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# Articulating Postcolonial Memory Through the Negotiation of Legalities: The Case of Jan Pieterszoon Coen's Statue in Hoorn

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## Abstract

Dutch colonizer Jan Pieterszoon Coen is remembered as a hero for establishing the spice monopoly and as a perpetrator who mass-killed the Bandanese population in 1621 in pursuit of that monopoly. After his statue in Hoorn fell off its pedestal in 2011, the municipality decided to restore it in disregard of protesters requesting the statue's relocation to Westfries Museum. As a compromise, the municipality granted the protest a voice by providing the statue with an updated inscription that acknowledges Coen's controversial legacy and an accompanying exhibition in Westfries Museum. In this essay, I will analyze these events as a conflict about the articulation of postcolonial memory: how should the colonial past be remembered? Through Olson's theory of legality and affect and Marcuse's theory of repressive tolerance, I will interpret this conflict as the negotiation of different legalities.

## Keywords

colonial statues, postcolonial memory, legality, affect, repressive tolerance

## Introduction

On the central square in the Dutch city of Hoorn stands a 3.25-meter-high bronze statue of Dutch colonizer Jan Pieterszoon Coen (1587-1629). It was placed in 1893 as part of a larger program intended to strengthen Dutch national identity by honoring national heroes with monuments. Coen was selected for this program because of his role in establishing the Dutch monopoly on the global spice trade during the early seventeenth

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century. However, his heroic status has always been controversial: he established the spice monopoly by killing 14,000 inhabitants of the Banda islands where the central plantations for nutmeg and clove were located. The islands were then repopulated with enslaved people from other parts of the Dutch colonies who were put to work on the spice plantations. Because of these gruesome details, his statue in Hoorn has often been the target of protests. In this essay, I will interpret the ongoing controversy that this statue incites as *the articulation of postcolonial memory through the negotiation of legalities*.

Before starting with my interpretation, I will first provide preliminary definitions of the central concepts, postcolonial memory and legality. With *postcolonial memory* I refer to discussions in contemporary society about how the colonial past should be remembered. Often, perspectives differ tremendously depending on the ethnic, national, religious, or socio-economic background of whoever is doing the remembering. A central question of postcolonial memory is: should we remember colonial history, with all its concomitant implications such as slavery, genocide, and the appropriation of land as something that ended a long time ago; or should we remember it as something that was never properly resolved and has lasting repercussions in the current era? In the Netherlands, answers to this question can diverge depending on whether someone identifies as Dutch or, for instance, as Moluccan or Surinamese. Furthermore, answers can diverge depending on a variety of other intersecting parameters as well, including age, gender, religious and political affiliation.

Such discussions about postcolonial memory concern the past as much as they concern the present. As memory scholar Astrid Erll puts it, “collective memories are never a mirror image of the past, but rather an expressive indication of the needs and interests of the person or group doing the remembering in the present”.<sup>1</sup> Conflicts about how to remember the past often become tense, because decisions about such memories have implications for people’s present-day collective identities: “Things are remembered which correspond to the self-image and the interests of the group”.<sup>2</sup> Discussing the legitimacy of our memories of the colonial past influences the way in which we perceive our postcolonial present. In the case of this essay’s main focus, remembering Coen as a national hero implies pride of the colonial past in the present, whereas remembering him as an aggressor implies a more critical awareness of that past. The concept of postcolonial memory is thus useful for understanding the controversy that Coen’s statue in Hoorn causes: as a larger-than-life testimony to Dutch colonial pride, it is an affront to everyone who does not ascribe to this pride.

As for my second central concept, with *legality* I refer to Greta Olson’s use of the term, who defines it as “the totality of what people perceive to be binding norms. Legality then includes individuals’ and groups’ *Rechtsgefühle*, that is people’s impassioned feelings about their legal environments”.<sup>3</sup> Olson argues that law should be theorized as an experience based greatly in affect: “I argue that people’s subjective attitudes towards what they feel to be the law have to be incorporated into understanding how law functions in practice”.<sup>4</sup> According to Olson, people’s affective relationships to the law are to

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1. A. Erll, *Memory in Culture* (London, 2011), p. 8.

2. Erll, *Memory in Culture*, p. 17.

3. G. Olson, *From Law and Literature to Legality and Affect* (Oxford, forthcoming in 2022), p. 8.

4. Olson, *Legality and Affect*, p. 7.

great extent shaped through cultural expressions of the legal. Such cultural expressions exist not only in “fictional representations of law in movies and television”, but also “in images and sculptures relating to law, as well as in courtrooms and monuments”.<sup>5</sup> Coen’s statue can thus be understood as such a cultural expression of legality, because it invites an affective relationship to colonialism: a proud, legitimizing perspective on the colonial past, in which colonizers are regarded as people to look up to, quite literally so in the case of Coen’s large statue.

In what follows, I will first contextualize the controversy about Coen’s statue by providing details of his actions in the colony as well as list some of the most pertinent protests against the statue since the late nineteenth century when the statue was erected. Then, I will narrow down my focus to one particularly salient moment in this history of protest: the time when Coen’s statue, in what one could perhaps call an instance of cosmic justice, literally fell off its pedestal due to a construction accident on 16 August 2011. A crane truck knocked the statue over while cleaning up after the annual fair. This incident sparked a citizens’ initiative petitioning to have the fallen statue not be placed back in the center of the city, but instead to have it relocated to Westfries Museum: a museum that is not only devoted to Coen’s era, the seventeenth century, but is also located on the same square as the statue.

The municipality did not heed this request but instead responded to it by organizing an interactive exhibition in Westfries Museum from 14 April to 1 July 2012. This exhibition was presented in the form of a trial, with Coen as the accused, and the audience as the jury having to decide whether or not he is worthy of a statue. The exhibition was thus a performance aimed at inviting conscious legality: audience members were urged to consider their own position in this conflict about the legitimacy of Coen’s glorified reputation and, by extension, about the proud postcolonial memory that his statue encourages.

As such, it may seem as if the voices of those who were against the statue are now appropriately represented in public discourse. Yet, the municipality granted the opposition a voice only as a way to legitimize its decision to keep ignoring what that voice had to say: the statue was renovated in direct disregard of the opposition’s request. Throughout my analysis, I will rely on philosopher Herbert Marcuse’s theory of *repressive tolerance* to make sense of this paradoxical process, in which voices of dissent are tolerated in public discourse as a way to repress them.<sup>6</sup> By contextualizing my analysis within the longer history of protests against Coen’s statue, I will interpret this conflict about the articulation of postcolonial memory as the ongoing negotiation of legalities.

