutch criminal justice system and its distinctive features when compared with Britain and other European and Anglo-Saxon countries.

2.5 Criminal justice system

It is argued in this study that the discourse on private violence and gender was affected by the legal system, in particular the punishment regime and the degree of involvement of laypeople and forensic experts alongside lawyers. In both regards, the Dutch criminal justice system differed from that in Britain and the other European and the Anglo-Saxon countries that have been the subject of much of the historiography on crime and gender. In particular, there was no death penalty and there were no juries. However, the Dutch system also changed between 1880 and 1930, with a shift to punishments tailored to fit the individual criminal and with a greater role for psychiatric evidence. This had implications for the influence of gender on the treatment of the accused, as is discussed below.

The Netherlands had (and has) a continental system similar to that of France and Belgium with a codified law and inquisitorial procedure, rather than the common law system and accusatorial procedure of countries such as Britain, the US and Australia. This system was introduced during the French Occupation. The Netherlands used the French Penal Code (*Code Pénal*), introduced in 1811, until it was finally replaced by a new Criminal Code (*Wetboek van Strafrecht*) in 1886.¹²⁵ If a possible offence was detected, the public prosecutor was in charge of the preliminary investigation by the police and also decided whether to take the case to trial. Up to 1886, serious crimes (*misdrifven*) were tried in provincial courts (*gerechtshoven*) and minor crimes (*wanbedrijven*) in district courts (*rechtbanken*). After 1886 the district courts became the court of first instance for all crimes and the provincial courts were only used for appeals.¹²⁶ Unlike Belgium and France, the Netherlands had no jury system. Juries were introduced by the occupying French regime in 1811 but were abolished in 1813 after the country's liberation from the French.¹²⁷ In the trial, a panel of judges actively investigated the case, questioning witnesses and the defendant in an endeavour to discover 'the truth' in the public interest. The defence and public prosecutor had a supporting role in the proceedings. The judges then convened in private to decide on a sentence, which was generally announced one or two weeks after the trial.¹²⁸ Trials were in principle open to the public, but the court could make an exception,

¹²⁵ A.G. Bosch, *Ontwikkeling van het strafrecht*, 79-120; Marijke Malsch, "Een transparanter strafrechtssysteem in Nederland? Mogelijkheden en onmogelijkheden van meer openbaarheid," in *Speelruimte voor transparantere rechtspraak*, ed. Dennis Broeders et al. (Amsterdam: Amsterdam University Press, 2013), 271.

¹²⁶ A.G. Bosch, *Ontwikkeling van het strafrecht*, 37-48.

¹²⁷ Van Ruller and Faber, *Afdoening van strafzaken*, 27-45.

¹²⁸ Eggens, "Van daad tot vonnis," 56-59; A.J. Blok and L.C. Besier, *Het Nederlandsche Strafproces. Tweede deel* (Haarlem: H.D. Tjeenk Willink, 1925), 167-169.

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for example in the interests of public morals. In the period under review, this was standard practice for all sexual offences, which were almost invariably tried *in camera*.¹²⁹

The Penal Code was a product of the Enlightenment and based on the principles of equivalence (equivalent crimes should be treated the same) and proportionality (the sanction should be in proportion to the crime). The main aim of punishment was retribution. Underlying this was an assumption of crime as a moral failing and the individual offender's guilt and responsibility for their actions.¹³⁰ Minimum and maximum sentences were defined for each crime, leaving limited room for the discretion of the courts. The death penalty had been abolished in 1870 and other corporal punishments before that. The only possible sanctions as of 1870 were fines or incarceration. From the mid-nineteenth century, imprisonment took the form of solitary confinement as it was believed this would encourage prisoners to think about what they had done, realize the error of their ways and change their behaviour.¹³¹

While the 1886 Criminal Code still embodied this classical approach to criminal justice, the decades that followed saw an increasing emphasis on rehabilitation of the criminal and the protection of society rather than retribution.¹³² In the final decades of the nineteenth century, new ideas appeared in Europe about the causes of criminal behaviour in the young science of criminology. In 1876, Lombroso published his *L'uomo delinquente*, launching the notion of the born criminal, a throwback to more primitive times. He backed up his theory with skull measurements of criminals and primitive tribes. Lombroso's work was challenged by a French school that believed crime was the result of social conditions. Despite these differences between the schools, the criminologists were united by their determinism: whether the criminal was born or made, first there was the criminal and then there was the crime.¹³³ These new criminological ideas influenced thinking among lawyers in the Netherlands. This coalesced in a movement known as the *Nieuwe Richting*, or New Direction. The New Direction lawyers felt the main aim of the criminal justice system should be to protect society. This could best be achieved by distinguishing between different kinds of criminals and treating them accordingly. In the case of corrigible criminals, the focus should be on reform, whereas lengthy incarceration was more appropriate for incorrigible criminals and repeat offenders. The New Direction movement grew in influence from the

¹²⁹ Malsch, "Transparanter strafrechtssysteem?" 267-268; Blok and Besier, *Het Nederlandsche strafproces*, 26-34.

¹³⁰ A.G. Bosch, *Ontwikkeling van het strafrecht*, 69-78.

¹³¹ Herman Franke, *Twee eeuwen gevangen. Misdad en straf in Nederland* (Utrecht: Het Spectrum, 1990), 265-338; Hoekstra, *Hart van de natie*, 21-58.

¹³² Harry Oosterhuis, "Treatment as punishment: forensic psychiatry in the Netherlands (1870-2005)," *International Journal of Law and Psychiatry* 37, (2014): 39.

¹³³ Clive Emsley, *Crime, police, & penal policy. European experiences 1750-1940* (Oxford: Oxford University Press, 2007), 188-193; David Garland, "The Criminal and his Science. A Critical Account of the Formation of Criminology at the End of the Nineteenth Century," *British Journal of Criminology* 25, no. 2 (1985): 109-137; Franke, *Twee eeuwen gevangen*, 451-538.

