

# To Be Led Astray?\*

*The Effects of the 1881 Liquor Act on the Leiden Alcohol Trade*

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## Abstract

The Dutch *Drankwet* (hereinafter: Liquor Act) of 1881, the result of decades of temperance activism, was met with much criticism – little had come of the national legislation’s aim to reduce the consumption of alcohol. Even so, did this also mean that little changed in the sale of alcohol? This article examines how the Liquor Act was implemented locally in Leiden and what impact this had on the sale of alcohol there. To this end, both city council minutes and patent registers are analyzed. Patent registers served as compulsory patent taxes and as licenses for liquor stores and drinking establishments. They provide valuable insight into the variation within the sector for alcohol sales in Leiden throughout the nineteenth century. Our examination shows that, contrary to the criticism of the law, the Liquor Act had both short- and long-term effects on Leiden’s pubscape. It led to a limited decrease in the number of public houses and primarily affected the smallest public houses, often owned by women.

After more than half a century of campaigning against the abuse of strong drink – partly by honest abolitionists who were sincere, partly by copycats who sweet-talked wealthy and honest people (and who pulled the wool

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over their eyes) – a liquor law has finally been enacted that is *intended* to prevent the abuse of strong drink. I say *intended*, in the firm belief that this law, as it stands, will never achieve the proposed goal. It is nothing more than a conduit for agitators to be led astray.<sup>1</sup> (our emphasis and translation)

On 4 September 1882, the local newspaper *Leydse Courant* published a letter to the editor by an anonymous writer who expressed his dissatisfaction with the 1881 Liquor Act. With this law, according to the letter writer, the Dutch government had tried to limit the consumption of strong drink but had not succeeded. The consumption of spirits had not decreased but had, in fact, increased, ‘especially among the lowest classes, factory workers and draymen, and mainly on Sundays and holidays.’<sup>2</sup> The decades-long temperance struggle that precipitated the law had little effect, according to the letter writer.

Alcohol was a hot topic in the nineteenth century. The popularity of spirits had grown considerably in the first quarter of the nineteenth century.<sup>3</sup> Beer became more expensive but spirits cheaper, and between 1850 and 1880 the consumption of pure alcohol in the Netherlands increased from approximately five liters per person per year to seven.<sup>4</sup> Whether and in what way this increase in strong drink consumption led to greater social problems is difficult to ascertain. What is certain is that the increase activated a vigorous temperance movement that had blown over from the United States via England to mainland Europe, including the Netherlands.<sup>5</sup> As citizens united to fight against alcohol, excessive alcohol consumption was increasingly perceived as a prob-

1 ‘Nadat langer dan een halve eeuw was te velde getrokken tegen het misbruik van sterken drank, deels door eerlijke afschaffers, die het oprecht meenden, deels door napraters, die den vermogenden en eerlijken lui honing om den mond smeerden, (en de kat in het donker knepen), is er dan toch eindelijk een drankwet in het leven geroepen, die bestemd zou moeten zijn het misbruik van sterken drank tegen te gaan. Ik zeg zou moeten zijn, in de vaste overtuiging, dat die wet, zoo als ze daar ligt, het voorgestelde doel nimmer zal bereiken. Zij betekent niets meer dan een kluitje, waarmede agitateurs in het riet zij gestuurd.’ ‘De drankwet’, *Leydse Courant* 4 September (1882) 6.

2 *Ibid.*

3 Jaap van der Stel, *Drinken, drank en dronkenschap. Vijf eeuwen drankbestrijding en alcoholhulpverlening in Nederland: Een historisch-sociologische studie* (Hilversum 1995) 69.

4 Ronald van der Bie, ‘Om het huiselijk geluk. Drankgebruik en drankbestrijding, 1820-1995’, in: R. van der Bie and P. Dehing (eds), *Nationaal goed. Feiten en cijfers over onze samenleving (ca.) 1800-1999* (Voorburg 1999) 201-219, 203.

5 Gemma Blok, *Ziek of zwak. Geschiedenis van de verslavingszorg in Nederland* (Amsterdam 2011) 32; Van der Stel, *Drinken, drank en dronkenschap*, 143.

lem.<sup>6</sup> Moral appeals for moderation proved insufficient, and temperance advocates began to focus their attention on legal options.<sup>7</sup> In the 1830s, *Maatschappij tot Nut van 't Algemeen* (Society for the Promotion of General Welfare, hereinafter: *'t Nut*) urged the government to regulate alcohol consumption. *'t Nut* was later supported by the *Nederlandsche Vereeniging tot Afschaffing van den Sterken Drank* (Dutch Association for the Abolishment of Alcoholic Drink, hereinafter: *NV*), founded in 1842.<sup>8</sup> However, the need to regulate alcohol consumption through legislation was not self-evident to the government. Initially, the liberal opposition, on the basis of economic arguments, questioned whether alcohol regulation was a task for the government.<sup>9</sup> The *Tweede Kamer* (Lower House) debated extensively whether a pub owner should summarily be denied the right to conduct business.<sup>10</sup> Yet increasing alcohol consumption, combined with the inability of citizens to bring about change on their own, eventually increased the government's willingness to intervene.<sup>11</sup>

It took 50 years before efforts finally led to the first-ever Liquor Act in 1881.<sup>12</sup> This law aimed to restrict the consumption of alcohol by means of repressive and preventive measures in three areas: the criminalization of public drunkenness, the prohibition of the sale of spirits to children under 16 and, finally, regulation of the retail trade in spirits by limiting the number of sales outlets.

As the opening epigraph makes evident, contemporaries doubted the effectiveness of the law. Twentieth-century liquor abolitionists who looked back on the nineteenth century also did not claim victory.<sup>13</sup> In his book on the jubilee of *NV*, K.F. Proost spoke of 'disappointing results of the Liquor Act',<sup>14</sup> and historians later calculated that, nationally, alcohol consumption did not decline significantly until the first half of the twentieth century.<sup>15</sup>

6 Van der Stel, *Drinken, drank en dronkenschap*, 143.

7 *Ibid.*, 455.

8 *Ibid.*, 153; Maartje Janse, *De afschaffers. Publieke opinie, organisatie en politiek in Nederland, 1840-1880* (Amsterdam 2007) 139.

9 Van der Stel, *Drinken, drank en dronkenschap*, 153.

10 Janse, *De afschaffers*, 165.

11 *Ibid.*, 164; Van der Stel, *Drinken, drank en dronkenschap*, 155.

12 The law was adopted on 28 June 1881. *Staatsblad van het Koninkrijk der Nederlanden*, 1881, 01-01 nr. 97. <https://resolver.kb.nl/resolve?urn=MMKB1:0:01091002:00001>

13 Janse, *De afschaffers*, 166.

14 K.F. Proost, *Weg en werk van de N.V. Een eeuw drankbestrijding. Ontwikkelingsgang van de Nederlandse vereniging tot afschaffing van alcoholhoudende dranken geschetst ter gelegenheid van haar 100-jarig bestaan* (Utrecht 1941) 59.

15 Van der Stel, *Drinken, drank en dronkenschap*, 69, 455; Van der Bie, 'Om het huiselijk geluk', 203.

Perhaps the criticism of the legislation was an expression of the disappointment of temperance advocates who had shifted their focus from temperance to total abstinence. Perhaps the critics were right, too, and the temperance campaigners had lost the battle to spirits lobbyists, barkeepers, and the jenever industry.<sup>16</sup> In any case, the criticism of the law raises the question of whether anything changed in the sale of liquor subsequent to the act, and it is a reason to look at the impact of the temperance movement and the resulting legislation as it affected the practice of alcohol sales. While the history of the temperance movement, its associations, the run-up to political measures, changing ideas about alcoholism, and the criminalization of drinkers have been extensively studied,<sup>17</sup> the actual effects of the Liquor Act on the alcohol sales industry have not previously been systematically examined.

In this article we focus on the impact of national legislation on local practice and the alcohol retail sector. We look at premises of all types and sizes that served and sold alcohol: from taverns and large draft bars to small pubs, liquor stores, and more high-class coffeehouses (Table 2). We take a local perspective, as the responsibility for the implementation of the national law lay with local authorities, and use Leiden as a case study. The city was known as an impoverished industrial town and exceeded the Liquor Act standard (i.e., one drinking establishment per 400 inhabitants in municipalities with a population of up to 50,000) by more than 300 percent. The annual urban consumption of jenever was reported to be high. T.C.R. Huydecoper, a member of the board of *NV*, used the ‘very impoverished Leiden’ as an example in his speech of 1849 in which he rhetorically asked, ‘Won’t jenever be the death of our prosperity?’<sup>18</sup>

We examine the Leiden liquor trade using patent registers.<sup>19</sup> Owners of drinking establishments and liquor stores were obliged to pay a patent tax and had to apply for a license for their businesses each year from 1819 to 1894. Name, address, type of business, and tax classification were carefully recorded by a board of local tax collectors. The patent system therefore played a role in the debate on how the Liquor Act should

16 Janse, *De afschaffers*, 165.

17 *Ibid.*; Van der Stel, *Drinken, drank en dronkenschap*; Blok, *Ziek of zwak*.