## Coen’s controversial legacy

Jan Pieterszoon Coen was the fourth Governor-General of the VOC (*Vereenigde Oost-Indische Compagnie*: Dutch East India Company), from 1617 to 1623. He established the city of Batavia in 1619 (currently Jakarta, the capital city of Indonesia) and is remembered for being responsible for the establishment of the Dutch global monopoly

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5. Olson, *Legality and Affect*, p. 8.

6. H. Marcuse, ‘Repressive Tolerance’, *A Critique of Pure Tolerance* (Boston, MA, 1970).

over the clove and nutmeg trade in 1621. A less emphasized aspect of this history is the fact that he accomplished the spice monopoly by leading a violent offensive on the Banda islands, killing nearly all 15,000 of its inhabitants, deporting the less than 1,000 survivors to Batavia, and repopulating Banda with “shiploads of slaves, who were usually acquired from regional slave markets on the coasts where the VOC traded, if they were not prisoners”.<sup>7</sup>

The conquest of Banda was not the first time that Coen had burned down and depopulated an area to take control over it. The establishment of Batavia in 1619 was also the result of his soldiers burning down the existing city of Jayakarta and expelling its native population. Coen’s expedition against the Banda islands was motivated by the fact that this region was a major location for spice plantations, which were of great interest to the VOC. Coen’s actions constituted a decisive step in the VOC project, which political historian Richard Chauvel summarizes as follows:

a policy of excluding Asian traders and the imposition of control over the clove-producing areas. The clove producers were forced to cease trading with their traditional partners and supply cloves only to the Dutch, while the Dutch were the only and more expensive source of the commodities of exchange.<sup>8</sup>

The Bandanese did not accept this to them detrimental collaboration the VOC was forcing upon them, as a result of which “resistance was offered by covert trading and force of arms”.<sup>9</sup> This resistance is often taken as a justification for Coen’s mass-killing of the Bandanese population in 1621, to which the inscription of his statue, for example, refers as a “punitive expedition”. Due to the fundamental role he played in the establishment of the spice monopoly, Coen is remembered as a national hero in the Netherlands.<sup>10</sup> His statue in his birthplace of Hoorn is an expression of this heroic status.

However, because of the violent details of Coen’s actions, his statue has often been criticized. The main reason for the offense which people take with it is that Coen’s establishment of the spice monopoly was brought about through the mass-destruction of the Banda islands, and the mass-killing of its inhabitants. The honor which the statue offers to Coen’s legacy therefore implies a one-sided approach to remembering the

7. V. Loth, ‘Pioneers and Perkeniers: The Banda Islands in the 17th Century’, *Cakalele*, 6 (1995), p. 24. For an overview of the extensive Dutch-Asian slave trade in the seventeenth and eighteenth centuries, see R. Baay, *Daar werd wat gruwelijks verricht: Slavernij in Nederlands-Indië* (Amsterdam, 2015), and M. van Rossum, *Kleurrijke Tragiek* (Hilversum, 2015).

8. R. Chauvel, *Nationalists, Soldiers and Separatists: the Ambonese Islands from Colonialism to Revolt, 1880-1950* (Leiden, 1990), p. 19.

9. Chauvel, *Nationalists, Soldiers and Separatists*, p. 19.

10. I base my use of the term “hero” on the work of memory scholar Bernard Giesen, who defines it as a societal archetype that is used as an exemplar of collective identity: the hero functions as society’s “triumphant representation of subjectivity and collective identity” (B. Giesen, *Triumph and Trauma*, Colorado, 2004, p. 7). For an in-depth discussion of Giesen’s work on heroes, victims and perpetrators as societal archetypes, see Engelenhoven, G. van, *Postcolonial Memory in the Netherlands* (Amsterdam, 2022); Engelenhoven, G. van, ‘The Case of Telefilm De Punt’s Online Discussion Forum’ (Amsterdam, 2020).

Dutch colonial past, which actively ignores Dutch society's postcolonial reality: that many contemporary Dutch citizens are descendants of people who suffered oppression and forced migration under the Dutch colonial regime in which Coen played a central part.

Seeing the controversial role that Coen has played in Dutch colonial history, it is curious that he received a statue at all. Perhaps even more curious is the fact that this statue was built so many years after his death: what was the purpose of building a national commemoration for a man more than two and a half centuries after his lifetime? An explanation of these issues can be found in the work of historian N.C.F. van Sas, who argues that Coen's statue was built in a time of "statue mania".<sup>11</sup> This statue mania helped shape the Dutch colonial past as a history of national heroes. Sas sketches the nineteenth century as a time in which the Netherlands was "preoccupied with the nation", and the construction of a "fatherland discourse", which he also terms "the myth of the Netherlands".<sup>12</sup>

Sas bases himself in a tradition that is shared by historians like Benedict Anderson and Pierre Nora, who theorize nationalism as a process of myth-making in which collective imaginations of a national community are institutionalized via certain societal practices.<sup>13</sup> These include national media and literature as well as sites of memory, such as national monuments. Based in this tradition, Sas interprets Dutch nationalism, especially in the late nineteenth century, as a form of using literature and public art to strengthen Dutch national self-identification as a strong colonial power. At the time, the Netherlands was occupied with maintaining control over its colonial territories. The Dutch, argues Sas, "enforced their power, if necessary, aggressively", which led to "expressions of outspoken jingoism – exalted nationalism – in the motherland".<sup>14</sup>

I interpret this rise of "statue mania" throughout the nineteenth century as the top-down establishment of a particular sense of legality in Dutch society. By immortalizing colonizers from the past in stone, and by placing them on pedestals in public space, Dutch cities invited their citizens to uncritically identify and empathize with colonizers despite the pivotal roles these figures played in histories of oppression. By staging colonizers as national heroes, these statues urge a collective feeling of pride in the historical narratives of which these figures were the protagonists. As such, these positive articulations of postcolonial memory create a particular *Rechtsgefühl* that, in Olson's words: "denotes feelings about legality, law in the largest sense, and the general rightness or wrongness of the legal environment".<sup>15</sup> By attaching a positive *Rechtsgefühl* to the colonial past, the statue legitimizes the role which the Netherlands played in its colonies.

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11. Sas, N.C.F. van, *De Metamorfose van Nederland: van Oude Orde naar Moderniteit 1750-1900* (Amsterdam, 2005), p. 560. My translation from the Dutch original: "statuomanie"

12. Sas, *Metamorfose*, p. 523. My translation from the Dutch original: "preoccupatie met de natie"; "vaderlanddiscours"; "de mythe Nederland."