1890s.¹³⁴ Evidence of this is seen in the introduction of the suspended sentence in 1915 and in the 1901 criminal-law Children's Act, in which juveniles could be given a reprimand or sent to various types of state reformatory depending on whether they were judged to be opportunistic offenders or serious delinquents.¹³⁵

The new ideas on crime and punishment also affected how the law dealt with mentally ill offenders. Under the 1811 Penal Code and 1886 Criminal Code, if the perpetrator was fully insane at the time of the incident and therefore not responsible for their acts (*ontoerekenbaar*), no crime was deemed to have taken place. In such cases, the perpetrator could then be committed to a mental asylum. For most of the nineteenth century judges made little use of this option. The number of insanity rulings only started to increase in the 1890s.¹³⁶ This reflected the increasing involvement of psychiatrists in criminal court cases, largely at the instigation of New Direction lawyers.¹³⁷ But there was still the question of what to do with mentally deficient perpetrators who were not fully insane. According to the adherents of the New Direction, this category of perpetrator was particularly prevalent among habitual criminals who committed minor offences such as theft. The short prison sentences applicable for such crimes were not effective for these offenders with diminished responsibility (*verminderd toerekeningsvatbaar*). Instead, it was believed that they should be sent to specialized forensic asylums. This viewpoint was put into practice in the 1925 Psychopath Acts (*Psychopatenwetten*), which came into effect in 1928. The new legislation was explicitly founded on the principle of protecting society: offenders with diminished responsibility who constituted a danger to public order could be interned in a 'psychopath' asylum for a period of up to two years (a measure known as 'TBR' or *terbeschikkingstelling van de regering*). This internment could be extended indefinitely, for two years at a time, by the public prosecutor on the advice of a doctor. The offender in question had no right of appeal. Thus, while this internment was officially a measure aimed at rehabilitation, it could in practice be a harsh sanction for relatively minor offences.¹³⁸

¹³⁴ Franke, *Twee eeuwen gevangen*, 451-538; D.T.D. de Ridder, "Voorlichting van de psychiater aan de strafrechter rond de eeuwwisseling: diagnose of vonnis," in *Ziek of schuldig? Twee eeuwen forensische psychiatrie en psychologie*, ed. F. Koenraadt (Arnhem: Gouda Quint, 1991), 35-48; Harry Oosterhuis and Marijke Gijswijt-Hofstra, *Verward van geest en ander ongerief. Psychiatrie en geestelijke gezondheidszorg in Nederland (1870-2005). Vol 1* (Houten: Bohn Stafleu van Loghum, 2008), 223-238.

¹³⁵ Bakker, Noordman, and Rietveld-van Wingerden, *Vijf eeuwen*, 463-465; Weijers, "Debate on Juvenile Justice", 63-78; Franke, *Twee eeuwen gevangen*, 609; Van Ruller and Faber, *Afdoening van strafzaken*, 7-25.

¹³⁶ For example, the number of perpetrators declared insane and sent to the government asylum of Medemblik increased from 16 in the period 1885-1890 to 130 in the period 1900-1905. Oosterhuis and Gijswijt-Hofstra, *Verward van geest*, 227.

¹³⁷ I. Weijers and F. Koenraadt, "Toenemende vraag naar expertise - een eeuw forensische psychiatrie en psychologie," in *Tussen behandeling en straf. Rechtsbescherming en veiligheid in de twintigste eeuw*, ed. F. Koenraadt, C. Kelk, and J. Vijselaar (Deventer: Kluwer, 2007), 1-74.

¹³⁸ Over half the TBR cases involved property crime in the period 1929-1932: Clare Wilkinson, "In een vlaag van waanzin: psychische stoornissen, gender en de tbr in krantenberichten over delicten in 1930," *Tijdschrift voor Criminologie* 57, no. 4 (2015): 389. On the history of TBR, see: Franke, *Twee eeuwen gevangen*, 451-538; Oosterhuis and Gijswijt-Hofstra, *Verward van geest*, 221-238, 343-348; E.J. Hofstee, *TBR en TBS. De TBR in*

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The specific features of the Dutch criminal justice system affected the way gender interacted with the administration of justice, leading to very different results compared with the Anglo-Saxon countries and European countries that have been the subject of most of the crime and gender literature. Firstly, the 1811 Penal Code (in force until 1886), based on the principle of making the punishment fit the crime rather than the criminal, offered little room for differential treatment based on gender; this is in contrast to Victorian and Edwardian England, for example, where female offenders were treated more leniently for the same crimes.¹³⁹ This is the conclusion drawn by Van der Heijden and Pluskota. They examined trial data in the period up to 1886 and found no evidence of gender bias in the prosecutions and convictions for violent crimes, which they attribute to the restricted possibilities for discretion in the codified Dutch judicial system.¹⁴⁰ The increasing scope from the 1890s onwards for taking account of the criminal's circumstances potentially provided more opportunity for treating male and female perpetrators differently but this has not been tested for the period after 1886.

The absence of juries in the Netherlands was another factor limiting the room for gender bias; in other countries, juries were a means whereby lay understandings of gendered behaviour could affect trial outcomes. Trial by jury was used in the period 1880 to 1930 for serious offences in Anglo-Saxon countries and France and Germany at least. Juries had a reputation for acquitting against the evidence. In France, acquittal rates in the assizes courts, which had juries, were around 30 per cent in the period 1879 to 1931 compared to around 10 per cent in the lower correctional courts, where cases were tried by a panel of judges. This led to the practice of "correctionalization", in which magistrates downgraded offences to 'delicts', which could be tried in the correctional courts, thereby accepting a lighter punishment for greater certainty of a conviction.¹⁴¹ Juries were particularly likely to acquit the accused in infanticide cases and 'crimes of passion', with higher acquittal rates for female defendants in the latter case. Ferguson argues that these acquittals were not due to incompetence; rather, they applied a different understanding of the law which she terms "retributive justice": if the violence seemed deserved according to their notions of gendered behaviour, they refused to convict the perpetrator.¹⁴² In Britain too, juries are seen as conduits for lay interpretations of gender. Wiener argues that juries held on to older ideas

rechtshistorisch perspectief (Arnhem: Gouda Quint, 1987), 19-174; C. Kelk, "Honderd jaar debat over (straf)recht en psychiatrie," in *Tussen behandeling en straf. Rechtsbescherming en veiligheid in de twintigste eeuw*, ed. F. Koenraadt, C. Kelk, and J. Vijselaar (Deventer: Kluwer, 2007), 75-84; Oosterhuis, "Treatment as Punishment," 41-42.

¹³⁹ Barry S. Godfrey, Stephen Farrall, and Susanne Karstedt, "Explaining Gendered Sentencing Patterns for Violent Men and Women in the Late-Victorian and Edwardian Period," *British Journal of Criminology* 45, (2005): 696-720.