18 Our translation of ‘zoo zeer verarmde Leiden’ and ‘Moet zoo niet de jenever het graf worden voor onze welvaart?’ T.C.R. Huydecoper, *De afschaffing van den sterken drank. Een werk van ware menschenliefde* (Amsterdam 1849) 30-31.

19 August Wilhelm Frederik Herckenrath, *Over het onmatig gebruik van sterken drank, en de middelen om hetzelfde te keer te gaan* (Utrecht 1843) 108; *Leidsch Dagblad* 6 January (1879) 1; *Leydse Courant* 1 October (1879) 1; J.L.C. van Essen, *Opmerkingen over de drankwet naar aanleiding van het wetsontwerp tot wijziging van 19 Juni 1893* (Utrecht 1894) 19-20.

be shaped. We selected five years of the Leiden patent registers from the nineteenth century: three before the introduction of the Liquor Act (1820, 1849, 1879) and two after it was passed (1884, 1893). The information from the nearly 1,500 patents issued in those years is supplemented with information from the Leiden city council minutes after 1881 on the licenses issued for the sale of alcohol. We also analyzed the Leiden city council minutes pertaining to the introduction of the law. The nature of these sources offers a perspective from above, that is, from the perspective of the city government. Unfortunately, our sources do not inform us about the dynamics and praxis from the bottom up, how different groups reacted to the provisions, and whether entrepreneurs affected by the law resisted the city's efforts. However, the sources provide insight into the way in which national measures were locally implemented. Moreover, they offer the possibility to investigate where all the inflated rhetoric of the temperance activists led: what exactly was the influence of the long-fought Liquor Act on the ground, and did it alter the sale and consumption of alcohol in nineteenth-century Leiden?

Following a short historiographical overview, we show how temperance initiatives in the nineteenth century led to national legislation. We then briefly analyze the minutes of the Leiden city council to determine which discussions were predominant in the local context and how national legislation was implemented in Leiden. Finally, we analyze what the consequences of the law were for alcohol sales in Leiden.

## Alcohol abuse as a social problem: a brief overview

Concern about alcohol consumption was not unique to the nineteenth century. Even in the early modern period, pubs were frequently targeted for encouraging excessive alcohol consumption, as evidenced by the extensive historiography on the history of drink and drinking establishments in early modern Europe. Previous historical research has translated the prominent place of alcohol in society into research on the production, sale, and consumption of alcohol. Much attention has been paid to social control and discipline. This historiography was fuelled by the use of criminal records, which historians considered particularly useful for researching the social life surrounding drinking establishments.<sup>20</sup> Peter Clark, in his work on alehouses in England at the begin-

<sup>20</sup> Bernard Hermesdorf, *De herberg in de Nederlanden. Een blik in de beschavingsgeschiedenis* (Assen 1957) x.

ning of the nineteenth century, described how stricter regulation led to a reduction in the number of public houses, with the small neighbourhood taverns in cities being eclipsed by larger establishments.<sup>21</sup> Thomas Brennan, looking at French drinking culture, showed that in the seventeenth century, pubs were increasingly associated with the waste of money and time and with absence from work, but that it was only in the eighteenth century that drunkenness was condemned.<sup>22</sup> Beat Kümin and Beverly Ann Tlusty focused on how, in Central Europe, the aristocracy increasingly criticized the drinking habits of the lower social classes. They also pointed out that this elitist association of the public drinking establishment with crime has been taken up too readily by historians. Drunkenness in this period was not (yet) necessarily considered abnormal or disorderly.<sup>23</sup> Others, however, have seen the pub as more than a source of disorder. Maarten Hell, for example, has shown how, in the early modern period, Amsterdam's taverns were important places for conflict resolution and the restoration of harmony.<sup>24</sup> Lynn Martin signalled how the growing popularity of strong drink changed drinking patterns in Europe in the eighteenth century and how this led to concerns about its social and medical ill effects.<sup>25</sup>

Various historians have pointed out that in the eighteenth century, increased polarization between the social classes and the problematization of alcohol were precursors of the large-scale offensive against alcohol consumption led by the bourgeoisie in the nineteenth century.<sup>26</sup> Opinions differ about the role of industrialization in alcohol abuse and in the problematization of alcohol. Jaap van der Stel, in his book on five centuries of combating alcohol abuse, pointed out that binge drinking

21 Peter Clark, *The English alehouse. A social history, 1200-1830* (London 1983) 333.

22 Thomas Edward Brennan, *Public drinking and popular culture in eighteenth-century Paris* (Princeton 2014).

23 Beat Kümin and Beverly Ann Tlusty, *The world of the tavern. Public houses in early modern Europe* (London 2002); Beverly Ann Tlusty, *Bacchus and civic order. The culture of drink in early modern Germany* (Charlottesville 2001); Beat Kümin, *Drinking matters. Public houses and social exchange in early modern Central Europe* (Hampshire 2007).

24 Maarten Hell, *De Amsterdamse herberg, 1450-1800. Geestrijk centrum van het openbare leven* (Nijmegen 2017); Kümin and Tlusty, *The world of the tavern*; Susanne Rau, 'Public order in public space. Tavern conflict in early modern Lyon', *Urban History* 34 (2007) 102-113; Beverly Ann Tlusty, 'The devil's altar. Society and drinking in early modern Augsburg' (Unpublished PhD dissertation University of Maryland 1994) 2; Mark Hailwood, *Alehouses and good fellowship in early modern England* (Suffolk 2014).

25 A. Lynn Martin, *Alcohol, sex and gender in late medieval and early modern Europe* (New York 2001) 8.

26 A. Lynn Martin, *Alcohol, violence and disorder in traditional Europe* (Kirksville 2009) 39-40; Jan-Willem Gerritsen, *De politieke economie van de roes. De ontwikkeling van reguleringsregimes voor alcohol en opiaten* (Amsterdam 1993) 135; Van der Stel, *Drinken, drank en dronkenschap*, 120.

existed in the eighteenth century and was therefore not a by-product of industrialization, whereas Jan-Willem Gerritsen, in his study on the regulation of alcohol, saw industrialization as the main cause of widespread alcohol abuse.<sup>27</sup>

In any case, impoverishment in growing, industrializing cities increased the visibility of misery and spurred the temperance fight in various countries. In England, attention to the temperance movement has resulted in a vast historiography,<sup>28</sup> and in the Netherlands, too, historians have focused on the anti-alcohol movement, which was an important part of the nineteenth-century civilizing offensive by which bourgeois groups tried to enforce moderation, a certain work ethic, thrift, and cleanliness among the working class.<sup>29</sup> Van der Stel and Gerritsen have looked at this moral crusade over the long term,<sup>30</sup> while Maartje Janse, using archives and publications, showed that the reform focus of the temperance movement shifted from personal reform to legal reform.<sup>31</sup> Gemma Blok looked at the struggle from the perspective of the history of addiction, describing the process of medicalization of drunkenness at the end of the nineteenth century.<sup>32</sup> Initiatives to 'cure' drunks were strongly driven by moralism, while government intervention was primarily aimed at limiting the public disturbance that drunks caused. Janse showed that although reformers considered drinking women to be morally worse than drinking men, in their propaganda they depicted women as victims and alcohol abuse as a male, working-class evil.<sup>33</sup> Framing alcohol abuse as a problem of the male labourer clearly influenced the political debate and the nature of the measures taken to regulate drinking, as will be shown below.

The study of the geographical distribution of public houses in urban areas, which pre-dates the spatial turn and is relatively easy to map out thanks to the extensive system of licensing, is still consistently popular, especially in English historiography.<sup>34</sup> For the Netherlands, the potential

27 Gerritsen, *De politieke economie van de roes*, 131-132; Van der Stel, *Drinken, dranken dronkenschap*, 66.

28 See: Brian Harrison, *Drink and the Victorians. The temperance question in England, 1815-1872* (2nd ed.) (Staffordshire 1994) 17 in particular.