13. B. Anderson, *Imagined Communities* (London & New York, NY, 1983); P. Nora, *Les Lieux de Memoire* (3 vols., Paris, 1984–1992).

14. Sas, *Metamorfose*, p. 565. My translation from the Dutch original: "De gezagshandhaving gebeurde desnoods met harde hand"; "uitingen van uitgesproken jingoïsme – geëxalteerd nationalisme – in het moederland."

15. Olson, *Legality and Affect*, p. 12.

Such affective articulations of postcolonial memory thus have a theatrical function to the extent that they stage the past in a glorifying way. Cultural geographer Karen E. Till stresses this theatrical function by arguing that “official urban landscapes of memory – museums, memorials and monuments” function “as stages or backdrops framing myths of national identity”.<sup>16</sup> Therefore, public space may often become a location in which collective identity is contested, seeing that “social groups may not agree with the official meanings of these landscapes and staged rituals: they may decide to take over existing *topoi* or create their own sites of memory”.<sup>17</sup> Coen’s statue has indeed given rise to such contestation frequently. The first protests in fact date from the time when the statue was still only an initiative. Bibliographer P.A. Tiele argued against the initiative in 1885 by referring to Coen’s violent assault on Banda, writing that “for the sake of monopoly, the affluent population of a beautiful archipelago [. . .] was murdered in a cold-blooded manner”.<sup>18</sup>

More contemporary protests against Coen’s statue include a play by one of the most celebrated modern Dutch poets, Jan Jacob Slauerhoff, entitled *Jan Pietersz. Coen, drama in elf tafereelen* (“Jan Pieterszoon Coen, drama in eleven tableaux”). It was published as a text in 1931, but never performed as a play due to its controversial content until fifty years after Slauerhoff’s death, in 1986. During the celebration of Coen’s 400<sup>th</sup> birthday in 1987, at the opening of an exhibition about him in Westfries Museum, “Moluccan artist Willy Nanlohy presented the Queen’s husband, Prince Claus, with a black book on the atrocities carried out by Coen”.<sup>19</sup> Protests against Coen’s glorification have continued into the twenty-first century. In June 2020, in the aftermath of the murder of George Floyd, there was a Black Lives Matter protest against the statue that resulted in the arrest of seven protesters on suspicion of attempting to topple it.

What this long history of protests shows is that colonial statues can inspire different, even opposing, legalities. As Olson remarks, people have “different positions within their legal environments based on whether they agree with that environment’s dominant messages and forms of interaction, are resistant, or negotiate with them”.<sup>20</sup> In the case of Coen, his statue may have originally been aimed at articulating colonialism as a legitimate endeavor, but instead became a central catalyst for contestations of this articulation.

This consideration shows that legality cannot be reduced to its particular expressions, be these texts, images, or indeed statues: instead, in a way that closely resembles Stuart Hall’s encoding/decoding model of communication, legality is located exactly in the interaction between particular expressions and their receptors.<sup>21</sup> Olson stresses Hall’s

16. K.E. Till, ‘Staging the Past: Landscape Designs, Cultural Identity and *Erinnerungspolitik* at Berlin’s *Neue Wache*’, *Ecumene*, 6/3 (1999), p. 254.

17. Till, “Staging the Past”, p. 254.

18. V. Enthoven, ‘Jan Pieterszoon Coen: a Man They Love to Hate. The First Governor General of the Dutch East Indies as an Imperial Site of Memory’, *Sites of Imperial Memory: Commemorating Colonial Rule in the Nineteenth and Twentieth Centuries*, ed. D. Geppert and F.L. Müller (Manchester, 2015), p. 128.

19. Enthoven, ‘Jan Pieterszoon Coen’, p. 129.

20. Olson, *Legality and Affect*, pp. 55–56.

21. S. Hall, “Encoding/decoding”, *Culture, Media, Language: Working Papers in Cultural Studies, 1972-79*, ed. S. Hall, D. Hobson, A. Lowe and P. Willis (London & New York, NY, 2005).

relevance for the theory of legality when she states that “Hall and other cultural critics have shown that media usage and interpretation are always co-determined by users’ material conditions and ideological standpoints as well as the experiences of the groups with which these people identify”.<sup>22</sup> Applying these thoughts to the case of Coen’s statue, I suggest that the colonial pride that was originally *encoded* in the statue, may eventually be *decoded* differently, or even in opposition to the original intention, by people who encounter the statue. The way in which people will decode the statue’s meaning depends on who they are and in which historical context the encounter takes place.

For instance, the statue’s intended message of colonial justification may be rejected by people if they have learned to regard colonialism as a history of violence. They may have learned to do so, for example, through their school education or, as is the case for myself, through personal experience as belonging to Moluccan, Surinamese, or other postcolonial communities in Dutch society. For many of us, the statue reads and feels not as a legitimate tribute to a national hero, but as the material evidence of Dutch society’s continued refusal to acknowledge the wrongness of the colonial project. Protests against the statue can thus be understood as negotiations of the legality attached to Dutch post-colonial memory: by attacking the statue, protesters contest the legitimacy of the colonial project which it proudly promulgates.

One such particularly salient contestation took place in 2011-2012, in the months after the statue had literally fallen off its pedestal due to a construction accident on 16 August 2011. The accident inspired a citizens’ initiative called *Ja voor Hoorn; Nee tegen Coen* (“Yes to Hoorn; No to Coen”). The full petition text reads as follows:

We the Dutch, who are host to the International Criminal Court in the Hague, ascertain that our country cuts a pathetic figure, if the municipality of Hoorn honors genocide committer J.P. Coen by placing his fallen statue back on its pedestal and request the city council of Hoorn to reconsider its decision.<sup>23</sup>

This text is an expression of legality, because it frames the decision to restore the statue in its original place within an explicitly legal context. The text calls Coen a “genocide committer” while reminding his readers that the Netherlands is “host to the International Criminal Court”. This court, according to its website, is “the world’s only permanent international court with a mandate to investigate and persecute genocide, crimes against humanity, and war crimes”.<sup>24</sup> The implication here is thus that the municipality’s decision to restore the statue of someone famous for killing 14,000 people in pursuit of a trade monopoly is the opposite of what the Dutch would like to be renowned for, which is the persecution, not the honoring, of genocide committers. The text thus articulates a

22. Olson, *Legality and Affect*, p. 15.

23. ‘Ja Voor Hoorn. Nee Tegen Coen’ (*Petities*, 21 September 2011).