¹⁴⁰ Van der Heijden and Pluskotska, "Leniency versus Toughening?," 165.

¹⁴¹ James M. Donovan, "Magistrates and Juries in France, 1791-1952," *French Historical Studies* 22, no. 3 (1999): 379-420.

¹⁴² Donovan, "Magistrates and Juries," 387; Ferguson, *Gender and Justice*, 2, 156-185.

about 'justified' spousal violence by the husband for longer than judges, who started to treat male violence more harshly in the latter part of the century.¹⁴³

The absence of capital punishment in the Netherlands also affected the arguments and degree of public involvement in trials of serious violence. Capital punishment still applied in most countries for murder (and in some, such as Australia, for rape) during this period.¹⁴⁴ This had the effect of concentrating public and media attention on trials for capital crimes. As Wiener writes, these were "trials in which the stakes were highest and the argument often most intense and of most public interest".¹⁴⁵ Individual trials could become caught up in campaigns for the abolition of capital punishment.¹⁴⁶ Even when this was not the case, defence arguments that could lead to a lesser charge or acquittal took on greater importance as they became a matter of life and death for the accused. In Britain, a successful argument in wife-killing trials of provocation by the spouse or intoxication of the perpetrator could result in a conviction for manslaughter, for which the sentence could theoretically be as little as imprisonment for one day.¹⁴⁷ Even if the perpetrator was sentenced to death, this was often followed by public campaigns and petitions for mercy.¹⁴⁸ Grants of mercy became a mechanism for leniency based on gendered understandings of appropriate behaviour and appropriate punishments. Thus in Australia the death penalty effectively ceased to apply to women in the late nineteenth century while men who committed intimate femicide were more likely to have their sentences commuted than men who committed other forms of murder.¹⁴⁹

Arguably because of the lack of capital punishment and juries, the insanity defence was less prominent in the Netherlands than in other countries and it was not gendered in the same way. In Britain, the insanity plea offered one way of escaping the death penalty and was accordingly primarily used in murder trials.¹⁵⁰ The M'Naghten rules on what constituted insanity, established in 1843, were designed to limit the use of this plea but from the late nineteenth century onwards defendants were increasingly found insane, reflecting greater involvement of psychiatrists in criminal trials. The use of juries meant that

¹⁴³ Wiener, "Judges v. Jurors," 478-488.

¹⁴⁴ Amanda Kaladelfos, "The 'Condemned Criminals': sexual violence, race, and manliness in colonial Australia," *Women's History Review* 21, no. 5 (2012): 698.

¹⁴⁵ Wiener, "Judges v. Jurors," 470.

¹⁴⁶ Kaladelfos, "Condemned Criminals"; Richard J. Evans, *Rituals of Retribution. Capital Punishment in Germany 1600-1987* (Oxford: Oxford University Press, 1996), 591-605.

¹⁴⁷ Wiener, "Judges v. Jurors," 480; Annemarie Hughes, "'Non-criminal' Class," 39-41.

¹⁴⁸ For examples, see: Frost, "Kitty Byron," 545; Wiener, "Story of George Hall," 176; Kaladelfos, "Condemned Criminals," 702-704; Goc, *Women, Infanticide*, chap. 6; Sylvie Frigon, "Les représentations socio-pénales des femmes "maricides" au Canada, 1866-1954," in *Femmes et justice pénale, XIXe-XXe siècle*, ed. Christine Bard et al. (Rennes: Presses universitaires de Rennes, 2002), 209-231. In the Netherlands too, petitions for mercy and acquittals against the evidence were common for capital offences in the early nineteenth century before the abolition of the death penalty; see: Van Ruller and Faber, *Afdoening van strafzaken*, 27-45.

¹⁴⁹ Carolyn Strange, "Masculinities, Intimate Femicide," 315-316.

¹⁵⁰ Jill Newton Ainsley, "'Some Mysterious Agency': Women, Violent Crime, and the Insanity Acquittal in the Victorian Courtroom," *Canadian Journal of History* 35, no. 1 (2000): 41-42.

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common-sense notions of insanity prevailed. Defence arguments of temporary insanity were accepted by juries for acts that seemed to them incongruous.¹⁵¹ The insanity plea was also used to enable leniency when the official penalty was seen as too harsh. Infanticide was theoretically subject to the death penalty, but this was no longer considered an acceptable punishment for this crime by the second half of the nineteenth century and puerperal insanity was increasingly used as a defence, despite some hesitation among physicians. According to Hilary Marland, this allowed outrage to be expressed at the crime while treating the offender with compassion.¹⁵²

The use of insanity pleas in infanticide trials is one example of a tendency to pathologize female criminals that gender historians see in Britain and France. Women were thought to be naturally more susceptible to mental illness. The female reproductive system was seen as a potential source of nervous disorders: menstruation, pregnancy, giving birth and the menopause were all times of risk. Some nervous conditions such as hysteria were seen primarily as a woman's disease.¹⁵³ These assumptions, it is contended, encouraged the use of mental instability as a defence in trials of violent women. In France, Ruth Harris sees both doctors and female perpetrators of crimes of passion using the language of hysteria to explain their actions.¹⁵⁴ In Britain, Jill Newton Ainsley finds that women who committed murder were more likely to be declared insane than men, even for similar crimes. She argues that this deprived women of their agency and reinforced the picture of them as weak and not responsible for their violent acts.¹⁵⁵ For minor crimes too, by the early twentieth century women were being classed as feeble-minded and sent to institutions rather than prisons. Zedner writes that these women were viewed with sympathy; treating them as sick rather than criminal was considered a more humane option. However, the underlying assumption was that "to deviate in a criminal way is 'proof of some kind of mental imbalance in women'".¹⁵⁶

The notion that women were particularly prone to mental disorders was also prominent in the Netherlands but this did not translate into a medicalization of female

¹⁵¹ Tony Ward, "Law, Common Sense and the Authority of Science: Expert Witnesses and Criminal Insanity in England, ca. 1840-1940," *Social and Legal Studies* 6, no. 3 (1997): 343-362; Wiener, "Judges v. Jurors," 497-504; Lisa Appignanesi, *Trials of passion. Crimes in the name of love and madness* (London: Virago Press, 2014), 99-101.

¹⁵² Marland, "Getting Away with Murder?"; Grey, "Discourses of Infanticide," 201-262.