29 Blok, *Ziek of zwak*; Van der Stel, *Drinken, dranken dronkenschap*, 120-121.

30 Van der Stel, *Drinken, dranken dronkenschap*; Gerritsen, *Politieke economie van de roes*.

31 Janse, *De afschaffers*, 171-172.

32 Blok, *Ziek of zwak*, 66-67.

33 Janse, *De afschaffers*, 131.

34 For example: Brian Harrison, 'Pubs', in: H.J. Dyos and M. Wolff (eds), *The Victorian city. Images and realities*, vol. 1 (London/Boston 1973) 161-190; David Beckham, 'Gender, space and drunkenness. Liverpool's licensed premises, 1860-1914', *Annals of the Association of American Geographers* 102:3

for such research is also great. In any case, however, the rise of alcohol consumption in nineteenth-century Netherlands has been debated by historians. Whether *t Nut's* 1803 complaint that as much as a quarter to half of a labourer's daily wage was spent on alcohol<sup>35</sup> was justified is difficult to ascertain because sources on wages are rare.<sup>36</sup> Still, on the basis of excise statistics, historians have shown that alcohol consumption did increase over the course of the nineteenth century.<sup>37</sup> By the beginning of the nineteenth century, beer was no longer the people's favourite drink; coffee<sup>38</sup> and especially jenever had replaced it. By far the most alcohol drunk was the distillate jenever (or Dutch gin). The annual consumption varied but was exceptionally high in the first decades of the century, with peaks of more than five liters of spirits per capita. After this apex, consumption declined steeply until the 1840s, when consumption again began to rise.<sup>39</sup> Van der Bie has pointed out the paradox that although alcohol abuse was consistently associated with poverty, consumption increased significantly in the 1840s when the rise in real wages made it possible for more people to buy spirits.<sup>40</sup> In the 1870s, spirits consumption rose rapidly; the average Dutchman drank 7.5 liters in 1871, and over nine liters in 1874.<sup>41</sup> In the following decade, spirits consumption declined, but beer consumption rose again slightly.<sup>42</sup> These patterns were calculated on the basis of national figures but, according to Van der Bie, tell only part of the story. There were large regional differences. In Limburg and large parts of Brabant and Zeeland, relatively small amounts of spirits were consumed (2.1-5.5 liters of spirits per year per person), but Leiden – along with the four largest Dutch cities,

(2012) 647-666; David Beckham, 'Banning the barmaid. Time, space and alcohol licensing in 1900s Glasgow', *Social & Cultural Geography* 18:2 (2017) 117-136; James Kneale, 'Good, homely, troublesome or improving? Historical geographies of drinking places, c. 1850-1950', *Geography Compass* 15:3 (2021) <https://doi.org/10.1111/gec3.12557>.

35 Van der Stel, *Drinken, drank en dronkenschap*, 141.

36 Van der Bie, 'Om het huiselijk geluk', 208.

37 *Ibid.*, 203; Van der Stel, *Drinken, drank en dronkenschap*, 69. Van der Bie and Van der Stel use data from F. van Eck, 'Drankgebruik en drinkgewoonten in de negentiende eeuw', *Tijdschrift voor Alcohol, Drugs en Andere Psychotrope Stoffen* 7 (1981) 138-144 and 8 (1982) 31-39, 65-74, based on the Excise Duty Statistics, and present the consumption figures of liters of strong drink in a graph. The annual figures for the consumption of spirits from CBS, *Tweehonderd jaar tijdreeksen*, 2001, concern the excise figures of spirits with an alcohol content of 50 percent or higher, and deviate slightly from this.

38 Van der Stel, *Drinken, drank en dronkenschap*, 68.

39 *Ibid.*, 69; Van der Bie, 'Om het huiselijk geluk', 203.

40 Van der Bie, 'Om het huiselijk geluk', 213.

41 Van der Stel, *Drinken, drank en dronkenschap*, 155.

42 *Ibid.*, 69; Van der Bie, 'Om het huiselijk geluk', 203.



the province of Groningen, and large parts of Friesland – belonged to the 25 percentile of greatest consumers and had an average per capita consumption of more than 9.9 liters per year.<sup>43</sup> A local perspective is therefore important. But before we turn to Leiden, let us first look at the run-up to the Liquor Act.

## National legislation

Initially, the fight against alcohol abuse was carried out by various local municipal temperance associations. On 12 September 1842, at a meeting in Leiden, the national *NV* was founded.<sup>44</sup> This association targeted strong drink, advocating total abstinence of spirits, and presented beer as a healthy alternative.<sup>45</sup> It primarily focused on creating awareness through propaganda, but politics was not excluded as a strategy to combat alcohol misuse. Already at its inaugural meeting in Leiden, the question was raised whether the association could be formed without the cooperation of the government.<sup>46</sup> Although it was believed that ‘the very source of evil’ could only be stopped ‘by a voluntary decision based on moral and religious principles’,<sup>47</sup> the chairman, Dr. Willem Egeling, considered the government’s cooperation to be essential. The government could contribute to the fight by making drunkenness a punishable offense, reducing the number of sales outlets for strong drink, combating poverty, restricting or prohibiting strong drink in institutions managed by the government, and prohibiting festivals.<sup>48</sup>

*NV* worked at getting legal measures passed by lobbying the Dutch parliament.<sup>49</sup> The anti-alcohol law passed in 1851 in the American state of Maine, forbidding the trade and sale of spirits, bolstered *NV*’s call for government intervention.<sup>50</sup> Perhaps more importantly, the rise in jenever consumption in the 1870s further fuelled the insistence on govern-

43 Van der Bie, ‘Om het huiselijk geluk’, 204. Data derived from F. van Eck, ‘Drankgebruik en drinkgewoonten’, 205.

44 Proost, *Weg en werk*, 11.

45 Van der Stel, *Drinken, drank en dronkenschap*, 70, 148.

46 Proost, *Weg en werk*, 11.

47 *Ibid.*, 11-12. Our translation of ‘de bron zelve van het kwaad’ en ‘door een vrijwillig besluit, uit zedelijke en godsdienstige beginselen opgevat’.

48 Janse, *De afschaffers*, 139.

49 Proost, *Weg en werk*, 25-26, 29; Van de Stel, *Drinken, drank en dronkenschap*, 147.

50 Janse, *De afschaffers*, 141.

ment intervention.<sup>51</sup> Support for legislation came from *t Nut* and the *Volksbond*.<sup>52</sup> This more moderate association fighting alcohol abuse, founded in 1875 and led by Hendrik Goeman Borgesius, a member of parliament, pushed for political action. The *Volksbond* saw alcohol abuse not only as a cause of poverty but also as its consequence, and advocated for improved living conditions of the working class. Unlike *NV*, which by the end of the century was focusing on total abstinence, the *Volksbond* advocated moderation and fought primarily against the abuse of strong drink. Goeman Borgesius saw the state as an important ally in this campaign.<sup>53</sup>

This advocacy in support of legal alcohol regulation was not without controversy. In 1855, following a proposal for a parliamentary inquiry into alcohol abuse, the subject was debated in the *Tweede Kamer*, but the possibility of government intervention was soon rejected. The subsequent inquiry into the drinking habits of the Dutch led to an inventory of legal options for limiting drinking, but no legislation. *NV* persevered, and the continuing rise in consumption led to a change in attitudes about government intervention. In 1875, the Dutch Minister of the Interior Jan van Heemskerck, himself an active advocate for liquor control, commissioned J.L. de Jonge, member of parliament and chairman of *NV*, to draft a bill, which was presented to the *Tweede Kamer* in 1880.<sup>54</sup>

Prior to the legislation, the *Tweede Kamer* vigorously debated whether combating alcohol abuse was the responsibility of government.<sup>55</sup> According to some in the *Tweede Kamer*, the immediate availability of alcohol was the main reason for public drunkenness, and it was therefore necessary to limit the number of venues that sold alcohol. Wassenaer, a delegate from Leiden, was one member who argued that liquor was too readily available.<sup>56</sup> The attention paid to limiting venues is worth noting. Protection by the state was, according to Heemskerck's successor De Savorin Lohman, one of the reasons for the existence of the bill. It was not

51 Van der Stel, *Drinken, drank en dronkenschap*, 155.

52 At the time, it was still called Multapator's Bond, after L.P. Philippona who, using the pseudonym Multapator, had called for a fight against drink in the *Handelsblad*. Later the organization was re-named. Van der Stel, *Drinken, drank en dronkenschap*, 150-151.

53 Janse, *De afschaffers*, 161-162; H. Goeman Borgesius, *Drankbestrijding en drankwet. Een woord tot het Nederlandsche volk* (Haarlem 1882) 5.

54 Van der Stel, *Drinken, drank en dronkenschap*, 153-156; Janse, *De afschaffers*, 164.

55 Handelingen der Tweede Kamer, 11 May 1881. Vaststelling van wettelijke bepalingen tot beteugeling van het misbruik van sterken drank (Algemene beraadslaging) 1371; Van Essen, *Opmerkingen over de drankwet*, 1-14.

56 Handelingen der Tweede Kamer, 11 May 1881, 1373.



*Illustration 1* Liquor store and taproom De Hoop, corner Lokhorststraat, Leiden c. 1900 (source: *Erfgoed Leiden en Omstreken*).

only house fathers who needed support, because they could not shield household members from the temptation of available alcohol, but also shopkeepers. Many felt compelled to sell alcohol in order to retain their customers, the minister argued, but would prefer nothing more than to see the sale of alcohol banned.<sup>57</sup> Member of Parliament Goeman Borge-sius, remarkably, argued that prohibiting the combination of liquor sales

<sup>57</sup> *Ibid.*, 11 May 1881, 1372.

with the sale of other commodities, such as groceries, would help prevent alcohol abuse by women. Although the number of female drinkers was small, women, claimed the MP, could too easily slip a bottle of gin or brandy into the basket they used for groceries, whereas their 'finely developed' sense of shame kept them from entering a liquor store. After all, examples from large English cities like Liverpool showed that low alcohol consumption by women was not a 'law of nature' and, as a result, such a first step on the wrong road had to be prevented.<sup>58</sup>

After a long debate, the Liquor Act was finally passed. In a vote on 24 May 1881, the law was adopted with 68 votes for and seven against. The *Drankwet*, 'regulating the retail sale of liquor and providing for penalties for public drunkenness',<sup>59</sup> prohibited the sale of strong drink to young people under sixteen years of age, criminalized public drunkenness, and limited the number of sales venues. On the first two points, as we shall see, there had already been some local legislation in Leiden but now matters were regulated nationally. The introduction of the third measure, the limitation of the number of drinking establishments, was new and most difficult to implement. The government imposed a maximum of one license per 500 inhabitants in municipalities with a population of over 50,000 and one license per 400 inhabitants in municipalities with a population of 20,000 to 50,000.<sup>60</sup> Leiden, with 41,238 inhabitants, fell into the latter category, which meant a maximum of 103 permits. The city far exceeded this limit: in 1881, Leiden had around 350 drinking establishments.<sup>61</sup>

## Implementing legislation locally

The debate about alcohol regulation was not only a national matter. In the second half of the nineteenth century, alcohol consumption was an issue that regularly came up for discussion in Leiden's city council meetings. For example, there was a discussion about whether the time-honoured custom of serving spirits to fire fighters as 'refreshment' at the

58 *Ibid.*; Handelingen der Tweede Kamer, 10 May 1881, 1360.