My translation from the Dutch original: “Wij Nederlanders die onderdak bieden aan het Internationaal Strafhof in Den Haag constateren dat ons land een modderfiguur slaat als de gemeente Hoorn eer bewijst aan genocidepleger J.P. Coen door diens gevallen standbeeld terug te zetten op zijn sokkel en verzoeken het Hoornse gemeentebestuur haar besluit te heroverwegen.”

24. ‘How the ICC works’ (*ABA’s ICC Project*, 2021).



particular *Rechtsgefühl*, an affective legal relationship to the statue, in which restoring it to its original state *feels wrong*.

The petition was signed by the rather modest amount of 297 citizens of Hoorn. Yet, its message gained symbolic significance because of the fact that Coen's statue had indeed been toppled at the time, albeit by accident, and a decision needed to be made about its status in any case. The national attention that ensued urged the municipality of Hoorn to respond to the petition. Although the statue was placed back on its pedestal a few months after the incident, the municipality officially acknowledged the petition in two ways. First, the statue was provided with a new inscription that acknowledges the criticism against its restoration. Second, Westfries Museum hosted an exhibition aimed at making people aware of Coen's controversial history. In the following two sections I will provide close-readings for both of these offered compromises in order to analyze the effects they had on the conflicting legalities attached to the statue.

### The statue's updated inscription

The first compromise that the municipality offered to the citizens' initiative was to update the statue's inscription in a way that acknowledged their plea. The old inscription was as follows:

Jan Pieterszoon Coen (1587-1629). Born in Hoorn. Governor-General of the VOC and founder of Batavia (present-day Jakarta). The statue was erected in 1893. The square, named after the red stone where executions took place, is the central point from which Hoorn has developed itself, with notable buildings such as Statencollege (1632), nowadays known as Westfries Museum, and Waag (1609).<sup>25</sup>

On the one hand, no reference is made to Coen's violent actions in Banda, nor to the fact that he "founded" Batavia by burning down the existing city of Jayakarta and expelling its native population. On the other hand, this text does not seek to aggrandize his legacy either. In fact, most of the inscription is more about the statue's location than it is about Coen.

The new, bilingual inscription (in Dutch and English) presents a much longer and more detailed version of the history. The English version is quoted in full below:

Jan Pieterszoon Coen (Hoorn 1587 – Batavia 1629).

Merchant, Director-General and Governor-General of the Dutch East India Company (VOC). Architect of the VOC's successful trading empire in Asia. Founder of the city of Batavia, currently known as Jakarta.

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25. My translation from the Dutch original: "Jan Pieterszoon Coen (1587-1629). Geboren te Hoorn. Gouverneur-generaal van de VOC en grondlegger van Batavia, het huidige Jakarta. Standbeeld geplaatst in 1893. Het plein, genoemd naar de rode steen waarop terechtstelling werden voltrokken, is het centrale punt van waaruit Hoorn zich heeft ontwikkeld met het Statencollege (1632), thans Westfries Museum en de Waag (1609) als markante gebouwen."

Coen was praised as a vigorous and visionary administrator. But he was also criticized for the violent means by which he built up trade monopolies in the East Indies. In 1621 Coen led a punitive expedition against one of the Banda Islands, as the local population was selling to the English in disregard of a VOC ban. Thousands of Bandanese lost their lives during the assault and the survivors were deported to Batavia.

By the end of the nineteenth century Coen had grown into a national hero and was honored with a statue in his home town. A national committee headed by the Mayor of Hoorn, Baron Van Dedem, collected money to realize this. The bronze work which was designed by Ferdinand Leenhoff (1841-1914), an instructor at the National Academy of Visual Arts in Amsterdam, was unveiled during a festive ceremony in 1893.

The statue is controversial. According to critics, Coen's violent mercantilism in the East Indian Archipelago does not deserve to be honored.

This text contains several telling choices of formulation. First of all, although the inscription acknowledges Coen's violent actions, it uses the term "punitive expedition" rather than "genocide" or "mass-killing", suggesting, as is also emphasized later in the same sentence, that this expedition happened because the Bandanese were breaking the law. Therefore, the situation is framed in such a way that it sounds as if the mass-killing of a region's high full population was a justified consequence of their transgressions. Yet, this representation sketches a misleading account of the situation, as can be gathered from political historian Muridan Satrio Widjojo's description of the Bandanese resistance to VOC law. He reports that, in August 1609, VOC-admiral Simon Jansz Hoen

managed to blockade the Bandanese coastal waters in order to obstruct the import of foodstuff and the escape by sea by the islanders. On 13 August 1609, a number of *orang kaya* were forced to sign a contract regulating the delivery of nutmeg and mace and control over the islands, but on the very day it was signed, the Bandanese began to violate the contract.<sup>26</sup>

This citation indicates that the law which the Bandanese were breaking was the result of a contract that had been forced upon them by Coen's predecessors. As such, the "punitive expedition" Coen led against the Bandanese in 1621 is unjustifiable.

A second problematic element of the new inscription is that it mentions the deaths of "thousands of Bandanese". Although this is an acknowledgment of an important aspect of Coen's legacy, it is still unspecific as it fails to mention that the Banda region was in fact completely depopulated, and then repopulated with enslaved people who were put to work on the few remaining spice plantations that had not been burned down. That these actions of depopulation and repopulation as well as the destruction of large parts of the area were based on premeditated intentions accrues from the letter which the central executive board of the VOC, known as the *Heeren XVII* ("Lords Seventeen"), had sent to Coen in 1615.

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26. M. S. Widjojo, *The Revolt of Prince Nuku: Cross-Cultural Alliance-making in Maluku, c. 1780-1810* (Leiden, 2009), p. 17. *Orang kaya* is an Indonesian title referring to members of the nobility.

