

State-Sanctioned Slavery: The States General from 1581 to 1796

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It is considered a key document in Dutch history: the declaration of July 26, 1581 in which the States General of the United Provinces of the Netherlands publicly declared that they no longer recognized the Spanish king, Philip II, as sovereign monarch. The edict, known as the Act of Abjuration, is commonly seen as the birth certificate of the Netherlands as an independent state. It stresses that in a free country, there is no room for political slavery. Subjects do not exist for the benefit of the monarch, "to serve him as slaves," but the monarch is there for his subjects. If he fails to protect their rights and tries instead to "command and use them like slaves," then he must "be regarded not as a prince but as a tyrant."¹ With these famous words, the States General, the body representing the several Dutch provinces that had risen up against Spain, not only claimed its right to oust Philip II but also staked out its own position as the embodiment of a free republic in which no individual would be allowed to behave like a despot, lording over others and treating them like slaves, even if only in a metaphorical sense.

Fifteen years later, on November 28, 1596, the same body issued another statement that has received far less attention. It was a response to a request from Rotterdam merchant, Pieter van der Hagen. Two weeks earlier, a ship of his had sailed into the harbor of Middelburg with 130 enslaved Africans on board. On arrival, the local magistrate had ordered them freed, but the members of the States General came to a very different decision. After having repeatedly discussed Van der Hagen's petition to let his ship set sail again carrying its human cargo, the States General ruled that he would be allowed to do whatever he wanted with his property.² This decision marked the start of the Dutch government's involvement in the transatlantic slave

trade. The Dutch Republic may have been a free country where there was no place for slavery in the abstract sense, but outside its borders, Dutch traders were explicitly given all the leeway that they wanted to enrich themselves through human trafficking and exploitation.

The States General was therefore not only foundational to Dutch independence but also to Dutch colonial slavery. From the late sixteenth to the late eighteenth century, the members of the States General gave political, military, financial, and legal backing to Dutch colonial slavery and slave trading.

Corporate Responsibility? The States General and the VOC

Historians have long emphasized the importance of the States General in the history of the Dutch Republic, pointing to the body's position within the Republic's complex confederate power structure. In that structure, each of the seven individual provinces had sovereignty, but the States General was responsible for their common foreign policy, for maintaining diplomatic relations with other states, and for the many wars waged by the Dutch Republic. The main consequence of this position was that the States General became the central administrative institution in a government apparatus which was otherwise entirely decentralized. Therefore, historical research into the political and constitutional development of the Dutch state has generally focused on the powers and decision-making processes of the States General as the predecessor of the modern-day Dutch Parliament.

Another aspect of the history of the States General has not been scrutinized nearly as much: the key role it played in Dutch colonial trade and expansion from the 1590s when the first ships from Holland and Zeeland set sail for Africa, the Americas, and Asia. At first, those maritime expeditions were private initiatives by merchants such as the Rotterdammer Pieter van der Hagen. As the States General was responsible for conducting foreign relations on behalf of the Republic and promoting the interests of its subjects abroad, it was involved in the creation of an overarching policy for those private colonial enterprises right from the start. This involvement developed not only indirectly—when Van der Hagen and other merchants petitioned the States General for a stamp of approval for their actions—but also directly as members of the States General actively initiated the formulation of colonial policy.



Engraving dating from 1639 depicting a session of the States General. The Lords Seventeen are engaged in debate. In the foreground a clerk is taking minutes.

The most far-reaching initiative in this respect was the decision made by the States General to establish the Dutch East India Company (VOC) in 1602. The creation of the VOC is the only aspect of the States General's colonial involvement that has been relatively widely researched. For many years, historians were mainly interested in the VOC as a public-private company with a trading monopoly. The research emphasized the States General's leading role in granting and repeatedly renewing the VOC's charter as a historical example of state intervention in the market. As such, the relationship between the States General and the VOC could serve as a mirror for contemporary debates about state aid for private enterprise, antitrust law and cartel formation, and shareholder interests.