59 'tot regeling van den kleinhandel in sterken drank en tot beteugeling van de openbare dronkenschap'.

60 Staatsblad van het Koninkrijk der Nederlanden, no. 97. *Wet van den 28 sten junij 1881 houdende wettelijke bepalingen tot regeling van den kleinhandel in sterken drank en tot beteugeling van openbare dronkenschap* (Drankwet) 2, art 2.

61 Handelingen van den gemeenteraad van Leiden (hereafter: Handelingen van de Raad), 29 September 1881, 1, ingekomen stukken no. 190. Consulted via <https://leiden.courant.nu/>

scene of a fire should be maintained.<sup>62</sup> During the discussion of the proposal to increase school fees, cynical reference was made to the fact that both workmen and decent and distinguished people spent 'tons of gold' on 'pleasure and wealth', 'cigars, wine, and strong liquor' but kept their purses closed when it came to educating children.<sup>63</sup> The restriction, or even abolition, of the local festival was repeatedly on the agenda of the city council because the event led to great 'abuse of strong drink'.<sup>64</sup> One councillor protested vehemently to a request from a certain Van Wijk to use municipal land to store his wheelbarrows, when it was discovered that he was not only a shopkeeper and landlord but also a pub owner. According to the councillor, the pub was not a reputable inn, but a 'pinch pub' with a separate back entrance 'where amateurs, who are still somewhat ashamed to visit a pub openly, as it were, sneak in unnoticed to take a so-called pinch and in that way become established tipplers'.<sup>65</sup> The councillor was not convinced by the council's investigation that found it was Van Wijk's wife who had the patent as a barkeeper and operated a liquor store, that 'irregularities never occurred' in the taproom, and that permission to store his wheelbarrows should therefore be granted.<sup>66</sup> He cynically called it 'gallantry' but believed that it made no difference whether a man or a woman ran the business and maintained that the municipality could not grant land for a pub.<sup>67</sup> The very fact that the sometimes heated discussion about the consumption of alcohol also flared up in debates that were not directly about alcohol or the prevention of alcohol abuse shows not only how much the issue occupied people's minds but also what an important role alcohol abuse was thought to play in all kinds of social ills, at least by some councillors. These concerns, however, did not always lead to far-reaching legal restrictions; the proposals coming out of the above council discussions were all rejected by the council.

Nevertheless, alcohol sales were occasionally regulated. The general police regulations of Leiden of 1856 and 1861 imposed a registra-

62 Handelingen van de Raad, 9 March 1865, 6.

63 Our translation of 'tonnen gouds' besteedden aan 'genot en weelde', 'sigaren, wijn en sterken drank'. Handelingen van de Raad, 11 April 1867, 9.

64 Handelingen van de Raad, 11 February 1864; 24 May 1866, 4; 11 June 1867, 1-4.

65 Our translation of 'knijpkroeg' met een aparte achteringang 'waar liefhebbers, die zich nog eenigszins schamen, openlijk een kroeg te bezoeken als het ware ongemerkt naar binnen sluipen om een zoogenaamd knijpertje te nemen en op die wijze bepaalde drinkebroers te worden'. Handelingen van de Raad, 3 September 1872, 2.

66 Our translation of 'nimmer ongeregelheden voorvallen'. Handelingen van de Raad, 16 September 1872, 1.

67 Handelingen van de Raad, 4 October 1872, 1.

tion requirement on owners of liquor stores, barkeepers, pubs, and other houses, as well as prohibited the sale of liquor between 11 p.m. and 6 a.m. (in summer)/7 a.m. (in winter). In addition, it was forbidden to sell alcohol to drunken persons, persons in charitable institutions, children under fifteen years of age and, in the event of a fire, to serve alcohol within the cordoned-off area.<sup>68</sup>

Drunkness was also prosecuted. The *Leydse Courant* regularly carried reports about people who were 'obviously drunk' being removed from the street following judgements handed down by the cantonal court.<sup>69</sup> In 1860, a year for which we systematically examined judgements, half (507) of the more than 1,000 judgements handed down by the Leiden cantonal court concerned public drunkenness.<sup>70</sup> They were almost exclusively against men (97 percent) and, in view of the large number of repeat offenders, those who caused public nuisance.

Against this background it is remarkable that in 1873 the city of Leiden did not want to maintain the ban on serving alcohol to drunk persons and children.<sup>71</sup> During the discussion of the police regulations in that year, these provisions were the subject of debate, along with whether drinks could be served to those in charitable institutions and to people who were inside the fire cordon at the scene of a fire. What initiated the discussion is unknown, but the arguments recorded in the proceedings of the council show what the councillors wanted; control of the facts was considered 'a kind of patronage' that should not be in the hands of the police. The police should not be entrusted with enforcing the alcohol regulations. To determine who was and who was not drunk was difficult. Moreover, it was felt that the law would always remain a dead letter: 'are there in the history of the bars in Leiden examples of drunk people who have been refused drinks on account of police regulations?' With regard to serving children, it was said that it was difficult to determine whether 'a young person had reached the ripe old age

68 *Algemeene politie-verordening voor de gemeente Leyden*, 9 October 1856; *Algemeene politie-verordening voor de gemeente Leyden*, 26 September 1861. Published as *Bijvoegsel, behoorende tot de Leydsche Courant*, 24 October (1856) 79 and 25 October (1861) 18.

69 See, for example, *Leydse Courant* 13 March (1861) 3; *Leydse Courant* 10 June (1861) 2.

70 Data from Dataset 2018: *Dangerous cities. Mapping crime in Amsterdam and Leiden, 1850-1913*. DANS. <https://doi.org/10.17026/dans-zz8-xptm>. About this dataset: M. van der Windt, S. Tegelaar, M. Pluskota, R. van Oosten, 'Wanbedrijven en overtredingen te Amsterdam en Leiden. Een introductie op twee datasets, 1850-1905', *TSEG - The Low Countries Journal of Social and Economic History* 16:3-4 (2020) 83-94. DOI: <http://doi.org/10.18352/tseg.1119>

71 *Handelingen van de Raad*, 10 July 1873, 28.



of sixteen years and had therefore acquired the right to drink'.<sup>72</sup> It was not until the Liquor Act of 1881 that the lower age limit of who could be sold alcohol was changed to sixteen.

In determining how to implement the Liquor Act, it was mainly the limitation on the number of alcohol outlets that demanded the attention of the Leiden city council. The sale of alcohol required a license. Because alcohol sellers were also subject to the patent law, the obvious solution was to issue licenses via the patents, but in the end the council refrained from linking the two. Patent law was subject to change and therefore was not useful as a basis for the licensing instrument. Another important consideration was that the patent registration was linked to the right to vote. Increasing the price of patents for barkeepers, that is, owners of bars, by the cost of the right to vote would increase the number of people entitled to vote, and that was considered undesirable.<sup>73</sup> For this reason, it was decided nationally to introduce a separate licensing fee. The license was to be sold for not less than ten and not more than 25 guilders for every 100 guilders of the rental value of the licensed premises.<sup>74</sup>

Leiden decided to issue the licenses for the maximum amount of 25 guilders.<sup>75</sup> The regulation also offered a discount on the licensing fee for drinking establishments that did not sell strong drink between Saturday 6 p.m. and Monday 6 a.m., as an incentive to lessen the effect of the so-called Blue Monday.<sup>76</sup> From the convictions of the Leiden district court, it is clear that Blue Mondays were a serious problem. For 1861, it is known that the greatest number of public drunkenness offenses took place on the weekend, more specifically, on Sunday evenings (over a third).<sup>77</sup>

The council discussion that led up to establishing the cost of a liquor license is interesting in view of the consequences of the law for Leiden's alcohol venues. Councillor Buys was remarkably attentive to the fallout from the law and showed particular concern for small liquor vendors. He believed that the maximum charge of 25 guilders would 'weigh heavily on the small public houses' and argued for a graduated levy so that bar proprietors of such establishments would have the opportunity to look

<sup>72</sup> *Ibid.*

<sup>73</sup> Van Essen, *Opmerkingen over de drankwet*, 20.

<sup>74</sup> Staatsblad van het Koninkrijk der Nederlanden, no. 97, 28 June 1881, art 6, 4.