In this letter, the executive board urged Coen to conquer the Bandanese and to “exterminate or chase out their leaders, and repopulate the country with pagans, considered more tractable than the Muslim Bandanese”.<sup>27</sup> In his 1623 report to the Heeren XVII, Coen himself suggested a more rigorous idea, i.e. to repopulate Banda with enslaved people: “we should diligently work towards bringing an amount of slaves, as many as possible, to Batavia, Amboina and Banda”.<sup>28</sup> In the same report, Coen assures that he has followed his executives’ orders to “exterminate the inhabitants of several of the islands” very closely: “the natives have almost all perished by war, poverty and defeat. Very little have escaped from the surrounding islands”.<sup>29</sup>

The quoted passages of the new inscription thus provide certain critical details about Coen’s legacy and can therefore be interpreted as granting a voice to the statue’s opposition. Yet, the inscription misrepresents the mass-killing, euphemizes the oppressive aspects of the event, and frames it as a justifiable counter-measure against the population’s transgressions. As such, I argue that the new text actually attempts to filter or downplay the violence of Coen’s actions and the long history of controversy surrounding these actions. Moreover, the updated inscription provides historical details of Coen’s actions within a context that presents as the result of a collective Dutch effort, emphasizing its renowned Dutch sculptor and the fact that it was paid for by voluntary subsidies from citizens. The new inscription also includes directly flattering sentences that were absent from the original inscription, mentioning Coen’s “successful trading empire” and describing him as a “vigorous and visionary administrator”.

Even though the statue has led to systematic protest since before it was constructed, the inscription belittles this outcry by merely calling the statue “controversial”. This acknowledgment is formulated in an even less direct way in the Dutch version of the inscription, which would literally translate to “The statue is not undisputed”.<sup>30</sup> Furthermore, the inscription presents the well-established opposition to the statue as an unspecified set of “critics” that disagree with Coen’s heroic status. This heroic status, in turn, is neutrally represented as something that he had naturally “grown into”, whereas historians such as Sas have pointed out that it was a conscious strategy to strengthen Dutch national identity, the controversial implementation of which gave rise to immediate protests.<sup>31</sup>

27. J. D. Tracy, *The Political Economy of Merchant Empires: State Power and World Trade, 1350-1750*, ed. J.D. Tracy (Cambridge, 1997), p. 4.

28. G. Lauts, ‘Jan Pietersz. Coen’, *Bijdragen tot de Taal-, Land- en Volkenkunde*, 6/1 (Leiden, 1859), p. 294. Amboina was the colonial name for a region in central-Maluku including the Moluccan main island, Ambon, and nine other islands. The sentence is my translation from the Dutch original: “behoort men er zich met ijver op toe te leggen, om een aantal slaven, zoo veel immer mogelijk, over te brengen naar Batavia, Amboina en Banda.”

29. H. Lensink, ‘De Bloedige Wraak op Banda’, *De Coen! Geroemd en Verguisd* (Hoorn, 2012), p. 17; J.A. van der Chijs, *De Vestiging van het Nederlandsche Gezag over de Banda Eilanden (1599-1621)* (Batavia, 1886), p. 162. My translation from the Dutch original: “uijtrocijninge van eenige eijlanden”; “De inboorlingen syn meest allen door den oorlooch, armoede ende gebreck vergaen. Zeer weynich isser op de omringende landen ontcomen.”

30. My translation from the Dutch original: “Onomstreden is het standbeeld niet.”

31. Sas, *Metamorfose*.

Based on my analysis so far, I argue that the apparently tolerant gesture of updating Coen's restored statue with a more detailed inscription that grants voice to those criticizing the restoration in fact neutralizes and bypasses much of the criticism that it was supposed to heed. This form of tolerance can be analyzed through philosopher Herbert Marcuse's theory of *repressive tolerance*, which he defines as something that is

prior to all expression and communication a matter of semantics: the blocking of effective dissent [. . .] begins in the language that is publicized and administered. [. . .] Other words can be spoken and heard, other ideas can be expressed, but [. . .] they are immediately "evaluated" (i.e. automatically understood) in terms of the public language – a language which determines "a priori" the direction in which the thought process moves.<sup>32</sup>

Marcuse's argumentation can be applied to the current case study as a way to understand how the municipality's apparent tolerance of dissent in fact repressed this dissent: the new inscription acknowledges the criticism against the statue, but it does so in euphemizing and de-escalating rhetoric.

The gesture of the updated inscription was subsequently presented by the national news as a benevolent act proving that the municipality listens to all of its citizens, including those who are critical of its choices. For example, an article in national newspaper *Het Parool* states that "In June, the municipality of Hoorn *partly heeded* a citizens' initiative to tackle the issue of the statue" (my emphasis).<sup>33</sup> This statement is misleading, seeing that in fact, the citizens' initiative did not ask the municipality to "tackle the issue of the statue", but directly pleaded against its restoration and for its permanent relocation to Westfries Museum. Therefore, by putting the statue back on its pedestal, the municipality has not "partly heeded the initiative" but has instead effected the exact opposite of the request. Journalist Eric van de Beek, who led the citizens' initiative, also noticed the municipality's strategic lack of substantial response to his action:

Instead of removing the statue, they will provide the pedestal with a fig leaf, that is, a substitute text that will read something along the lines of: "We apologize for this statue, but we could not bring ourselves to remove it."<sup>34</sup>

In short, the municipality's public gesture of tolerance was used as an attempt to reach a compromise between the status quo and its critics, aimed at keeping things more or less the same.

32. Marcuse, "Repressive Tolerance", p. 95–96.

33. 'Restauratie Standbeeld J.P. Coen Kost 20.000 euro' (*Het Parool*, 28 Sept. 2011). My translation from the Dutch original: "De Hoornse gemeenteraad ging in juli deals in op een burgerinitiatief om het standbeeld aan te pakken."

34. E. van de Beek, 'Iemand Als Coen Hoor Je Niet Te Eren' (*De Volkskrant*, 12 July 2011). My translation from the Dutch original: "Liever dan het standbeeld te verwijderen, plaatst zij op de sokkel een schaamlapje in de vorm van een vervangende tekst. Deze kan worden gelezen als: 'Sorry dat dit beeld hier staat, maar we konden het niet over ons hart verkrijgen het te verwijderen'."

The municipality's reaction to the citizens' initiative is thus a case in point in support of Marcuse's argument that "Those who stand against the established system are a priori at a disadvantage, which is not removed by the toleration of their ideas, speeches, and newspapers".<sup>35</sup> In fact, tolerating dissent can even help to further strengthen the status quo: "on the firm foundations of a coordinated society all but closed against qualitative change, tolerance itself serves to contain [. . .] change rather than to promote it".<sup>36</sup> In terms of Olson's theory of legality, the municipality's strategy was to incorporate the dissenting legality expressed in Beek's petition into their own expression of legality by admitting on the record that not everyone agrees that Coen deserves a statue. Marcuse's concept of repressive tolerance reveals that Beek's dissenting legality was repressed through its very toleration: his plea that it is wrong to honor a genocide committer with a statue was officially accepted as a feeling that was allowed. By granting voice to the citizens' initiative arguing that Coen was unworthy of a statue, the municipality legitimized its decision to not listen to that voice: the statue was restored in direct opposition of Beek's aim.