¹⁵³ Lisa Appignanesi, *Mad, Bad and Sad. A history of women and the mind doctors from 1800 to the present* (London: Virago Press, 2008), 118-119; Zedner, "Women, Crime," 336-337. Claims by historians such as Showalter in the 1980s that women were overrepresented in asylums have however since been disputed. See: Elaine Showalter, "Victorian Women and Insanity," *Victorian Studies* 23, no. 2 (1980): 157-181; Appignanesi, *Mad, Bad and Sad*, 107.

¹⁵⁴ Ruth Harris, "Melodrama, Hysteria and Feminine Crimes of Passion in the Fin-de-Siecle," *History Workshop Journal* 25, no. 1 (1988): 31-63.

¹⁵⁵ Ainsley, "Some Mysterious Agency," 40.

¹⁵⁶ Zedner, "Women, Crime," 348-350.

offenders.¹⁵⁷ Puerperal insanity was rarely used as a defence in infanticide trials in the Netherlands (the first recorded example is in 1912).¹⁵⁸ Ruberg contends that this was largely because Dutch criminal law had separate articles for infanticide that already took account of the perpetrator's mental status (see the following section and Appendix A for more on the infanticide articles).¹⁵⁹ No breakdown by sex of acquittals by reason of insanity is available for the Netherlands. Such a breakdown is available for the TBR measure for diminished responsibility; this shows that female offenders were *less* likely to be given a TBR measure than male offenders. This undoubtedly reflects the focus on protecting society: whereas the medicalization of female offenders in Britain and France was a form of leniency, the medicalization of male offenders in the Netherlands was prompted by a view that they formed a threat to society and needed to be detained for longer than their crimes as such warranted.¹⁶⁰

To summarize, there was less at stake in Dutch trials of violence when compared with other countries, because of the absence of the death penalty. There was also less public involvement without juries and without the mechanism of reviews and grants of mercy following the death sentence. The Dutch system was entirely in the hands of professional lawyers and other experts. As a result, there was less room for gender bias in sentencing based on popular understandings of acceptable gender behaviour. This formed the setting for the prosecution of private violence, which is discussed in the next section.

2.6 Prosecution of family and sexual violence

One of the questions posed at the start of this chapter is whether there was increasing condemnation of private violence, in particular when committed by men, in the Netherlands. This section looks at the evidence for criminalization of family and sexual violence in the form of tougher legislation, more convictions and harsher sentences. Where possible, it also examines the evidence for differential treatment of male and female offenders. It concludes that broadly speaking, a greater range of acts predominantly committed by men against women and children were criminalized while there was more leniency for female perpetrators of infanticide. However, the most notable change was the increasing prosecution of sexual offences against the young.

The analysis is based on the published judicial statistics for the years 1870 to 1939, and consequently on the crime categories specified in the 1811 Penal Code and 1886

¹⁵⁷ Wenneke Meerstadt, "Portret. Het ligt geheel in het vrouwelijk karakter. Gerbrandus Jelgersma over hysterie," in *Gender & Gekte. Jaarboek voor Vrouwengeschiedenis* 30, ed. Gemma Blok et al. (Amsterdam: Aksant Academic Publishers, 2010), 159-172; Ruth Weber, "De medische wereld over 'de vrouw'," *De negentiende eeuw* 6, no. 1 (1982): 3-12.

¹⁵⁸ Donker and Faber, "Ziekelijke zenuwoverspanning".

¹⁵⁹ Ruberg, "Travelling Knowledge," 376.

¹⁶⁰ Between 1929 and 1932, an average of 4.1 per 1000 convicted women received a TBR sentence compared with 7.3 per 1000 convicted men. Wilkinson, "Psychische stoornissen," 388-393.

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Criminal Code.¹⁶¹ There were separate articles for violence against the parent, spouse or child, for infanticide, for abandonment and for sexual assaults (see Appendix A for the texts of the articles). All data are for trials in the court of first instance (provincial and district courts depending on the crime under the Penal Code and district courts only under the Criminal Code). Military courts are excluded. Figures on the number of convictions by perpetrator sex are available for all or nearly all years.¹⁶² As the Dutch population more than doubled during this period, all conviction figures are expressed as both absolute numbers and in relation to the population (per 100,000 citizens) to enable correct interpretation of changes over time. Information on other aspects – including the number of trials (and consequently conviction rates), the sentence and background information on the perpetrator – is available for some years only. This information is not usually broken down by sex, which limits the opportunity for exploring the possible differential treatment of male and female defendants. Conviction rates are only available for some years in the nineteenth century so that it is not possible to test for changes over time. The data do allow a test of whether sentencing changed over time by considering the proportion of convicted offenders who received a prison sentence of more than 12 months.¹⁶³

Changes to the legislation on family and sexual violence are also considered. Such changes were made in the Criminal Code of 1886 and the Morality Act that came into effect in 1911. An insight into the thinking behind changes to the law can be obtained from parliamentary proceedings and from an 1891 history of the 1886 Criminal Code that describes the process and debates from the establishment of the preparatory State Committee in 1870.¹⁶⁴ Legal commentaries from the period offer information on how the law was interpreted.¹⁶⁵

¹⁶¹ *Geregelijke Statistiek van het Koninkrijk der Nederlanden 1870-1881; Gerechtelijke Statistiek van het Koninkrijk der Nederlanden 1882-1899*; Centraal Bureau voor de Statistiek. *Crimineele Statistiek over het jaar 1900-1921*; Centraal Bureau voor de Statistiek. *Crimineele statistiek 1926-1929*; Centraal Bureau voor de Statistiek. *Crimineele Statistiek, gevangenisstatistiek en statistiek van de toepassing der kindwetten over het jaar 1931-1939*. Hereinafter collectively referred to as “Dutch annual judicial statistical reports, 1870-1939”.

¹⁶² There are no data on family assaults for 1915 and 1922-1925, and no data on abandonment for 1912-1915 and 1922-1925.

¹⁶³ Data on sentences are available for 1887 to 1912, 1916 to 1919 and 1937 to 1939.

¹⁶⁴ The author Smidt was Minister of Justice from 1877 to 1879. H.J. Smidt, *Geschiedenis van het Wetboek van Strafrecht. Volledige verzameling van regeeringsontwerpen, gewisselde stukken, gevoerde beraadslagingen, enz. Vol. 2* (Haarlem: H.D. Tjeenk Willink, 1881); *Handelingen Tweede Kamer, 14th to 18th Sessions, “10. Vaststelling van een Wetboek van Strafrecht,”* 1-5 November 1880, 185-282; *Handelingen Eerste Kamer, Handelingen Eerste Kamer, 21st to 22nd Sessions, “10. Vaststelling van een Wetboek van Strafrecht,”* 1-2 March 1881, 277-305.