<sup>75</sup> Handelingen van de Raad, 6 October 1881, 4. The Council adjusted the licensing fee in 1886, following a change in the law that allowed for a more differentiated assessment, but still retained the maximum amount. Handelingen van de Raad, 2 November 1885, 2-3, ingekomen stuk no. 168.

<sup>76</sup> See also: Handelingen van de Raad, 29 September 1881, 1, ingekomen stukken no. 190, art 2 and Handelingen van de Raad, 29 September 1881, 4.

<sup>77</sup> Dataset 2018: *Dangerous cities*.

for another business.<sup>78</sup> In this way it would be possible to work towards a 'slow removal' of pubs and to act in the spirit of the legislation, which meant respecting existing licenses. The chairman also saw that the high costs would lead to the disappearance of drinking establishments, but in his opinion, this did not conflict with the intention of the law, given that the number of drinking establishments was to be reduced from 350 to just over 100. In his opinion, the businesses that would be eliminated first would be 'the mass of establishments for the consumption of alcoholic beverages, established either as a side line to another business or by persons who exercise some sort of trade and have one of the members of their household, as they usually express themselves, take a patent to earn a few pennies on the side'.<sup>79</sup> These people had already indicated that they could not pay the licensing fee because the earnings from their public houses were too small. However, since these barkeepers claimed that their earnings were 'as good as nothing', the mayor stated, the regulation that might make it impossible for them to continue their profession 'would not noticeably affect them'.<sup>80</sup> This raises not only the questions of *if* and *how* the Liquor Act changed Leiden's drinking establishments, but also which owners of drinking establishments had the most to fear. This is what we focus on below.

## Density of drinking establishments: a slow decline

The Liquor Act of 1881 stipulated that Leiden could have no more than one drinking establishment for every 400 inhabitants. As we saw earlier, the density of public houses and thus the availability of alcohol played a role in the temperance debate. As early as 1843, Dr. Herckenrath noted in his pamphlet *Over het onmatig gebruik van sterken drank, en de middelen om hetzelve te keer te gaan* (On the Immoderate Use of Strong Drink and the Means of Combating It) that the density of drinking establishments in Amsterdam was very high compared to cities such as Berlin and Paris. With 1,252 barkeepers, 648 pub owners, and 26 coffeehouse owners, Amsterdam's alcohol establishments had no fewer

78 Handelingen van de Raad, 6 October 1881, 4; Handelingen van de Raad, 29 September 1881, 1, ingekomen stukken no. 190.

79 Our translation of 'die massa gelegenheden tot drankgebruik, welke opgericht zijn, 't zij als bijzaak bij eene andere nering, 't zij door personen die een of ander ambacht uitoefenen en door een der huisgenooten, zooals zij zich gewoonlijk uitdrukken, een patentje laten nemen, om er een paar centen bij te verdienen'. Handelingen van de Raad, 6 October 1881, 4.

80 *Ibid.*



than 1,929 owners of an alcohol sale outlet in the year 1837/1838, which for a population of 200,000 was equivalent to 104 inhabitants per drinking establishment, not counting liquor stores. In large cities such as Berlin and Paris, the numbers were considerably higher, 130 and 260, respectively.<sup>81</sup> Leiden sat between the two. If, like Herckenrath, we exclude liquor stores and innkeepers (who did not exclusively sell drinks but also offered a bed and possibly meals),<sup>82</sup> we arrive at 123 inhabitants per establishment in 1820, and 171 for the year 1849/1850. If we include liquor stores and innkeepers, the density for these years is 118 and 147 inhabitants per establishment, respectively.

Because the patent registers do not always mention what the patented barkeepers or liquor stores sold, the number of sellers of spirits for the period up to 1881 cannot be identified with complete certainty. However, the number of sellers specified before 1881, for instance, as wine and beer barkeepers was extremely small. Since the total number of patented sellers of alcohol in 1879/1880 was almost as large as the number of alcohol outlets that the Leiden city council licensed in 1881, we can assume that before 1881 spirits were also available from almost all non-specified sellers.

The overview of the number of alcohol outlets based on the patents shows the change in the size of the Leiden alcohol trade (see Table 1). While the number of alcohol sellers in Leiden in 1849/1850 remained stable in relation to the reference year 1820, the number rose sharply after the middle of the century. This rise reversed the relative decline that had occurred between 1820 and 1850. In 1880, the number of inhabitants per outlet was back at the 1820 level. However, compared to 1820, by 1880 discussions about the availability of alcohol had also increased. The relative increase in the number of drinking establishments suggests that complaints about the general availability of alcohol were well-founded. On the eve of the introduction of the Liquor Act, Leiden had around 350 drinking establishments, more than three times the number allowed by the act. Nationally, the number of drinking establishments had to be reduced by eliminating at least 66 percent of the premises; in Leiden the percentage was slightly higher at 71 percent.<sup>83</sup>

81 Herckenrath, *Over het onmatig gebruik van sterken drank*, 108-109.

82 J.C. de Potter, *Patentboek, bevattende de wetten van den 21sten mei 1819 (Staatsblad no. 34); van den 6 den april 1823 (Staatsblad no. 14) en van den 16 den junij 1832 (Staatsblad no. 30) benevens een alphabetisch en beredeneerd register etc.* (Gorinchem 1842) 36, 88, 'innkeepers and lodgekeepers' are usually mentioned in combination. The lemma 'innkeepers' refers to those who let rooms.

83 Nationwide, the number of sales outlets had to be reduced from over 40,000 to 13,731. Janse, *De afschaffers*, 164.

**Table 1 Density of drinking establishments per year according to the patent and population registers in Leiden in the nineteenth century**

| Year    | Number of inhabitants | Number of drinking establishments in Leiden | Maximum number of drinking establishments allowed by the 1881 Liquor Act | Number of inhabitants per drinking establishment in Leiden |
|---------|-----------------------|---|--|--|
| 1820    | 29,813                | 252*  |  | 118*   |
| 1849/50 | 36,614                | 250*  |  | 147*   |
| 1879/80 | 40,799                | 359*  | 102  | 114*   |
| 1881    | 41,629                | 349   | 104  | 119  |
| 1882    |                       | n/a   |  | n/a  |
| 1883    |                       | n/a   |  | n/a  |
| 1883/84 | 42,963                | 307*  | 107  | 140*   |
| 1884    | 43,822                | 253   | 110  | 173  |
| 1885    | 44,650                | 246   | 112  | 182  |
| 1886    | 45,512                | 238   | 114  | 191  |
| 1887    | 46,079                | 236   | 115  | 195  |
| 1888    | 46,379                | 235   | 116  | 197  |
| 1889    | 46,238                | 234   | 116  | 198  |
| 1890    | 43,511                | 234   | 109  | 186  |
| 1891    | 43,958                | 231   | 110  | 190  |
| 1892    | 44,199                | 229   | 110  | 193  |
| 1893    |                       | n/a   |  | n/a  |
| 1893/94 | 44,339                | 314*  | 111  | 141*   |
| 1894    | 44,734                | 225   | 112  | 197  |
| 1895    | 44,714                | 224   | 112  | 200  |
| 1896    | 53,368                | 244   | 133  | 183  |

\* Based on patent registers; other figures are based on liquor licences issued.

Sources: Dataset Leiden's pubscape; Bestand Population numbers: Tjalsma; Handelingen van de Raad, dd 14 November 1885, 6; 2 September 1886, 4; 12 September 1887, 2; 1 October 1888, 4; 1 October 1889, 4; 20 September 1890, 16; 1 December 1890, 6; 13 April 1891, 58; 30 August 1895, 66; 10 September 1896, 2; 13 October 1897, 2; 30 August 1898, 2.

The Leiden city council was well aware that the number of drinking establishments had to be drastically reduced. Presumably for this reason, the council opted for the maximum amount for the licensing fee. The number of premises declined steadily in the decade that followed. In the patent register of 1893/1894, it rose again. This was, as we shall see, due to the increase in the number of vendors of low-alcohol drinks, such as beer and wine. The sharp increase in the number of premises in 1896 must be attributed to the large area around the city that Leiden annexed that year. With the addition of 8,500 inhabitants, Leiden thus closed a disproportionately large number of drinking establishments, as can be seen from the decrease in the number of inhabitants per drinking establishment.<sup>84</sup>

The number of patents and liquor licenses issued shows that in the years following the passing of the Liquor Act, the number of sales outlets for alcohol in Leiden decreased even if the legal target of one per 400 inhabitants at the end of the century was far from achieved. Thus, Leiden was not explicitly failing to implement the law. The Liquor Act offered a loophole on one important point: existing premises that were in compliance with the rules could only be refused a permit after twenty years, and active proprietors could continue their business for the duration of their lives.<sup>85</sup> This tied the hands of the council, and *NV*'s petition – submitted in 1892 with expressions of support from the church councils of various municipalities, asking the council to reduce the number of licenses to the maximum stipulated by law as quickly as possible – was therefore rejected.<sup>86</sup> The board of the Leiden branch of *NV* had not taken the loophole into account. The fact that existing premises could not be refused a license meant that the decline in the number of premises until 1901 was not caused by forced closure but by other factors. First, the legislation disrupted the normal ebb and flow of commercial dynamics in which businesses closed and new ones were established; the number of new businesses declined but were no longer automatically replaced by new ones. In addition, the high cost of a license must have played a role in the decrease in the number of premises serv-

84 J.C.H.Blom, 'Korte introductie', in: R.C.J. van Maanen and J.C.H. Blom (eds), *Leiden: De geschiedenis van een Hollandse stad. Deel 4* (Leiden 2004) 8-13, 9.