A striking example of this can be found in the proceedings of a conference organized by the Dutch Parliament in the VOC commemorative year of 2002.³ At the conference, three leading maritime historians discussed in detail how the States General forced the merger of previously existing *voorcompagnieën* (pre-companies) into the Dutch East India Company, analyzing the political, military, and financial support the States General gave the VOC throughout its existence. The framing of the whole discussion was characterized by the concluding analysis, which described the relationship between the States General and the VOC in terms of state supervision and corporate governance of "a multinational *avant la lettre*." A brief discussion of the VOC's military actions only served to illustrate the importance of "corporate responsibility." Not a word was said about the VOC's role as a driving force behind slavery and the slave trade in the Indian Ocean.

The unspoken assumption that the role of the States General should primarily be seen in terms of the relationship between state and market is remarkable in light of the political and military nature of the support which it gave the VOC. After all, a key impetus for the establishment of the Company was military-strategic in nature, namely thwarting the Spanish by expanding the theater of war overseas. This is why the States General, in granting the VOC its monopoly, explicitly charged the Company with such tasks as waging war, building forts, and conducting diplomatic negotiations with governments in Asia. Moreover, the States General frequently gave military aid to the VOC in the shape of warships and materiel. In short, the States General turned the VOC into an overseas extension of its own sovereignty, even granting it the right to take possession of conquered territories and peoples. By delegating sovereign rights to the VOC, the States General

created the conditions for justifying slavery in the Company's charter area, because under the law of war at that time, the sovereign had the right to enslave people taken prisoner in a lawful war. That was made explicit in the instructions for the VOC's governor-general that the States General ratified in 1617, in which VOC employees were ordered to indiscriminately enslave prisoners of war and "treat them as rigorously as they deemed fit."⁴

Apparently, this theme of warfare—and the associated practice of slavery which it legalized—did not fit in with the dominant paradigm at the turn of the last millennium, which saw the relationship between the States General and the VOC mainly as a case of state aid for a trading company. Since then, the paradigm has shifted. More recent historical studies stress the violent nature of the VOC empire and the continuous overseas warfare that the States General engaged in. Simultaneously, research has shown that the VOC was complicit on a large scale in slave trading and the use of slave labor. Even so, no systematic research has yet been conducted into the specific role that the States General played in the development of slavery and the slave trade in the areas where the VOC had a monopoly.

How Slavery and the Slave Trade Were Institutionalized

In the Atlantic context too, the precise involvement of the Dutch state has yet to be studied systematically, although one important caveat must be made here: historians have long been emphasizing the political and military nature of the West India Company (WIC), the VOC's Atlantic counterpart. When in 1621 the States General established the WIC, it reaffirmed and reinforced its claims to overseas sovereignty. The state was more directly involved in the management of the WIC than in the VOC, as a delegate from the States General held a seat on the WIC board of directors. This entwinement of the Dutch state and the Company was clear from the WIC mandate, which included the task of opening a new front in the war against Spain, and from the way the States General continually funded military expeditions to keep the WIC war machine going.

The fact that the members of the States General took the lead in the formation and execution of the Republic's colonial policy meant that they were also responsible for the Dutch participation in the transatlantic slave trade. In the early days, it was private entrepreneurs like Van der Hagen who took the initiative to trade in enslaved Africans, for which they received permission from the States General. Once the WIC was established,

the Atlantic slave trade became part of the Company monopoly. Because the WIC and the States General were so interconnected, the slave trade also, in a sense, became a state matter. After the WIC had conquered various Portuguese sugar cane plantations in northeastern Brazil and several West African forts in the 1630s and early 1640s, the African slave trade became part of its core business.

The States General set guidelines to regulate the slave trade and the use of slave labor, and so legitimized these practices. A 1636 decree from the States General not only stipulated that the enslaved Africans working on sugar cane plantations in Brazil should be treated well, but also that they fell under Roman slave law: legal regulations that were laid down to support slavery in ancient Rome (and which were, in principle, not applicable to citizens in the Dutch Republic).⁵ Thus, the States General laid the foundation for the classification of African enslaved individuals as a separate category of colonial subjects to whom specific laws applied.