¹⁶⁵ M. Schooneveld, G.A. Van Hamel, and T.J. Noyon, *Het Wetboek van Strafrecht (Code Pénal) met aanteekeningen* (The Hague: Gebr. Belinfante, 1876); B.J. Polenaar and T. Heemskerk, *Het Wetboek van strafrecht in doorlopende aanteekeningen verklaard. Vol. 2* (Amsterdam: A. Alckeringa, 1890); M.S. Pols et al., *Het wetboek van strafrecht. Rechtspraak en de Nederlandse literatuur (tot 15 Mei 1892)* (Leiden: E.J. Brill, 1893).

Assaults on spouse and own child*Table 2* Convictions for assault on a family member.

Rate per 100,000 people (with the average annual number in brackets) and proportion of male offenders.

Offences	Years	Annual convictions Rate (average number)	% men
<i>Penal Code: assaults on parent</i>	1870-1886	0.16 (6)	91%
<i>Criminal Code: assaults on parent, spouse or child</i>	1887-1899	0.84 (39)	91%
	1900-1909	0.55 (30)	91%
	1910-1919	0.42 (26)	89%
	1920-1929	0.56 (41)	94%
	1930-1939	0.69 (58)	92%

Source: *Geregtelijke Statistiek*, 1870-1881; *Geregtelijke Statistiek*, 1882-1899; *Crimineele Statistiek* 1900-1939; CBS.

The 1886 Criminal Code extended protection to wives and children compared with the 1811 Penal Code. Attacks by one family member on another were prosecuted under the articles on assault. The Penal Code set harsher sentences for assaults on a parent than for ordinary assaults but this did not apply to other family members. Indeed, Article 336 provided for a *reduced* sentence for the husband who killed his wife or her lover after catching them *in flagrante delicto* in his home.¹⁶⁶ This shows a gendered understanding of violence and sexual standards in which adultery by women was worse than adultery by men and consequently a mitigating factor for the husband's violence. In Britain, such leniency was known as the 'unwritten law' and decried as a foreign practice.¹⁶⁷ However, Wiener finds sympathy among nineteenth-century judges and juries for husbands who killed unfaithful wives but also finds tolerance declining as the century wore on.¹⁶⁸ In the Netherlands too, by the time the Criminal Code was being debated in around 1880, the discriminatory nature of Article 336 had become problematic. According to the explanatory memorandum to the new bill, the purpose of Article 336 had been to allow for the fact that a husband in that situation would be overcome by such a strong emotion that he would not be able to contain himself, but the Penal Code article failed to recognize that a husband's

¹⁶⁶ This was a legacy of the Napoleonic Code. A similar article applied in France until 1907. See: Eliza Earle Ferguson, *Gender and Justice*, 128-155.

¹⁶⁷ Emsley, *Hard Men*, 80-81.

¹⁶⁸ Wiener, *Men of Blood*, chap. 6.

adultery was just as much an affront to the wife's honour.¹⁶⁹ It was therefore scrapped. At the same, harsher punishments now applied not just for attacks on a parent but also for attacks on a spouse or child. Indeed, the initial intention was to exclude attacks on a husband: tougher punishments for attacks on a wife were justified because a man who assaulted his wife was violating his duty to protect her. But in the debate in the Lower House of Parliament, this view of the wife purely as victim was questioned. After all, it was said, in cases of poisoning men were at the mercy of their wife rather than vice versa.¹⁷⁰

The extension of the scope of the articles on family assaults in the 1886 Criminal Code not surprisingly led to an increase in the number of convictions under these articles (Table 2). Unfortunately, the available data does not distinguish between the different categories of victims (parent, child or spouse). However, given that conviction rates were over five times higher immediately after the introduction of the new criminal code than convictions for assaults on a parent under the Penal Code, it seems likely that assaults on a spouse or child made up the majority of cases after 1886. The number of convictions (as a proportion of the population) was highest in the final years of the nineteenth century. This was when migration to the main urban centres was at its height. Poverty and poor housing put pressure on working-class families while alcohol consumption, which has been linked to domestic violence, was still high. Moreover, families were living at close quarters in overcrowded cities, which made it more likely that neighbours would notice and report family violence.¹⁷¹ Living conditions improved for working-class families in the twentieth century and we see a corresponding decline in convictions for assaults on family members, but it is not dramatic and convictions were increasing again by the 1930s. That may reflect the fact that this was another period of stress for the lower strata in society due to the economic crisis and high levels of unemployment. There is no evidence of sentences becoming tougher over time: throughout the period 1887 to 1939, around 5 per cent of perpetrators received a prison sentence of more than one year.

The vast majority of attacks on family members were committed by men. Indeed, this may explain the relatively low level of convictions in the 1910s as this coincided with World War I, a period when the Dutch army was mobilized in a state of readiness for a possible invasion and many Dutch men were therefore separated from their families. The predominance of male perpetrators is a known phenomenon in attacks on spouses: studies from the early modern period to the present day show men accounting for the

¹⁶⁹ Smidt, *Geschiedenis*, 453.

¹⁷⁰ Smidt, *Geschiedenis*, 453. This reflects a longstanding belief in poisoning as a women's crime, see: John Carter Wood, *Most Remarkable Woman*, 44-46. See Section 4.3 for more on this subject.

¹⁷¹ Caroline Miles, "Intoxication and homicide. A context-specific approach," *British Journal of Criminology* 52, (2012): 870-888; Manon Van der Heijden, "Domestic violence, alcohol abuse and the uses of justice in early modern Holland," *Annales de démographie historique* 2, no. 2 (2015): 74; Ferguson, *Gender and Justice*, 93-127.

overwhelming majority of attacks.¹⁷² There is less information on the breakdown by sex of assaults on children, but the few available studies show a higher proportion of female offenders than for spousal violence.¹⁷³ The high percentage of male offenders in Table 2 therefore makes it plausible that spousal violence accounted for the majority of these assaults. That would be consistent with modern-day studies; a recent Dutch survey gives a figure almost ten times higher for reported partner violence than for reported violence against children.¹⁷⁴

Abandonment

Table 3 Convictions for abandonment of dependants.