85 A number of cases fell outside this exception, such as where an applicant had been sentenced to a term of imprisonment of one year or more, or where a license was intended for the sale of liquor in brothels. From 1884 onwards, licenses could be refused for premises that combined the sale of liquor with a shop. See *Staatsblad van het Koninkrijk der Nederlanden*, no. 97, 28 June 1881, art. 3, 3; art. 28, 11-12.

86 *Handelingen van de Raad*, 2 June 1892, 1-2; *Staatsblad van het Koninkrijk der Nederlanden*, no. 97, 28 June 1881, art 28, 11.

ing alcohol. What the implications of this were for the alcohol trade in Leiden, along with who was affected, are examined below.

## Shift in types and sizes of drinking establishments

Drinking establishments came in all shapes and sizes. In the patent registers, drinking establishments were classified based on a combination of the type of sale (e.g., bottled or tap) and quantity of drink sold. The first category was *herbergiers* and *logementhouders* (trade #342), that is, tavern or innkeepers and lodging owners. Not all of them served alcohol, but if they did, they needed a separate patent for the sale of alcohol. In Leiden, the patents for *herbergiers* and *logementhouders* were regularly combined with licenses for serving and selling alcohol.<sup>87</sup> The next category was *slijters* (#384), owners of beer, wine, and spirits stores who sold alcohol on a small scale, that is, no more than eleven bottles or two barrels at a time. There is little information on the nature of the businesses of the small-scale *tappers* (#385), who served beer, wine, and liqueur ‘from their houses or shops’ and who did not stock more than eleven bottles or half a barrel of beer. Unlike *slijters*, drinks could be consumed on location. We can also assume that *tapper* premises were smaller in size than those of *kroeghouders* (#386), who were small pub owners, barkeepers, and liquor merchants. Finally, there were *koffiehuishouders* (#387) – coffeehouse keepers – as well as keepers of public inns (*houders van openbare uitspanningen*).<sup>88</sup>

The patent tax was levied based on the estimated raw yield of the trade/business, in other words, on the revenue and not on profits. The Patent Act of 1819 importantly determined the classification of trade groups. In addition to classification of the drinking establishments by *type*, *size* was also relevant. The bandwidth of the tax classification, which determined how much an owner had to pay, was large. The classes with the lowest number were reserved for the largest companies.<sup>89</sup>

87 Only proprietors of these establishments that also had a liquor license are included in the dataset.

88 P.M.M. Klep, A. Lansink and W.F.M. Terwisscha van Scheltinga, *Broncommentaren II: De registers der patentplichtingen, 1805-1893* (The Hague 1985) 32; ‘Rangschikking der patentplichtigen’ in: *Ibid.*, 34-40; De Potter, *Patentboek*, 12, 15, 16, 47, 48, 62, 88, 92, 101, 102, 108-110.

89 Klep et al., *Broncommentaren*, 32, 34-40. Because a local board of scribes and an inspector determined which class was applicable, the final classification in the Leiden registers could differ from the classification according to the national law of 1819. The rates that had to be paid varied according to the size of the town and changed over the course of the century. *Ibid.*, 32, 37, 39; De Potter, *Patentboek*, appendix B: Tarief B, 1832, rangen der gemeenten.

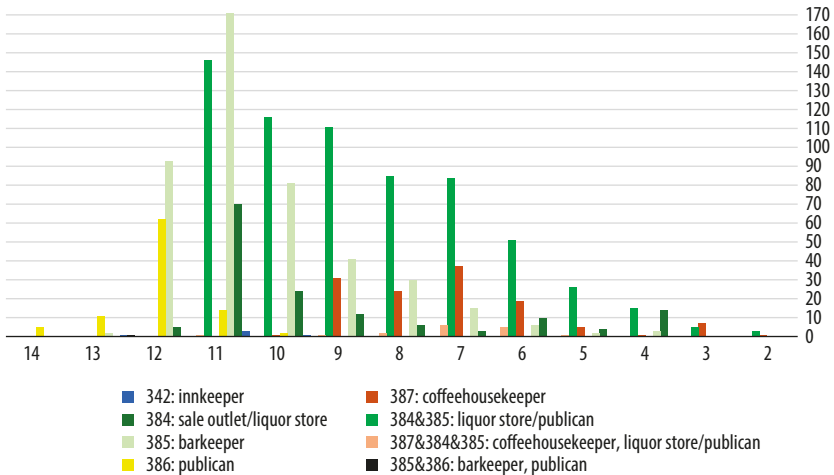
Table 2 Trades and classes according to the Patent Act of 1819

| Trade number | Trade   | Generic terms used in the article                                       | Size/activity   | Classes | Classes in which the trade is listed in the Leiden patent register |
|--------------|---|---|---|---------|--|
| 342          | Tavern or innkeepers and lodging owners ( <i>herbergiers &amp; logementhouders</i> )  | Sale outlet/drinking establishment                                      | Depending on number of rooms (from > 50 to less than 3) | 2-13    | 10-13*   |
|              | Beer store ( <i>bierslijter</i> )   |   | Sales max. 2 barrels of beer                            |         |  |
| 384          | Wine store ( <i>wijnslijter</i> )   | Sale outlet/liquor store  | Sales max. 11 bottles                                   | 3-12    | 2-12   |
|              | Spirits store ( <i>slijter in sterke drank</i> )  |   | Sales max. 11 bottles                                   |         |  |
|              | Liqueur store ( <i>slijter in likeur</i> )  |   | Sales max. 11 bottles                                   |         |  |
|              | Barkeeper ( <i>tapper</i> )   |   |   |         |  |
| 385          | Publican ( <i>croeghouder</i> )   | Sale outlet/public house and drinking establishment                     | Dispensary in shops or houses, quantity unspecified.    | 4-12    | 2-13   |
|              | Keeper of a winehouse ( <i>wijnhuishouder</i> )   |   |   |         |  |
|              | Keeper of a beerhouse ( <i>bierhuishouder</i> )   |   |   |         |  |
|              | Liqueur decanter ( <i>likeurschenker</i> )  |   |   |         |  |
| 386          | Publican/keeper of small public house ( <i>croeghouder</i> )  | Sale outlet/small public house, drinking establishment and liquor store | Max. one jug or half jug (one hectolitre) purchase      | 13-14   | 11-14<br>( <i>bierslijters &amp; -tappers</i> 10-12)               |
|              | Beer store ( <i>bierslijter</i> )   |   | Purchase max., ½ barrel of Dutch beer                   |         |  |
|              | Liquor store in miniature ( <i>slijters van dranken in het klein</i> )  |   | Max., 1 can, walk-in                                    |         |  |
| 387          | Coffeehouse keepers (& keepers of drinking gardens or outdoor houses, keepers of public inns <i>koffiehuishouders &amp; houders van tuinen of buitenhuizen tot openbare uitspanning</i> ) | Sale outlet/drinking establishment                                      |   | 3-10    | 2-10   |

\*This refers only to innkeepers in 1820. Lodging owners in later years had to have a separate liquor license if they sold liquor, and they were charged accordingly.

The distribution of Leiden's alcohol venues across the different classes (see Figure 1)<sup>90</sup> shows that in class 11 the Leiden alcohol trade was dominated by liquor stores and barkeepers, or a combination of these. The owners of these small public houses owed only eight guilders a year in patents.<sup>91</sup> At the opposite end of the spectrum, class 2 comprised one well-to-do coffeehouse owner and a few businesses of wealthy alcohol sellers who combined a public house with a liquor store. Classes with the lowest licensing fees (13-14) were dominated by small pub owners who, presumably as take-away *avant la lettre*, sold a glass on the go from their window. For the very smallest alcohol outlets, in class 14, the tax was no more than fl. 1.75 a year.<sup>92</sup>

**Figure 1 Distribution of alcohol vendors with a patent in nineteenth-century Leiden, reference years<sup>93</sup>**



Source: Leiden's Pubscape dataset.