What this shows is that being granted a voice does not automatically imply being listened to, and, paradoxical as that may sound, that giving voice to the opposition can be a top-down strategy to silence the opposition. However, both Beek's skeptical response to the updated inscription and the continued protests against the statue ever since its restoration in 2011 indicate that while this strategy may have technically justified the municipality's decision, it did not annul the dissenting *Rechtsgefühl* that rejects the proud postcolonial memory which this statue articulates. In the next section, I will further elaborate on this consideration by analyzing the second compromise that the municipality offered to the citizens' initiative: the exhibition in Westfries Museum.

## The exhibition in Westfries Museum

Several months after the statue's restoration, Westfries Museum started *De Zaak Coen* ("The Coen Case", 14 April – 1 July 2012), an exhibition aimed at creating an inclusive space, where both supportive and critical voices could negotiate the contested memory of Coen's actions in Banda. The exhibition had an interactive approach in that it invited visitors to reach and share their own opinions about the matter at hand. As such, the project can be interpreted as an attempt to create a tolerant space in which conflicting legalities can be debated: quite literally so, as the exhibition was presented as a faux-trial in which different approaches to the conflict were placed opposite each other, and in which the audience was encouraged to act like a jury working toward a verdict.

Indications for why this gesture of tolerance was of the "deceptive" and "spurious" kind that Marcuse discusses can be found when close-reading some passages from the spoken text in the introduction on the museum's website:<sup>37</sup>

The Coen Case. An exhibition in the form of a trial, with Coen as the accused and a genuine charge: Jan Pieterszoon Coen is not worthy of a statue. [. . .] Supported by a lot of physical

35. Marcuse, 'Repressive Tolerance', p. 92.

36. Marcuse, 'Repressive Tolerance', p. 116.

37. Marcuse, 'Repressive Tolerance', p. 116.

evidence, expert witnesses both for the prosecution and for the defense and an appealing person as the judge, whose verdict everyone wants to know. [. . .] A fitting format, allowing the visitor to develop an opinion in a well-founded and engaging way while the museum encourages and facilitates the debate without forcing an opinion on anyone.<sup>38</sup>

The first problem with this text concerns the question of equal representation. The “expert witnesses” are two Dutch historians, one of whom argues in favor of Coen’s statue, the other against it. The trial’s judge who presents the final verdict of the case, Maarten van Rossem, is also a Dutch historian. Moreover, what is not mentioned in the video is the fact that Rossem’s concluding verdict, which “everyone wants to know” (see citation above), is a *dismissal* of the charge against Coen’s statue. As this authoritative opinion in favor of the statue forms a central aspect of the fixed, non-interactive part of the exhibition, it becomes difficult to see how the museum facilitates a debate “without forcing an opinion on anyone” (see citation above).

Furthermore, the choice of Dutch rather than Moluccan historians for the complete scope of the trial is surprising, seeing that the establishment of the Moluccan migrant community in the Netherlands in 1951 was the conclusion of the Dutch colonial reign over the Moluccan territory. This reign had started with Coen’s violent actions in Banda, a group of islands in the center of that territory. The choice of a Dutch historian as the accuser is therefore confusing, given that a representative of the impaired party could instead have been chosen from the Moluccan community. One appropriate candidate, for instance, would have been historian Wim Manuhutu, director of the Moluccan Historical Museum between 1990 and 2008, who has played a leading role in several state-initiated research projects to resolve conflicts between different cultural identities within the Netherlands. Instead, the role of the accuser was played by Ewald Vanvugt, who has published several books that present a critical view on Dutch colonial history.<sup>39</sup> Without aiming to discredit Vanvugt’s work or approach, the current argument is still meant to direct attention toward the absence of a Moluccan voice in an instead all-Dutch staged court case about postcolonial memory.

As such, the museum’s approach to the issue can be interpreted as ostensibly opening the floor to all possible voices equally while in fact doing the opposite. Moluccan voices were not included in the discussion. Nevertheless, the claimed tolerance of the exhibition has still helped to strengthen Westfries Museum’s position as a legitimate voice of postcolonial memory. Soon after the end of the exhibition, the final results of the visitors’ votes were posted on the exhibition’s website: of the 3,012 votes that were cast, 63.9% were in favor of the statue, 34.7% were against it, and 1.4% had voted neutral.<sup>40</sup> This result was then used as a source for the mainstream media to reconfirm Coen’s heroic status.

For example, national newspaper *De Telegraaf* published an article headlined ‘J.P. Coen deserves his statue’, in which they reported:

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38. ‘De Zaak Coen’ (*Westfries Museum*, 2 Jan. 2015). Quoted are the English subtitles to this video that are provided by the website itself.

39. E.g. E. Vanvugt, *Roofstaat – Wat Iedere Nederlander Moet Weten* (Amsterdam, 2016).

40. ‘De Zaak Coen’.

The statue of Jan Pieterszoon Coen will not have to be removed from the inner city of Hoorn. That was the final verdict of thousands of visitors of Westfries Museum, who shared their opinions in the last few months about the question of whether or not the VOC-leader deserves his statue.<sup>41</sup>

Such reporting suggests that the decision to restore Coen's statue was the result of a democratic vote, whereas in reality the statue was already restored months before the start of the exhibition and its purely symbolic election. Additional to these national confirmations of the status quo, the museum also received international acknowledgment for its exhibition when it was granted the European Union Prize for Cultural Heritage in 2014. According to its website, "The Prize celebrates and promotes best practices related to heritage conservation, management, research, education and communication".<sup>42</sup> The museum was awarded within the category "Education, training and awareness-raising", which focuses on "outstanding initiatives" in the field of "tangible and/or intangible cultural heritage".

These national and international forms of support for the exhibition are examples of repressive tolerance. The conditions of such expressions of positive assessment amount to what Marcuse calls "loaded", because "they are determined and defined by the institutionalized inequality" that is based in the "privileged position held by the predominant interests and their 'connections'".<sup>43</sup> While claiming neutrality, the museum instead facilitated a discussion about the colonial past that featured no Moluccan or other postcolonial voices. The national confirmations of the status quo and the international award demonstrate how such tolerance often "actually protects the already established machinery of discrimination".<sup>44</sup> Moreover, even without considering the equal representation of voices, the discussion cannot be called impartial, because the "judge" of the staged court case, historian Rossem, had officially chosen a side beforehand: the side that argues in favor of the statue.

