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Gevangenis of toevluchtsoord? Vrouwen en de Rijkswerkinrichtingen in Nederland 1886-1934

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Summary in English

Prison or refuge? Women and the state labour institutions in the Netherlands 1886-1934

When thinking about vagabonds, most people have men in mind. It is less well known that more than a thousand women convicted of vagabonding, begging or public drunkenness ended up in a state labour institution (SLI) in the Netherlands between 1886 and 1934. Who were these women and why did they end up there?

The historiography shows that the nuisance caused by vagrants in many Western countries reached a peak in the last quarter of the nineteenth century. An important factor was the major role that the work ethic played in industrialized societies that had become increasingly dependent on wage labour. Begging, wandering with no fixed abode and drinking in public conflicted with the pursuit of efficiency and profit maximization. That is why many Western countries took new repressive measures specifically aimed at beggars, vagrants and 'drunks'. In the Netherlands this led to the transformation of the existing beggars' colonies into pure penal institutions in the form of state labour institutions. After 1886, voluntary registration, as was regularly the case in the previous period, was no longer possible. In the view of the state, the care of the poor was a responsibility of the municipality. The punishment of being sent to a SLI varied in duration from a minimum of three months to a maximum of three years. In addition to 'adding suffering', deterrence and protection of society, this long-term punishment was also intended to 'cure' vagrants of their laziness.

At the same time, there are indications that prisons, workhouses and similar institutions functioned as a (temporary) refuge for some poor people. They would have deliberately looked for incarceration in times of need. The relatively high age of the women who ended up in a state labour institution and the many among them who were ill also seems to indicate this. This was in contradiction with the design and purpose of the SLI's, which were intended for people who could work but preferred an 'idle' existence. The law therefore prescribed that courts could only convict people who were capable of working.

This raises the question of the scope for action of poor women within the legal, moral and practical constraints they faced during the period studied. That is why Chapter 2 is devoted to the concept of agency. In social science literature, agency stands for purposeful action within the structures existing in a specific time and place. The emphasis is predominantly on people who differed greatly in terms of social and economic resources from the women in this study. With the 'new history from below', the perspective shifted from the motives and actions of the upper stratum of society to the experiences of the people who were the target of their actions. Instead of passively undergoing these interventions, the poor were able to incorporate them into their own survival tactics, which in turn influenced these structures. Gender added a new dimension. Based on the historiography, I arrive at a definition of (pauper) agency for this research as acting within a certain context, using the institutions and measures present there, in a different way and for a different purpose than that for which the institutions and measures were intended. The agency of the poor was by definition aimed at achieving short-term goals.

Because context was essential for the nature, scope and purpose of the agency of female paupers, Chapter 3 focuses on the social context of the Netherlands at the turn of the century. Research on gender differences in crime has led to the identification of five factors

that influenced women's propensity and ability to break the law. These were legal and moral norms, the degree of urbanization, family ties, labour participation and the level of prosperity and welfare arrangements. Women faced various legal, moral and practical constraints. For example, upon marriage they lost their legal capacity and had to submit to the authority of their husband. An economically independent existence was virtually impossible for single women. The breadwinner model meant that women's work received much less reward financially. Poor women's employment options were limited to a few sectors, in which domestic work (serving, cleaning, washing and sewing) and to a lesser extent factory work predominated. Industrialization gave an extra impetus to urbanization and led to overcrowded slums. Poor health, illness and death (of parents, children and partners) marked the lives of the poorest of the poor. Deaths meant not only sadness, but also a (substantial) loss of income, especially if the breadwinner died. That is why widows were more likely to be eligible for poor relief. However, this was hardly sufficient, which forced many to tap into other (legal, and sometimes illegal) sources of income: an economy of makeshift.

The wealthy continued to look for the causes of poverty in the shortcomings of the poor themselves, such as a lack of self-control, thrift and morality and excessive alcohol consumption. Self-control is easier to achieve if there is a prospect that long-term goals can be achieved. This prospect did not exist for the very destitute. They often didn't even know how to get through the next few days or weeks. The view that poverty was largely due to the behaviour of the poor also had an impact on the nature, size and accessibility of poor relief. This was not only extremely meagre, but often also aimed at disciplining or improving the poor. People known for drunkenness, lewd behaviour or prodigality ('vices' that were condemned more in women than in men) had difficulty getting support. To determine why a stay in the SLI could function for some poor women as a (temporary) alternative to life on the street, with family or in other institutions, Chapter 4 discusses the specific context of this penal institution. Confinement in a SLI meant deprivation of liberty and compulsory labour, but also shelter, three (frugal) meals a day, medical care and aids, like glasses. Moreover, the women could earn some money with their work.

In addition to socio-economic circumstances and gender, the stage in life, illness and marital status also influenced the options and motives of the women in this study. Chapter 5 shows that many SLI-women were not only poor, but also old, ill and single. Many had suffered neglect, abandonment and domestic violence. Unmarried motherhood was disproportionately common. Some women entered the SLI heavily pregnant or in the company of infants and toddlers. In this context, it is not surprising that, in the absence of adequate social services, they occasionally turned to less appropriate survival tactics or to the temporary oblivion that alcohol could provide. About a quarter to a fifth of the women had also been charged with other (minor) crimes or violations, such as theft, violating regulations, fencing, minor violent crimes and 'indecent behaviour'. These were largely crimes that were committed to ensure their (short-term) survival. However, these activities and tactics limited their access to poor relief, which was after all not unconditional.