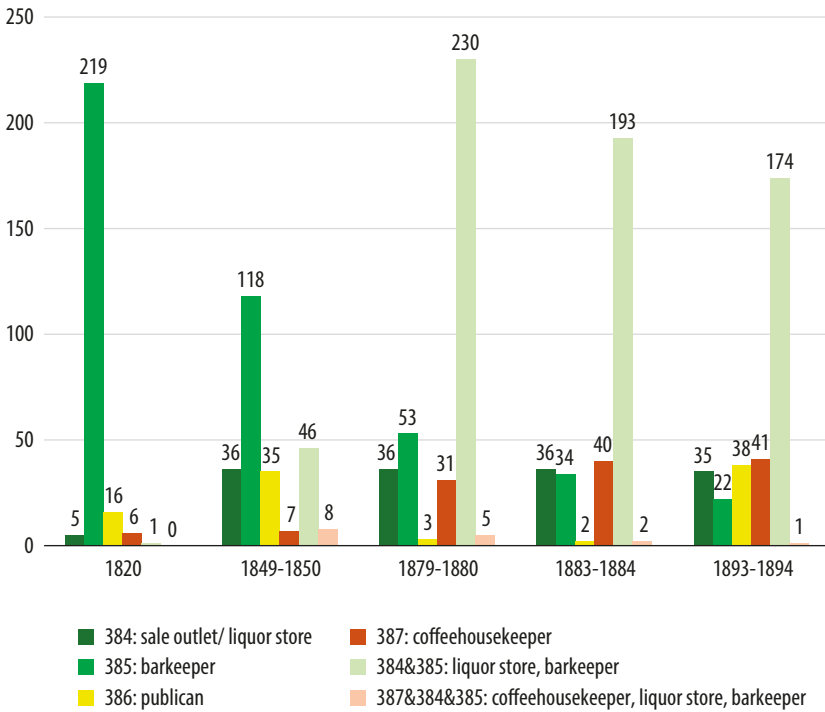
90 For the sake of clarity, Figure 1 is limited to the largest categories and the category of inns (in classes 10, 11 and 13) and the combined category of barkeepers and pub owners (class 12) are excluded from the graph.

91 De Potter, *Patentboek*, appendix B: Tarief B, 1832, rangen der gemeenten.

92 Klep et al., *Broncommentaren*, 37. From 1832 onwards, fl 1,50 per year. De Potter, *Patentboek*, appendix B: Tarief B, 1832, rangen der gemeenten.

93 These are the keepers of registered patents in each sample year, so it is possible that registered alcohol sellers appeared in the count more than once.

**Figure 2** Number of patents issued for alcohol venues by trade classification in Leiden, select years



Source: Leiden's Pubscape dataset.

Looking at the type of businesses in the various years (Figure 2), we can see several shifts in the Leiden alcohol trade. In 1820 most drinking establishments were taprooms (*tapperijen*), but in the following years the sector diversified. We cannot rule out that this shift reflects a change in how classifications were recorded. According to the data, in 1820 there were hardly any liquor stores, though many taprooms. In 1849/1850, the ratio was more similar, and there was growth in the number of businesses that combined the sale of draft beer and spirits. In the final three years (1879/1880 and 1883/1884 and 1893/1894), the large number of combined barkeepers and liquor stores is the most striking. Because the number of liquor stores in the city was considerable both in the eighteenth century<sup>94</sup> and in the later years of the nineteenth century, it seems unlikely that Leiden had only six liquor stores in 1820. Presum-

<sup>94</sup> Marjolein van Dekken, *Brouwen, branden en bedienen. Productie en verkoop van drank in de Noordelijke Nederlanden, circa 1500-1800* (Amsterdam 2010) 159.

ably, in 1820 and possibly also in 1849/1850 a number of barkeepers/owners of liquor stores were designated as barkeepers only. However, since our sources do not allow us to make definitive statements on this subject, we must be careful in drawing conclusions about these two separate trades. As the earlier overview of the number of public houses showed, the number of patents issued just before to the introduction of the Liquor Act was remarkably high. This high number was almost entirely accounted for by the large number of combined liquor store and barkeepers. It was also in this classification that the city of Leiden profited the most from the Liquor Act: the considerable decrease in the number of combined premises was of great significance.

The significant fluctuations in the number of liquor stores/barkeepers (whether combined or not) should not obscure other, more nuanced developments. For example, the number of coffeehouse owners in Leiden increased from six in 1820 to fifteen by the middle of the century to 36 in 1879/1880. After the first coffeehouse license was issued in 1752, coffeehouse owners often combined their bar with a billiard table to increase their clientele, which is also evident in the patent registers of the nineteenth century.<sup>95</sup> Where initially drinks were also served in coffee houses, in the nineteenth century, the houses also played a role in the fight against alcoholism.<sup>96</sup> After the Liquor Act was passed, the number of coffee houses continued to increase slightly. Still, the few coffeehouse owners who until 1880 combined their business with a small barkeeper premises and a liquor store had probably decided to stop selling spirits. This type of space – the coffee house where liquor was sold – virtually disappeared after the passing of the Liquor Act.

After a remarkable growth in the number of small pubs and small liquor stores in the first half of the nineteenth century, the number of these outlets decreased considerably. It is not clear why only a few patents were issued for these small outlets in the years 1879/1880 and 1883/1884. The increase in this category in 1893/1894 is remarkable but can be explained. As we saw earlier, the Leiden city council had hoped that the Liquor Act would reduce the number of small sales outlets. However, where in earlier years this type of outlet had been registered as a *kroeghouder* (pub keeper) without specification, in 1893/1894 the patent holders from this category were registered as tap-room proprietors (*tappers*). The registered specification of the drinks

<sup>95</sup> *Ibid.*, 52.

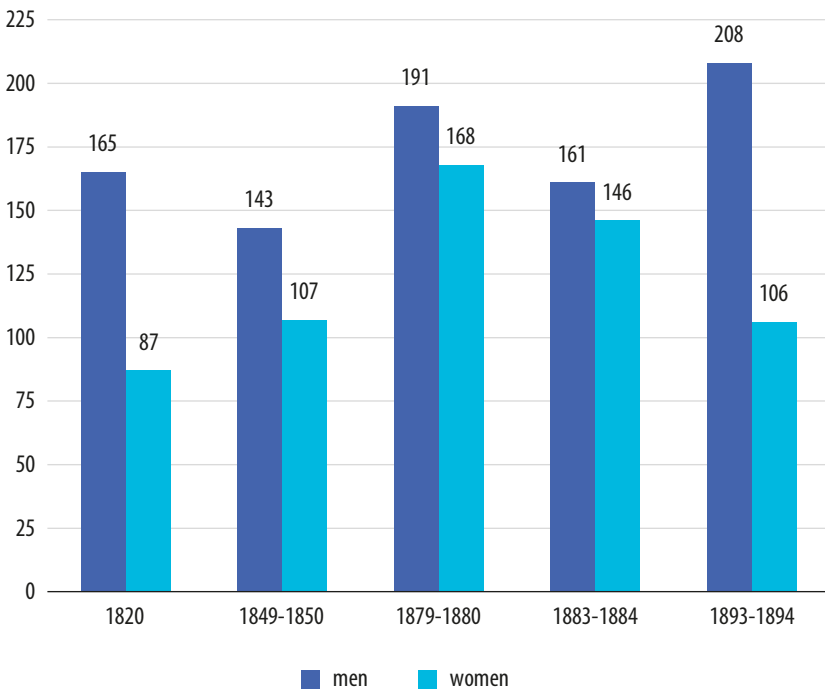
<sup>96</sup> *Ibid.*, 136-137.



served indicates, after 1893/1894, that the twenty men and eighteen women who owned such establishments fell outside the law aimed at restricting the sale of spirits.

Did the smallest liquor sellers in Leiden in switching to the sale of beer act in the spirit of the law, and did they manage at the same time to avoid the feared subsequent income loss? No. Councillor Buys was right in his prediction that the cost of a permit would ‘weigh heavily on the small public houses.’<sup>97</sup> The combination of occupational groups, classes, and gender makes it clear where the greatest changes in the Leiden liquor trade took place and who was most affected by the liquor law.

**Figure 3 Male and female patented sellers of alcohol in Leiden, select years**



Source: Leiden's Pubscape dataset.

<sup>97</sup> See note 72: *Handelingen van de Raad*, 6-10-1881, 4. See also *Handelingen van de Raad*, 29-9-1881, 1, ingekomen stukken no. 190.

## Side effects: loss of employment

The fight against alcohol had a strong class component. It was the alcohol consumption of labourers that was problematized, but what the consequences of the Liquor Act were for consumers, from whatever class, is difficult to determine. The consequences for sellers from the lower classes were obvious. With the introduction of the Liquor Act, the Leiden city council hoped to limit the number of small pubs, and they succeeded. The restriction on the number of small pubs was intended, and the subsequent loss of employment for small pub owners was probably anticipated. However, a closer look at the data shows who this impacted the most.

The percentage of women in the sale of liquor in Leiden had always been considerable. When we look at the gender of the patentees, it appears that for many women the sale of alcohol in Leiden was an important source of income. Marjolein van Dekken, who researched liquor sellers in Leiden in the early modern period, found that in the second half of the eighteenth century, the proportion of women among the sellers of brandy from the bottle or from the barrel grew to about 50 to 60 percent of total sellers.<sup>98</sup> The absence of institutional constraints or training obligations and the low level of investment capital needed made selling liquor an attractive source of income for women.<sup>99</sup>

In the nineteenth century, women were also prominent in the liquor trade. Their share among the Leiden alcohol sellers increased in the nineteenth century (Figure 3). Whereas around the middle of the nineteenth century women accounted for the lion's share of small pubs and serving establishments, 30 years later they dominated the combined barkeeper premises and liquor stores. By this time, in the sample years 1879/1880 and 1883/1884, almost half (47 to 48 percent) of the patented liquor sellers were women. Ten years later, however, their share had fallen to 34 percent.