Rate per 100,000 people (with the average annual number in brackets) and proportion of male offenders.

	Years	Annual convictions Rate (average number)	% men
<i>Penal Code: abandonment of child under seven</i>	1870-1886	0.07 (3)	14%
<i>Criminal Code: abandonment of dependant</i>	1887-1899	0.16 (7)	46%
	1900-1909	0.05 (3)	56%
	1910-1919	0.06 (4)	28%
	1920-1929	0.11 (8)	68%
	1930-1939	0.06 (5)	67%

Source: *Geregtelijke Statistiek*, 1870-1881; *Geregtelijke Statistiek*, 1882-1899; *Crimineele Statistiek* 1900-1939; CBS.

¹⁷² See for example: Van der Heijden, "Domestic Violence," 79; Ferguson, *Gender and Justice*, 2, 9; Wiener, *Men of Blood*, chap. 4; Antoon Vrints, *Het Theater van de Straat* (Amsterdam: Amsterdam University Press, 2011), 180-181; Marianne Hester, "Who does what to whom? Gender and domestic violence perpetrators in English police records," *European Journal of Criminology* 10, no. 5 (2013): 624-626; Henk Ferwerda, *Huiselijk geweld gemeten 2008* (Arnhem: Bureau Beke, 2009), 3; Clive Emsley, *Crime and Society in Twentieth-Century England* (Harlow: Pearson Education, 2011), 28. Note however that Jeffrey Adler finds a very different pattern for early-twentieth-century African American couples, where women accounted for half of spousal homicides. This suggests the dominance of men as perpetrators in other studies is culturally determined. Jeffrey S. Adler, "'I wouldn't be no woman if I wouldn't hit him': race, patriarchy, and spousal homicide in New Orleans, 1921-1945," *Journal of Women's History* 27, no. 3 (2015): 16.

¹⁷³ See for example: Sarah-Anne Buckley, "Child neglect, poverty and class: the NSPCC in Ireland, 1889-1939 - a case study," *Saothar* 33, (2008): 62-3; Jean-Jacques Yvorel, "La justice et les violences parentales à la veille de la loi de 1898," *Revue d'histoire du XIXe siècle*, no. 2 (1999): 16. The data on trials for cruelty to children in England and Wales between 1891 and 1938 show that men accounted for only 39 per cent of the accused: *Judicial Statistics, England and Wales, Criminal Statistics* for the years 1891 to 1938.

¹⁷⁴ Ferwerda, *Huiselijk geweld gemeten*, 4.

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The 1886 Criminal Code further criminalized abandonment by extending the scope to cover a greater range of dependants. Under the 1811 Penal Code, leaving a foundling or abandoning a child up to the age of seven years was a crime. In the Criminal Code, a new article was added stating that the deliberate abandonment of any dependant (regardless of age) should be punished, although the maximum penalty was higher for the abandonment of children under seven. The commentary and illustrative cases in an 1893 book on the Criminal Code suggest that this article was primarily aimed at fathers who failed in their duty to provide for their families. For example, the authors cite an 1891 case in which a father who abandoned his wife and children was prosecuted and found guilty because he had sold the house and its contents and pocketed the proceeds, even though the children were still in the care of their mother. This can be seen as part of an effort to enforce the breadwinner model through the law, an endeavour that Doolittle also sees in Britain through the operation of the Poor Law.¹⁷⁵

The figures in Table 3 do indeed suggest the 1886 laws were used to discipline men in their role as provider. While convictions (as a proportion of the population) remained relatively constant, abandonment increasingly became a male crime, with a jump in the proportion of male offenders after the Criminal Code expanded the scope to include older children. Again, it is striking that the exception in this regard was the 1910s, the decade in which many Dutch men were called up for the army because of World War I, when nearly three quarters of the perpetrators were female. With this exception, the figures for the twentieth century point to criminalization of men who failed to provide for their families. However, this needs to be kept in perspective as the absolute numbers of convictions were low. It is also not possible to see from the published data whether sentencing became harsher as so few sentences exceeded the threshold of 12 months in prison: of the 286 offenders convicted for this crime throughout the period, only 10 (3 per cent) received a prison sentence of more than one year.

¹⁷⁵ Pols et al., *Wetboek van strafrecht*, 155-160; Doolittle, "The Duty to Provide," 64-66. However, Van der Klein argues that in the Netherlands the social insurance system was *not* used to promote the breadwinner model. See: Marian van der Klein, *Ziek, zwak of zwanger. Vrouwen en arbeidsongeschiktheid in Nederlandse sociale verzekeringen, 1890-1940* (Amsterdam: Aksant Academic Publishers, 2005), 455-463.

Infanticide*Table 4* Convictions for infanticide by women.

Rate per 100,000 people (with the average annual number in brackets).

Offence	Years	Annual convictions Rate (average number)
<i>Penal Code: first infanticide by unmarried mother</i>	1870-1886	0.13 (5)
<i>Criminal Code: infanticide by mother</i>	1887-1899	0.10 (5)
	1900-1909	0.05 (3)
	1910-1919	0.06 (4)
	1920-1929	0.07 (5)
	1930-1939	0.04 (3)

Source: *Geregtelijke Statistiek*, 1870-1881; *Geregtelijke Statistiek*, 1882-1899; *Crimineele Statistiek* 1900-1939; CBS.

The changes in 1886 to the law on infanticide signified more lenient treatment of the perpetrators. Dutch law had separate articles on infanticide when committed by the mother (but not the father) on a newborn baby, with lower sentences than for other kinds of murder. This was a sex-specific law that saw infanticide as an act caused by the “fear of the discovery” (*vrees voor de ontdekking*) of the birth; in other words, it assumed the motivation was shame rather than economic motives.¹⁷⁶ Under the Penal Code, the lower sentence only applied to the first such offence by an unmarried mother, but in the 1886 Criminal Code, the scope was extended to cover all killings of a neonate by the mother regardless of the marital status while the maximum sentence was reduced substantially. But not all baby-killings were automatically infanticides as defined in law. It is clear from the debate on the Criminal Code that politicians expected application of these articles to involve a judgement of the woman’s moral character: the infanticide articles would not apply in the case of a loose-living woman who killed her child so that she could continue her debauched life.¹⁷⁷

Although the scope of the infanticide articles increased with the introduction of the Criminal Code, infanticide convictions did not increase after 1886. Indeed, they fell in relation to the population (see Table 4). It is not clear why. There is not enough information

¹⁷⁶ Pols et al., *Wetboek van strafrecht*, 288.