In addition, the States General emphasized that the Indigenous inhabitants of Brazil should under no circumstances be enslaved (see Chapter 19 by Erik Odegard). The reasoning was that Indigenous Brazilian peoples such as the Potiguara were potential allies of the WIC in the struggle against the Portuguese. The same instructions were issued regarding the Angolan coast, where in 1642, WIC employees were urged to keep in mind that the free local inhabitants “should in no way be enslaved.”⁶ These instructions reveal that the States General tried to create a legal framework for the Dutch involvement in the slave trade and slavery. By making enslavement subject to conditions (and not forbidding it across the board), the States General paved the way for the institutionalization of, the trade in, and exploitation of enslaved people in the colonies.

Crucial decisions by the States General led to not only the normalization, but also the intensification of the transatlantic slave trade and the use of slave labor. That was particularly true of the States General’s policy toward the Second WIC, which was set up in 1675 after the original WIC went bankrupt. When, in 1682, the successor Company was tasked with the administration of the colony of Suriname, the monopoly granted by the States General explicitly stated that the colony “could not be continued well other than through black Slaves or Negroes,” in other words, depended on enslaved people for its continued existence. The States General stressed that the WIC was “obliged” to provide the colony with a continuous supply of enslaved Africans.⁷ From this we can surmise that the States General not

only created the conditions under which slavery and the slave trade could continue, but also actively promoted the trade in humans and labor exploitation on the plantations.

The States General's policy also had big consequences for the role of private and foreign slave traders and slavers. For instance, in 1675, a resolution by the delegates in The Hague formally opened the harbor of Curaçao to all traders, enabling Curaçao to become one of the most important international slave markets in the Caribbean. When the States General eventually dismantled the WIC trade monopoly and definitively opened trade with Africa to all inhabitants of the Republic in 1734, this gave a new impetus to the Dutch involvement in the transatlantic slave trade. Even after the WIC monopoly was lifted, private parties with colonial interests could still count on the States General for support. There is tangible evidence of this in 1763, for instance, when a major slave revolt hit the colony of Berbice. In response to a lobbying effort by plantation owners and other stakeholders, the States General deployed a large contingent of troops to quash the rebellion (see Chapter 17 by Marjoleine Kars).

Freedom and Slavery on Dutch Territory

The States General did not limit itself to maintaining and promoting slavery in the colonies. The delegates also used their power to obstruct the emancipation of the enslaved on Dutch territory. Because in cities like Amsterdam local customary law formally prohibited the practice of slavery, the enslaved who sought a safe haven in the Republic could, in principle, regain their freedom there. The States General tried to cut off that escape route, but a few enslaved people succeeded in this anyway. Finally, in 1776, the States General decreed that enslaved people who were in the Republic could not immediately be freed. According to the decree, freeing them would breach the slaveholders' property rights and thus harm "the innate and actual freedom of the inhabitants of this Republic." This "Freedom of the Fatherland" did not apply to the enslaved from the colonies.⁸

This means first of all that the States General in effect cut off one of the few options that the enslaved had to free themselves from slavery. Secondly, it shows that the practice of slavery was not restricted to the colonial world but had gradually seeped into the fabric of Dutch metropolitan society. At the States General's behest, local laws which theoretically outlawed slavery within the borders of a given city were made subordinate to state-

wide legislation that explicitly gave the Republic's inhabitants the right to hold other people as property on Dutch territory.