Rossem's dismissal of the charge is also published as a short piece in the exhibition's corresponding publication *De Coen! Geroemd en verguisd* ("The Coen! Famed and reviled"). This publication was designed as a so-called "glossy magazine" that performed Coen's reputation as that of a controversial celebrity. Mirroring the exhibition, the magazine's first article is Rossem's written version of his verdict as a judge in the trial, entitled 'Coen in Context'. In his first sentences, he writes:

There exists an understandable, but nevertheless peculiar tendency to judge the past according to the customs, norms, and values of the present. [ . . . ] Whoever would think this tendency

41. 'JP Coen verdient zijn standbeeld', (*De Telegraaf*, 8. Nov. 2012).

My translation from the Dutch original: "JP Coen verdient zijn standbeeld." "Het standbeeld van Jan Pieterszoon Coen hoeft niet weg uit de Hoornse binnenstad. Zo luidt het eindoordeel van duizenden bezoekers van het Westfries Museum die de afgelopen maanden lieten weten of de omstreden VOC-voorman een standbeeld verdient."

42. 'European Union Prize for Cultural Heritage / Europa Nostra Awards' (*European Heritage Awards*).

43. Marcuse, "Repressive Tolerance", pp. 84–85.

44. Marcuse, "Repressive Tolerance", p. 85.

through a little further, would probably realize that such exercises may perhaps result in considerable moral satisfaction, yet are not very reasonable. The past must be judged by its own standards. This is certainly a difficult task, because our standards are indeed hard to switch off.<sup>45</sup>

Without addressing the conflict around the statue directly, Rossem identifies a societal tendency that he, quite patronizingly, dismisses as resulting from a lack of reasonableness and driven by a desire for the feeling of moral superiority. His diagnosis of this tendency, i.e., to judge the past according to the moral standards of the present, is his text's main argument against the removal of Coen's statue. This argument is often used as a way to disregard criticism against the statue. The museum's director Ad Geerdink already made a similar statement in national newspaper *De Volkskrant* a year earlier: Coen "was a violent person. But he was not the only one in his time. These were ruthless times".<sup>46</sup> In the same article, the initiator of the 2011 petition against Coen's statue, Beek, identifies this statement as a fallacy, and argues that "committing genocide was also already quite unusual in the Golden Age".<sup>47</sup>

Such references to historical context as a way to de-emphasize Coen's deadly transgressions can be interpreted as an attempt to achieve what legal theorist Scott Veitch argues to be an "asymmetrical compartmentalization of responsibility":

According to the image of the two-way mirror, all kinds of current benefits that are built on the "achievements" of the past – from landholding, all the way to taking patriotic pride in the nation's past – can be held onto or espoused as "one's own", even though "our current" generation did not *do* any of those things either. There is, in other words, a simultaneous acceptance of benefits accruing from, and a refusal to accept responsibility for any wrongdoing having occurred in, the self-same period.<sup>48</sup>

This asymmetrical compartmentalization of responsibility can also be traced in the argument about Coen's historical context. If, conform to Geerdink's and Rossem's arguments, Coen's atrocities should be disregarded because they took place in a historical context in which such conduct was *allegedly* common, then his heroic status as such must also be disregarded according to the same line of thought. That is, the actions for

45. M. van Rossem, 'Coen in Context', *De Coen! Geroemd en Verguisd* (Hoorn, 2012), p. 7.

My translation from the Dutch original: "Er bestaat een begrijpelijke, maar desalniettemin wonderlijke neiging om het verleden te beoordelen naar de gewoonten en normen en waarden van het heden. [. . .] Wie er even over nadenkt zal zich waarschijnlijk wel realiseren dat dergelijke exercities weliswaar aanzienlijke morele bevrediging opleveren, maar niet erg zinvol zijn. Het verleden dient beoordeeld te worden naar zijn eigen maatstaven. Dat is overigens een lastige opgave, omdat onze maatstaven zich inderdaad lastig laten uitschakelen."

46. Beek, 'Iemand Als Coen'.

My translation from the Dutch original: "was een gewelddadige persoon. Maar hij was niet de enige in zijn tijd. Want in die tijd werden geen zoete broodjes gebakken."

47. My translation from the Dutch original: "ook in de Gouden Eeuw was het bepaald ongebruikelijk genocide te plegen."

48. S. Veitch, "The Laws of Irresponsibility", *Law and Irresponsibility: On the Legitimation of Human Suffering* (Abingdon-on-Thames, 2007), p. 113.



which Coen was hailed as a national hero took place in a historical context of colonial domination, in which the oppression of colonial subjects could still be interpreted as heroic. In the Netherlands's current postcolonial context, in which a considerable part of Dutch nationals consists of descendants of the oppressed rather than the oppressors in the self-same colonial past, it should therefore no longer be possible for a colonizer to be hailed as a hero.

This recurrent fallacy about the historical context of Coen's legacy poses a compartmentalized understanding of the past, in which Coen's heroic deeds are presented as timeless while his crimes are presented as dated and, therefore, irrelevant. It was according to the same principle that former Prime Minister Jan-Peter Balkenende (in office 2002-2010), during a House of Representatives debate in 2006, felt legitimated to argue in favor of what he called "that VOC-mentality: looking across the borders, being dynamic!"<sup>49</sup> The remark led to widespread criticism at the time but was justified by Balkenende in a subsequent press conference as an innocent remark with which he "solely referred to the mercantile and entrepreneurial spirit of the Netherlands in that era".<sup>50</sup> As with Rossem's argument about Coen's statue, Balkenende's remark honors the colonial past as an exemplary time for the current era, while denying problematic elements of such historical identification.

Because Rossem bases his argument on an asymmetrical compartmentalization of Coen's legacy, he enables himself to tolerate critical voices within his appeal for the statue's preservation. For example, his acknowledgment that "If he would live today, he would be tried at the International Criminal Court in Scheveningen", is implicitly disregarded within the larger argumentation of his text, which is that all such criticism ignores that Coen lived in a different, more cruel time.<sup>51</sup> Such apparent tolerance is thus in effect a repression of dissent. The criticism against Coen's *statue* is given a voice within Rossem's appeal, but is reformulated as a criticism against Coen's *actions*, which could allegedly be disregarded as a product of his time. The actual criticism, meanwhile, was in fact never directed against Coen's actions per se but against his statue's central place in the city. The latter is not a matter of Coen's bygone era but of the public representation of postcolonial memory in the current era.