How the arrest and burden of proof took place in practice is discussed in Chapter 6 on the basis of a sample of the judgments of the four courts that issued the most sentences for deportation to the SLI. The focus is both on the actions of the courts and on the attitude and role of the women themselves. The four courts discussed here appear to differ considerably in

the way they interpreted the law and determined the burden of proof. The women in this study appeared to be well aware of this and adapted to any policy changes. Depending on the court, they turned themselves in stating that they had no means of support, asked the police (either once or on three consecutive times) for a night's shelter or begged in association. Some women even explicitly stated that they wanted to go to a SLI. Only a few protested against their arrest. Almost all indicated in court that they were capable of working, even those who were old, sick or heavily pregnant. Various studies have shown that authorities in several countries regularly used the vague definition of vagrancy (as wandering without a means of subsistence or a permanent place of residence) to arrest people they considered to be nuisances. Women who behaved immorally, including sex workers, were often victims of this. However, this hardly appears to have been the case in the sentences studied here.

The fact that women were not deprived of all options for action once in the SLI is demonstrated by the petitions for pardon that at least 74 women submitted (or had submitted for them), with varying degrees of success, as discussed in Chapter 7. Although many of them had previously sought incarceration, they took advantage of the most obvious means of getting out of the SLI as soon as there was a prospect of improvement in their situation. In doing so, they formulated their requests in precisely those terms which they expected would be pleasing to those who had to grant their request. For example, they indicated that they could provide for themselves and no longer wanted to be a burden to society.

In addition to a pardon, 93 women left the SLI prematurely because they were transferred to a state mental asylum. Chapter 8 shows that unmanageable behaviour, extreme neediness and the necessity of permanent supervision were often the reasons for these transfers. Some of the diseases diagnosed were a result of their lifestyle, such as dementia paralytica (end-stage syphilis). For others it is more obvious that mental problems had landed them on the street and subsequently in the SLI.

The establishment of the women's committee in 1892 offered the women in the SLI new opportunities, as Chapter 9 shows. This committee was affiliated with the Dutch Society for the Moral Improvement of Prisoners. The members wanted to help the women to build a life outside the SLI. The log they kept provides a good overview of the problems the women faced, how they wanted to tackle them and how they involved this committee. It confirms that poverty, old age and illness, especially in combination with a dysfunctional or missing social network, were responsible for their entry into the SLI. The logs also show that poor relief was difficult to access for many of them, who had not always behaved according to the prevailing norms. Despite their great commitment, extensive network and practical approach, even the members of the committee were usually unable to achieve a sustainable solution, as Chapter 9 concludes.

I also compare women sentenced for drunkenness with women sentenced for vagrancy. In addition to similarities - both those incarcerated for drunkenness and the vagrants were poor, deviant and relatively old - there were some striking differences between the two groups. The former constituted less than a quarter of the total population. They usually had a place to live and were less likely to be single. Only one of them was transferred to a state mental asylum. Finally, they regularly protested against their sentence. Despite their problematic alcohol use, the situation of the women convicted of drunkenness appears to have been less dire.

The male and female inmates had a lot in common: both groups were relatively old, single and suffered from physical problems. The men are also said to have regularly sought confinement. On the other hand, the latter had a slightly better starting position: a third of them turned out to be relatively well educated. They were proportionally relatively much less likely to be transferred to a state mental asylum.

The biggest difference between men and women was quantitative. An intriguing question remains why the proportion of women was so small: ranging from ten percent in the last quarter of the nineteenth century to two percent in the 1930s. An explanation for this may be that women, despite their disadvantaged position, had more alternatives at their disposal. They were more likely to be eligible for poor relief and were perhaps more likely to be welcome to stay with family. Here they could make themselves useful in the household or with babysitting. Material support was more self-evident for women because they were said to be weaker and more sensitive, while the prevailing ideology dictated that a man should support himself. In addition to voluntary registration, men may have been more likely to be prosecuted by the police and the judiciary.

In a context of extreme poverty and meagre and disciplinary poor relief, the SLI was a temporary emergency solution for single, ill and old women who did not behave according to the prevailing standards. Some women even preferred staying in the SLI to other solutions. They appeared to be well acquainted with the operation of the SLI and with the practices of the police, the judiciary, poor relief and other institutions with which they had to deal. They knew how to get into the SLI in times of need and how to get out again when new perspectives presented themselves. They changed tactics depending on the situation and the authorities they came into contact with. Although contemporaries, including the Minister of Justice, were aware of this improper use of the SLI, attempts to limit the influx of old and ill people hardly had the intended effect. The number of women who ended up in a SLI decreased in the 1920s and 1930s. However, the percentage of women who were old and in poor health, in particular the number with mental and psychiatric problems among them, increased proportionately. The conclusion in Chapter 10 is that the SLI, like the beggar colonies in the period before 1886, continued to function at the intersection of punishment and poor relief: as a prison and as a refuge.