¹⁷⁷ Smidt, *Geschiedenis*, 438439.

in the judicial statistics about the marital status to say whether the infanticide articles were used widely in practice for married women as well after 1886. We do know that some married women were convicted: of the nine women sentenced in 1897 and 1899, two were married and seven unmarried. It is clear too that not all perpetrators were young. While a third of the women convicted were below the age of majority, well over a quarter were 30 or older.¹⁷⁸ Convictions relative to the population fell further from the turn of the century. However, there is no evidence of more lenient treatment over time for the women who were convicted of infanticide. Around half of all perpetrators received a prison sentence of more than one year. If convictions failed to keep pace with population growth, the most likely explanation is therefore a fall in unwanted pregnancies in combination with more alternatives for unmarried mothers. In the Netherlands as a whole, the proportion of babies born out of wedlock decreased during this period. Moreover, as was mentioned in Section 2.2, philanthropic organizations were now providing homes and financial support for unmarried mothers. Finally, the increasing range of jobs open to women other than being a servant may have been a contributory factor: Jolie Ermers argues that live-in servants had a greater incentive to commit infanticide because of fear of losing their job but were also at greater risk of being caught because they lived at such close quarters with their employer and fellow employees.¹⁷⁹

Sexual Assaults

Table 5 Convictions for sexual assault by men.

Rate per 100,000 people (with the average annual number in brackets).

Law	Years	Annual convictions. Rate (average number per year)			
		Rape/assault of an adult	Rape/assault of a child under 16	Assault of subordinate	Homosexual act with a minor
<i>Penal Code</i>	1870-1886	0.65 (26)			n.a.
<i>Criminal Code</i>	1887-1899	0.81 (38)	1.01 (49)	0.08 (4)	n.a.
	1900-1909	0.97 (52)	1.37 (75)	0.11 (6)	n.a.
	1910-1919	0.92 (57)	1.83 (114)	0.21 (13)	0.17 (11)
	1920-1929	1.09 (79)	3.90 (284)	0.45 (33)	0.81 (53)
	1930-1939	0.92 (77)	6.22 (520)	0.87 (73)	0.94 (71)

Source: *Geregelijke Statistiek*, 1870-1881; *Gerechtigde Statistiek*, 1882-1899; *Crimineele Statistiek* 1900-1939; CBS.

¹⁷⁸ Based on data for 1896-1900, 1902, 1905, 1908, 1910 and 1931-1933.

¹⁷⁹ Kok, "Moral Nation," 10; Ermers, "Kindermoord," 150-151, 163.

The biggest change in the legislation on private violence concerned sexual violence. The 1886 Criminal Code increased the scope of the legislation on sexual offences compared with the Penal Code, and a further increase took place in the 1911 Morality Act. More minor indecent acts (*ontuchtige handelingen*) were criminalized and more protection was given to children and minors.

The guiding principles behind this legislation were the need to maintain public moral order and protect the weak.¹⁸⁰ The legislation and accompanying debates also suggest an interpretation of sexual assault that saw it in terms of shame and honour. Thus Article 331 of the Penal Code stipulated a prison sentence for anyone guilty of rape or “*feitelijkheid tegen de eerbaarheid*” – literally an “act against honour”. In an annotated guide to the Penal Code, Schooneveld et al. explained what this meant: any act that “from its nature must offend the sense of natural shame (such as throwing an 18-year-old girl on the ground and feeling under her skirts)”.¹⁸¹

The legislative changes extended protection of the young. Sex with children was not automatically a crime under the Penal Code. The 1811 Penal Code set tougher punishments for rape and indecent assault if the victim was younger than 15, but the use of violence or at the very least a lack of consent had to be proved. This was seen as a major shortcoming, and in the new Criminal Code, intercourse with girls younger than 12 became an offence regardless of their consent. Intercourse with girls aged 12 to 15 also became an offence but was only prosecuted if a complaint was lodged. The debates about the Criminal Code reveal a particular concern about the need to protect vulnerable minors from abuse by adults in a position of authority. Lawmakers clearly saw sexual danger as coming from people close to the victim – teachers or employers, for example. The Penal Code had already stipulated harsher punishments for a sexual assault by a perpetrator in a position of authority over the victim. This protection for the vulnerable was extended in the 1886 Criminal Code, which criminalized all indecent acts (not just assaults) between people in authority and their subordinates in a wider range of situations. This included indecent acts between a parent and a child who was a minor. It is noteworthy that incest as such was not a crime: it was only an offence when committed within the context of an unequal power relationship.¹⁸² The criminalization of indecent acts on minors and subordinates in factories was an amendment introduced by Parliament. The debate in Parliament shows that politicians were strongly influenced by the common notion of factory girls being at particular risk of moral

¹⁸⁰ Ed Leuw, Catrien Bijleveld, and Annelies Daalder, “Seksuele delinquenten,” *Tijdschrift voor Criminologie* 45, no. 4 (2003): 330-334; Renee Kool, “Vrijheid, blijheid? Over het dilemma van de strafbare seksualiteit,” *Tijdschrift voor Criminologie* 45, no. 4 (2003): 338-339.

¹⁸¹ Schooneveld, Van Hamel, and Noyon, *Wetboek van Strafrecht*, 314-327. See Section 6.1 for a detailed discussion of attitudes to sexual violence as revealed in the Parliamentary debates.

¹⁸² The reasons for not including incest in the French penal code of 1810, on which the Dutch code was based, are discussed by Giuliani. She concludes that lawmakers were concerned about the detrimental effect on public morals if such incidents were brought into the open through criminal prosecution. Fabienne Giuliani, *Les liaisons interdites. Histoire de l'inceste au XIXe siècle* (Paris: Publications de la Sorbonne, 2014), 65-66.

dangers (as was discussed in Section 2.3) and the need to protect them. This was seen as a question of public morality, but politicians were reluctant to intervene in the private domain of the home: the possibility of including the work situation of the domestic servant in the scope was discussed but rejected.¹⁸³

Like incest, homosexual acts were not as such illegal in the Netherlands. This was a remnant of the penal code of the French Revolution, in which the decriminalization of these acts symbolized the break with the hated criminal system of the *Ancien Régime*.¹⁸⁴ However, both the Penal Code and Criminal Code articles on assaults other than rape applied explicitly to both male and female victims. In 1911, the Morality Act was introduced under a Christian coalition government. This added an article to the Criminal Code that prohibited all homosexual acts between a minor and an adult. In doing so, it was discriminating between homosexual and heterosexual acts, for the first time since 1811. Dutch historians of homosexuality, such as Hekma and Koenders, have tended to see this article as a new phenomenon, a sign of a more repressive regime under the influence of a Christian social purity lobby.¹⁸⁵ However, it also fitted with the general trend towards greater concern for the young that had been evident in the debates on the Criminal Code some thirty years previously.