Analyzing this case through the theory of legality reveals the exhibition to be a top-down attempt to assimilate conflicting legalities into one dominant legality through repressive tolerance. Reducing the complexity of the situation somewhat for the sake of brevity, I argue that there are two main legalities that can be identified in relation to Coen's statue. In the first of these, colonial history is remembered positively, which provokes a positive *Rechtsgefühl* about Coen's heroic status: his statue is felt to be an appropriate tribute. In the

49. 'Balkenende betreurt VOC-uitspraken' (*Trouw*, 27 Oct. 2006).

My translation from the Dutch original: "Die VOC-mentaliteit. Over grenzen heen kijken! Dynamiek!"

50. 'Balkenende betreurt VOC-uitspraken'.

My translation from the Dutch original: "dat hij louter doelde op de handels- en ondernemersgeest van Nederland in die tijd."

51. Rossem, 'Coen in Context', p. 7.

My translation from the Dutch original: "Zou hij nu leven, dan zou hij voor het Internationale Strafhof in Scheveningen belanden."

other legality, colonial history is remembered negatively, which therefore provokes a negative *Rechtsgefühl* about Coen's heroic status: his statue is thus felt to be an inappropriate tribute. Both the updated inscription and the exhibition are the municipality's attempts to *tolerate* the latter legality as the obligatory opposite of the former.

Concretely, by mentioning on the inscription that "the statue is controversial" the municipality justifies its decision to place the statue back on its pedestal regardless. Similarly, by staging an interactive court case as the allusion of an inclusive space for conflicting legalities, the museum in fact *strengthens* the status quo about the statue's rightful place in the city square: after all, national newspapers quoted the exhibition as a justification of the statue's restoration, and the museum even won a European prize for inclusive heritage projects, further amplifying its claim to a legitimate voice of postcolonial memory.

In short, by incorporating a dissenting expression of legality as a tolerated criticism of their own expression of legality, the city of Hoorn constructs a hierarchy, with their own legality as the norm and the dissenting one as its necessary counterpart. Art historian Jonathan D. Katz refers to this effect of repressive tolerance as "the recolonizing force of the oppositional: what permits the dominant culture to consolidate its authority by reference to the excluded other".<sup>52</sup> Rather than weaken the dominant discourse, "opposition may simply reproduce the binary logic through which domination writes itself".<sup>53</sup> Political theorist Wendy Brown concurs when she argues that "potentially subversive discourse, born of exclusion and marginalization, can be colonized by that which produced it, much as countercultural fashion is routinely commodified by the corporate textile industry".<sup>54</sup>

To put it in terms of legality and affect, by acknowledging that people may *feel conflicted* about proud memories of the colonial past, the municipality attempts to put such conflicting *Rechtsgefühle*, such feelings of injustice about dominant postcolonial memory, to rest. The updated inscription and the exhibition, as official acknowledgments of dissenting legalities regarding Coen's glorified presence in public space, are thus concrete examples of what cultural theorist Sara Ahmed calls *non-performatives*, i.e., statements that "'work' precisely by not bringing about the effects that they name".<sup>55</sup> Repressive tolerance functions exactly through the deployment of such non-performatives: to state "we hear you" does not have to mean "we will do something with your criticism". In fact, officially acknowledging criticism may even help postpone acting upon it indefinitely.

## Conclusion

Conflicts about postcolonial memory revolve around the question of how the colonial past should be remembered: for example, as the triumphant history of conquest or the regrettable history of violence; as a closed chapter in history or as a lingering wound in

52. J.D. Katz, 'John Cage's Queer Silence; Or, How To Avoid Making Matters Worse', *GLQ*, 5/2 (1999), p. 245.

53. Katz, 'Queer Silence', p. 245.

54. W. Brown, 'Freedom's Silences', *Edgework: Critical Essays on Knowledge and Politics* (Princeton NJ, 2005), p. 89.

55. S. Ahmed, 'The Non-Performativity of Antiracism', *Meridians*, 7/1 (2006), p. 105.

contemporary society. In this article, I have analyzed a particular conflict over postcolonial memory: a protest against the statue of Dutch colonizer Jan Pieterszoon Coen in Hoorn that took shape in the form of a petition to have the statue be relocated to a museum in 2011. I have also analyzed the municipality's strategic responses to this petition in the form of an updated inscription on the statue and an interactive exhibition presented as a court case about Coen's controversial reputation with the audience as jury members.

What this analysis has shown is that *negative* articulations of postcolonial memory, in which Coen is perceived to be a mass-murderer not worthy of a statue, can be recolonized as the obligatory, tolerated counterparts of *positive* articulations of postcolonial memory, in which Coen's actions as a colonizer are deemed excusable. As such, the updated inscription and the exhibition construct a hierarchy of postcolonial memory articulations and corresponding legalities that, in a nutshell, declares: "Coen is a national hero, although not everyone agrees with that" (see also the inscription's closing credo: "The statue is not undisputed. . ."). Says Marcuse: the intended result of repressive tolerance is "a *neutralization* of opposites, a neutralization however, which takes place on the firm grounds of the structural limitation of tolerance and within a preformed mentality".<sup>56</sup>

This conclusion may initially sound discouraging as it seems to say that dissenting legalities risk strengthening rather than weakening the dominant legalities they reject. However, as I also discuss elsewhere, it is good to remember that the discussed events in 2011-2012 did not at all succeed in closing the discussion about Coen's legacy in a satisfying way.<sup>57</sup> In fact, Coen's statue continues to be protested until today. National news platform *RTL* reported on 25 September 2021 that the municipality of Hoorn has announced that they are officially considering removing the statue based on the Black Lives Matter demonstration that took place in 2020.<sup>58</sup>

Therefore, what this case study shows is that *Rechtsgefühle* that reject the national consensus cannot be repressed simply by giving them a subordinate place as the obligatory "other" of that consensus. Instead, the articulation of postcolonial memory takes place through the ongoing negotiation of legalities. The conclusion that carries weight for the protesters against Coen's statue thus also counts for most of us who reject glorifying articulations of postcolonial memory in public space: even when our voices are technically tolerated, we will *feel* the difference between being heard and being listened to.

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56. Marcuse, "Repressive Tolerance", p. 97–98.

57. Engelenhoven, G. van, *Postcolonial Memory in the Netherlands* (Amsterdam, 2022); Engelenhoven G. van, and Kaufmann, H., 'When Silence Speaks Louder than Words' (*e-cibs*, vol. 1, 2019).

58. 'Hoorn neemt na zomer 2022 besluit over standbeeld J.P. Coen' (*RTL Nieuws*, 25 September 2021).