The States General continued to push for the continuation of the slave trade and slavery almost until the end of the Dutch Republic. In November 1789, just months after the outbreak of the French Revolution which would eventually bring down the Republic, the States General issued another decree "to promote the Negro trade in the West Indies Colonies." By then, the enslaved in the colonies had risen up several times, and enlightened circles in the Netherlands were also hotly debating whether or not colonial slavery was justifiable and the slave trade should be abolished. But the States General did not relent. According to its decree, the trade and exploitation of enslaved people should be seen as "inalienable from the flourishing and prosperity of the Colonies and Commerce as a whole."⁹ The members of the States General clearly regarded slavery as an essential component of international trade and the Dutch Republic's colonial rule.

Questions for Further Research

The States General's decision making is recorded in extensive source and archive material that has yet to be systematically researched with an eye to the Dutch role in the history of slavery. The digitization of all handwritten and printed resolutions of the States General—in the REPUBLIC project carried out by the Huygens Institute for the History and Culture of the Netherlands and the National Archives in The Hague—will enable more efficient and more detailed analysis of the States General's role in the slave trade and slavery. Such analysis could focus on three lines of research: (1) individual, (2) institutional, and (3) ideological.

At the individual level, research can be done into the individual members of the States General, the delegates of the seven provinces who convened six days per week at the Binnenhof to debate and make decisions. Who were they? What was at stake for them personally with regard to slavery and the slave trade in the colonies? Were they themselves directly involved, financially or otherwise? Did they have close ties with others who had colonial interests, such as VOC or WIC board members or shareholders? The composition of the States General was subject to change, and in practice not all delegates had equal influence on the decision making. Could members with colonial ties or interests impose their will in that forum, or not?

At the institutional level, research could analyze the States General not only as a collective of individuals but also as an institution. How did the States General evolve into a central governmental body and what role did colonial politics play in this process, and more specifically how did the decision making concerning slavery affect this centralization? Did the States General's decisions about slavery and the slave trade increase the body's clout within the Dutch Republic's power structure? Did this bolster or weaken the central government's claims to sovereignty? In other words, what role did the history of Dutch involvement in slavery play in the eventual development of a unified Dutch state?

The third line of inquiry could delve into the ideological background to the Dutch complicity in slavery by uncovering the ideas and views underlying the States General's actions. What terminology did the members of the States General use in their decision making and what meanings did they attach to their language? What did they mean by concepts such as slavery and freedom, and did these words have different meanings to them depending on the context (Dutch or colonial)? By painstakingly analyzing which debates the States General intervened in, which arguments they used, and which conceptual shifts took place in these contexts, researchers can better identify the ideological legitimization of the Netherlands' involvement in slavery and the slave trade during the seventeenth and eighteenth centuries. This analysis holds the key to the underlying paradox of the Republic of the Seven United Netherlands, a state which, as the States General stressed in the Act of Abjuration, arose from resistance to political slavery, only to grow into a colonial power that promoted slavery worldwide.

Notes

- 1 E.H. Kossman and A.F. Mellink, eds., *Texts Concerning the Revolt of the Netherlands* (Cambridge: Cambridge University Press, 1974), 217.
- 2 NA, Archives of the States General, 1.01.02, Inv. no. 3136, folio 58rv, States General Resolutions, November 28, 1596. Original quote: "metter zelve mooren zal moogen doen zoo 't hij 't verstaet."
- 3 Jaap R. Bruijn, Femme S. Gaastra, Henk J. den Heijer and Alexander H.G. Rinnooy Kan, *Roemrucht verleden: De Staten-Generaal en de VOC* (The Hague: Tweede Kamer der Staten-Generaal, 2002).
- 4 J.A. van der Chijs, ed., *Nederlandsch-Indisch Plakaatboek, 1602-1811, I* (Batavia / The Hague: Landsdrukkerij, 1885), 45.