Looking at the occupational groups, we can see that not all alcohol sellers were equally affected. The number of female barkeepers declined, but even more drastic was the decline in the number of women running combined barkeeper premises and liquor stores, from 123 in 1879/1880 to 114 in 1883/1884 to only 74 in 1893/1894. This decrease is all the more striking since the number of men increased in that last decade (see Table 3).

<sup>98</sup> Van Dekken, *Brouwen, branden en bedienen*, 159-160.

<sup>99</sup> *Ibid.*, 193.



*Illustration 2* Liquor store and taproom Het Waagje, Aalmarkt Leiden, c.1890 (source: *Erfgoed Leiden en Omstreken*)

Table 3 Distribution of male and female beverage sellers by occupation in Leiden, sample years

|               | 342: inn-keeper | 384: liquor store | 385: barkeeper | 386: keeper of a small pub, small liquor store | 387: keeper of a coffeehouse | 384, 385: barkeeper & owner of a liquor store | 385, 386: barkeeper & keeper of a small pub | 387 & 384/385: coffeehouse keeper & barkeeper/owner of a liquor store |
|---------------|-----------------|-------------------|----------------|--|------------------------------|---|---|---|
| <b>Male</b>   | <b>5</b>        | <b>130</b>        | <b>246</b>     | <b>42</b>                                      | <b>113</b>                   | <b>316</b>                                    | <b>1</b>                                    | <b>15</b>   |
| 1820          | 5               | 4                 | 141            | 8  | 6                            | 1   |   |   |
| 1849-1850     |                 | 28                | 63             | 11   | 6                            | 29  |   | 6   |
| 1879-1880     |                 | 34                | 16             | 1  | 28                           | 107   |   | 5   |
| 1883-1884     |                 | 33                | 12             | 2  | 33                           | 79  |   | 2   |
| 1893-1894     |                 | 31                | 14             | 20   | 40                           | 100   | 1   | 2   |
|               |                 |                   |                |  |                              |   |   |   |
| <b>Female</b> | <b>18</b>       | <b>200</b>        | <b>52</b>      | <b>13</b>                                      | <b>328</b>                   | <b>2</b>                                      |   |   |
| 1820          | 1               | 78                | 8              |  |                              |   |   |   |
| 1849-1850     | 8               | 55                | 24             | 2  | 17                           |   |   | 1   |
| 1879-1880     | 2               | 37                | 2              | 3  | 123                          |   |   | 1   |
| 1883-1884     | 3               | 22                |                | 7  | 114                          |   |   |   |
| 1893-1894     | 4               | 8                 | 18             | 1  | 74                           |   |   |   |

As mentioned above, just before the introduction of the Liquor Act, most combined liquor stores/barkeeper premises were in the hands of women, mainly married ones. These small businesses will not have been easy to run. Whereas the male barkeepers were equally divided across the different classifications, the female barkeepers were mainly in the tax classifications with the lowest rate (Table 4). As much as 70 percent of the keepers of liquor stores and barkeepers were in the two tax classifications with the lowest rates (19.8 percent and 5.6 percent); half of all female proprietors of liquor stores and barkeepers were subject to the lowest tax rate (class 11).

In particular, the number of small barkeeper premises and combined barkeeper premises/liquor stores run by women decreased sharply, slightly changing the gender composition of the managers. In 1879/1880 and 1883/1884, 74 and 75 percent of barkeepers and barkeepers/liquor store owners were married, respectively, and 15 and 16 percent were widowed, respectively. Yet in the final reference year (1893/1894), the share of married women had dropped to 63 percent. After the transitional arrangement, the composition of the kinds of alcohol outlets in Leiden changed. The decrease in the number of barkeeper premises was accompanied by a considerable decrease in the number of women with a liquor license. Apparently, it was particularly difficult for them to pay the required licensing fee of 25 guilders to sell liquor.

The Liquor Act limited women's ability to set up small businesses on their own, which, because of the combination of the small financial investment needed and the flexibility of the work, would have been an attractive way for women to earn an income. Whether this loss was compensated by employment in the larger drinking establishments is unknown. Still, it is important to realize that this work was different in nature in that it was waged labour, which most likely would not have provided relief to these women.

## Conclusion

In 1881, the first national liquor law was introduced in the Netherlands to regulate alcohol consumption. The legislation came about because of strong pressure from the temperance movement, which was inspired by the temperance movements in the United States and the United Kingdom but had strong local roots. Shortly after the Liquor Act was

**Table 4 Distribution of female and male owned liquor stores, barkeepers and combined liquor stores/barkeepers in different classes before and after the introduction of the Liquor Act, reference years**

| Class        | Female     |            |            | Male       |            |            |
|--------------|------------|------------|------------|------------|------------|------------|
|              | 1879/80    | 1883/4     | 1893/4     | 1879/80    | 1883/4     | 1893/4     |
| 2            |            |            |            |            |            | 1 (0.7%)   |
| 3            | 1 (0.6%)   | 1 (0.7%)   | 1 (1.2%)   |            | 1 (0.8%)   | 1 (0.7%)   |
| 4            |            | 1 (0.7%)   | 1 (1.2%)   | 11 (7.0%)  | 7 (5.6%)   | 4 (2.8%)   |
| 5            | 2 (1.2%)   | 5 (3.6%)   |            | 8 (5.1%)   | 10 (8.1%)  | 4 (2.8%)   |
| 6            | 4 (2.5%)   | 7 (5.0%)   | 7 (8.1%)   | 13 (8.3%)  | 14 (11.3%) | 10 (6.9%)  |
| 7            | 9 (5.6%)   | 16 (11.5%) | 14 (16.3%) | 12 (7.6%)  | 12 (9.7%)  | 17 (11.7%) |
| 8            | 11 (6.8%)  | 18 (12.9%) | 13 (15.1%) | 12 (7.6%)  | 10 (8.1%)  | 30 (20.7%) |
| 9            | 20 (12.3%) | 23 (16.5%) | 23 (26.7%) | 19 (12.1%) | 16 (12.9%) | 23 (15.9%) |
| 10           | 32 (19.8%) | 35 (25.2%) | 13 (15.1%) | 27 (17.2%) | 21 (16.9%) | 22 (15.2%) |
| 11           | 82 (50.6%) | 32 (23.0%) | 13 (15.1%) | 54 (34.4%) | 33 (26.6%) | 30 (20.7%) |
| 12           |            |            | 1 (1.2%)   |            |            | 3 (2.1%)   |
| Unknown      | 1 (0.6%)   | 1 (0.7%)   |            | 1%         |            |            |
| <b>Total</b> | <b>162</b> | <b>139</b> | <b>86</b>  | <b>157</b> | <b>124</b> | <b>145</b> |

passed, there were many complaints in Leiden that the measures had failed. It is possible that in this criticism we hear the disappointment of a group of increasingly fervent temperance campaigners that the eradication of all drinking could not come about fast enough. From the criticism of the temperance movement about the ineffectiveness of the measures implemented after 1881, one might conclude that nothing changed at the local level in the liquor trade. However, this conclusion is not justified.

In this article we examined the implementation of the Liquor Act in Leiden and its effects on the city's alcohol sector. Prior to the implementation of the Liquor Act, the industrial city of Leiden had a high density of drinking establishments compared to the target number allowed in the act. Leiden certainly did not fall short of the national average. With the number of alcohol sales outlets registered in Leiden, there must have been an outlet of some kind on every proverbial street corner. These were many small drinking establishments, often operated by women, from which, presumably, mainly (Dutch gin) jenever was served, although the patent registers provide no information on this. The passing of the Liquor Act in 1881 changed this both in the short and long term.

In the twelve years following the passing of the act, the number of drinking establishments in Leiden decreased. However, the standard of one establishment per 400 inhabitants was nowhere near being enforced. This was not because of the ineffectiveness of the law or the lack of decisiveness of the local government charged with its implementation. More important was the extinction principle enshrined in the law, which stipulated that active proprietors of existing premises could keep their licenses for the time being. After 1881, the patent registers show a clear increase in the number of small beer barkeepers, who were promoted by the less strict advocates for liquor control as a good alternative to establishments that offered spirits.

In addition to the gradual reduction of the number of drinking establishments and the shift in the type of drinking establishments, the number of drinking establishments rapidly decreased. Despite the concerns expressed about the economic consequences for small barkeepers, the Leiden city council opted for the most expensive license of 25 guilders. This local interpretation of the national law meant that the smallest drinking establishments and liquor stores disappeared. It is ironic, however, that the Liquor Act, which was supposed to offer a solution to what was primarily framed as a male problem, had major consequences for working women. A peek behind the bar has revealed that it

was mainly women who paid the price, with the loss of their source of income.

In short, the 1881 Liquor Act brought about a change in the alcohol sector in the impoverished industrial town of Leiden. Jenever was no longer obtained from one of the many small public houses run by women but from larger barkeeper premises, which, unlike small public houses, could not be found on every street corner. At the same time, beer houses were on the rise. Whether these shifts contributed to a net reduction in alcohol consumption and fewer social problems is another matter.

## About the authors

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