The increased range of sexual offences in the 1886 Criminal Code led to an immediate increase in the number of convictions, from an annual rate of 0.65 per 100,000 in 1870-1886 to 1.9 per 100,000 in 1887-1899 (Table 5).¹⁸⁶ Interestingly, despite the long discussions in Parliament about the dangers to minors from people in authority, there were initially relatively few convictions under the new article. However, these few offenders received the toughest sentences, with 74 per cent of perpetrators in the period 1887-1899 being given a prison sentence of more than one year compared with 46 per cent for rapes of adults and 52 per cent for rapes of children. Convictions rose substantially from the 1920s onwards. Similar increases were seen in this period in the other categories of sexual assault of children and minors – but not in assaults of adults. Given that there is generally considered to be a large dark figure for sexual offences, the increases in convictions for sex offences against the young may reflect an increased willingness to report and prosecute these crimes rather than a rise in the underlying incidence. The sentencing data seems to point in that direction too, with a marked decline in the proportion of long prison sentences (over one year). For example, the proportion of perpetrators of child rape who received a prison sentence of more than twelve months fell from 52 per cent in the late nineteenth

¹⁸³ Smidt, *Geschiedenis*, 304-315.

¹⁸⁴ Giuliani, *Les liaisons interdites*, 25-26.

¹⁸⁵ Hekma, *Homoseksualiteit*, 183-213; Koenders, *Christelijk Réveil*, 150-169.

¹⁸⁶ Figures are given for male perpetrators only. Only a handful of women were convicted under sexual violence articles during this period.

century to 8 per cent in 1937-1939. That suggests convictions were rising because more minor cases were being brought to court.

One factor may have been the establishment of juvenile and vice squads (*kinder- en zedenpolitie*) in police forces across the country from the second decade of the twentieth century. For example, Rotterdam had a fully fledged juvenile and vice squad by 1918.¹⁸⁷ Women's organizations were often behind this development as they lobbied for the police to give more protection to women and children and take on a social task. Moreover, the juvenile and vice squads were also often the first parts of the police force to employ female officers and assistants, as they were thought to be particularly suited to working with children.¹⁸⁸ This must have encouraged victims and their families to report assaults while having a dedicated squad made it more likely that reports would be followed up and offenders prosecuted.

The prosecution of sexual violence was not just about protecting the young, it was also about policing the young, more specifically young men. Judicial statistics on the age breakdown of perpetrators show that a substantial proportion were under 21: about one quarter in the case of assaults on children, over one third in rapes of adult women (aged 16 and over), and about half in assaults on women.¹⁸⁹ Adolescent men were also victims in sexual offences, most notably in homosexual acts with minors after 1911. But here they were treated as both endangered and a danger; Hekma found that while adult offenders were sent to prison, the boy victims were often sent to reform school.¹⁹⁰

To summarize, there is clear evidence of increasing criminalization of sexual violence but only limited changes in the treatment of family violence. The tougher legislation and increasing prosecution of sexual assaults seem to have been primarily motivated by concerns about moral dangers to the young. There was more continuity in other forms of private violence, although the changes that did take place involved greater criminalization of male violence and more protection of women and children. Although age as much as gender seems to have been a motivating factor in these developments, the aggregate effect of all the changes was that women made up a declining proportion of the offenders convicted for private violence: in the period 1870-1886, women accounted for 20 per cent of the perpetrators whereas in the period 1930-1939 they formed 1 per cent of all perpetrators.

¹⁸⁷ J.A. Blaauw, *Twee eeuwen politie in Rotterdam. Gebeurtenissen uit de jaren 1814-2014* (Rotterdam: Coolegem Media, 2014), 165.

¹⁸⁸ Koenders, *Christelijk Réveil*, 220-222; Cyrille Fijnaut, *De geschiedenis van de Nederlandse politie* (Amsterdam: Boom, 2007), 209-544.

¹⁸⁹ Based on judicial statistics reports for 1900, 1902, 1905, 1908, 1910, 1931-3.

¹⁹⁰ Hekma, *Homoseksualiteit*, 80-127.

Conclusion

The first question posed at the start of this chapter concerned the evidence for increasing condemnation of male private violence in the Netherlands, as has been postulated for Britain. It has been shown that industrialization and urbanization in the final decades of the nineteenth century initially led to problems with crowding and public disorder in the cities, as in Britain. The Dutch middle classes responded with a civilizing offensive that problematized male drinking and sexuality and stressed the need to protect young women and children from moral dangers. However, Dutch campaigners and opinion-makers never treated male private violence as a social problem, in contrast with Britain, nor did the prosecution of physical violence within the family change significantly during this period. Sexual acts against the young were, however, increasingly criminalized.

The second question concerned women's participation in the public sphere. Women acquired a voice in public matters through their philanthropic work. They increasingly organized themselves as women and worked towards political goals. In the abolitionist movement, they criticized the male double standard while in the temperance movement they attacked male drinking behaviour. In both, they worked alongside male campaigners who embodied an alternative, chivalrous concept of masculinity. Organized feminism brought issues of particular concern to women, such as the marriage law, to the fore in the public debate but the actual results were mixed. Women achieved suffrage after the World War I but in the debates on married women working, the feminist voice was only one of many. However, one consequence of the increasing importance of domesticity was to make family life and issues that directly concerned women a matter for public debate and state policies.

The developments discussed in this chapter had consequences for the newspaper market, which is the subject of the next chapter. The rising prosperity and expanding population meant more customers for newspapers while the incorporation of the working class and women in the public sphere was reflected and reinforced in the newspapers' content. The criminal justice system, meanwhile, determined which stories were available and coloured journalists' reporting of crime stories. These influences are all discussed next.