- 5 Articles 85–86 of the States General’s instructions to the WIC on August 23, 1636, in *Groot Placaet-boek II*, ed. Cornelis Cau (The Hague: Hillebrandt van Wouw, 1664), 1261.
- 6 NA, Archives of the States General, 1.01.02, Inv. no. 5756, Addenda to the States General’s Resolutions, “Provisionele instructie voor de regeeringhe van het Suijder district,” Article 43, April 11, 1642.
- 7 Article 6 of the charter granted by the States General to the WIC on September 23, 1682, in *Groot Placaet-boek III*, ed. Simon van Leeuwen (The Hague: Jacobus Scheltus, 1683), 1426.
- 8 “Placaat van de Staaten Generaal, omtrent de Vryheid der Neger en andere Slaaven, welke uit de Colonien van den Staat naar dese Landen overgebracht of overgesonden worden. Den 23 Mey 1776,” *Groot Placaet-boek IX*, ed. Joannes van der Linden, (Amsterdam: Johannes Allart, 1796), 526.
- 9 “Placaat van de Staaten Generaal, tot aanmoediging van den Negerhandel in de WestIndische Colonien. Den 24 november 1789,” *Groot Placaetboek IX*, 1291.

The Colonial History of the Provinces and Admiralties

The Dutch Republic consisted of sovereign provinces, or regions. They were the predecessors of today's Dutch provinces, though during the Republic, they had far more autonomy. The provinces sent representatives to the sessions of the States General in The Hague, where colonial policy was decided. In this way, the provinces were also involved in colonial policymaking. Important colonial issues were "discussed in advance" at the provincial level. The provinces also regularly helped pay for the implementation of colonial policy. The WIC, in any case, often suffered from financial shortfalls and relied on the provinces for support. Because of the commercial interests at stake, the provinces on the North Sea had a particularly strong appreciation for the colonies. Zeeland even considered a few colonies exclusively its own, such as Suriname, which was conquered in 1667 by a Zeeland fleet and was only later sold to a nationwide Society. The province of Holland paid the lion's share of colonial costs and felt that this gave it the right to the largest share of the economic benefits raked in by colonial companies. However, the smaller provinces of Groningen, Frisia, and Utrecht also tried to secure interests in the VOC and WIC. It is no wonder that the provincial governments became actively involved in colonial policymaking. Because of the multilevel state structure of the Dutch Republic, the colonies were on the agenda at various levels of government. The pivotal role of the provinces as the nexus between city-level and national interests provides plenty of interesting leads for further research.

The sovereign provinces of the Netherlands did not have a common navy. Instead, there were five separate admiralties situated in Holland, Zeeland, and Frisia. An important source of income for them was *convooien en licenten*,¹ taxes which they levied on Dutch foreign trade. In the eighteenth century, the admiralties came to rely more and more on colonial trade.

Commerce with the colonies was not subject to *convooien en licenten*, but this taxation did apply to the trade in colonial goods on the European market. So, a big part of the admiralties' income came from the trade in products like sugar, coffee, and cacao.

The defense of the colonies was the WIC and VOC's responsibility in principle, but the admiralties regularly offered support. They also supplied the warships that escorted merchant ships to and from the Caribbean and the VOC's cargo ships (known as East Indiamen). Another task which the admiralties took upon themselves was the transport of troops, as they did in 1763 during the slave revolt in the colony of Berbice. Currently, much debate focuses on the role of the admiralty men who are traditionally known as maritime heroes, such as Michiel de Ruyter. Were their deeds in the colonies so heroic?

Notes

- I Convooien en licenten were taxes related to convoys (i.e., fees for the protection of shipping), and to trade licenses or duties imposed on goods.

Abstract

Belgian historiography has paid scant attention to the southern Low Countries' early participation in slavery in the fifteenth and sixteenth centuries. This contrasts sharply with Dutch historiography, which has recently looked extensively at the early connection between the nascent Dutch Republic and slavery. By bringing together a range of case studies and various sources including artworks, this chapter makes clear that several social groups, including merchants and financiers, actively participated in human trafficking and the use of slave labor through important trade cities like Bruges and Antwerp. Though they operated primarily within the Iberian colonial systems, their networks and experience were crucial for the slave trade of the Dutch Republic.

Keywords: fifteenth and sixteenth centuries; Bruges; Antwerp; Southern Low Countries; Atlantic islands