

Maarten Müller, *Misdaad en straf in een Hollandse stad: Haarlem, 1673-1811* (Hilversum: Uitgeverij Verloren, 2022). 119 p.
ISBN 9789464550146.

DOI: 10.52024/tseg.13622

In his second book on the Dutch town Haarlem, Maarten Müller again researches the nature and development of crime and punishment and the role of the city government in the criminal justice system. While his first book focused on the period 1245-1615, this book analyzes the late seventeenth century to 1811, when the French criminal justice system was implemented after the Netherlands became part of the French empire. Crime and punishment have been researched for other Dutch cities such as Amsterdam and Delft, but Müller argues that every city had its own 'urban order' (p. 11). Crimes and punishments were influenced by characteristics such as the size of the population, so there were many differences between cities.

The book is thematically ordered. First, the sources are evaluated, followed by an explanation of the procedures and the workings of the criminal justice system in Haarlem. What ensues is a criminological chapter that analyzes the trends and patterns that became visible through investigation of the sources. In the conclusion Müller theorizes his findings and places his research in current debates on crime and punishment. There is also an extensive appendix which chronologically lists all corporal punishments and death sentences that were given each year.

The book examines an extensive number of sources, both normative and practical. The normative sources consist of statutes, ordinances, and placards mostly produced by the city of Haarlem, but also by the States-General and the States of Holland and West Frisia. They contain rules, procedures, lists of criminal offenses, and sanctions. The practical sources include bailiff rolls and accounts, along with verdicts from several authorities such as courts. The substantial number of sources used helps to justify his findings. What also strengthens his claims is the fact that with the two books combined, Müller has examined a considerable period of time spreading out over eighteen generations, thereby allowing him to compare patterns through multiple centuries, such as the influence of medieval ideas on crime and punishment in later centuries.

Müller draws on Norbert Elias's civilization theory. According to this theory, the state was the most important discipliner from the early

modern period onward, and with time the political elite stopped using violent punishments as a way of disciplining citizens. This aversion to bloody and deadly violence gradually trickled down to the rest of society and led to declining crime rates. This top-down process and one-way development is too simple according to Müller. Already in his first book, Müller concluded that the States-General had not been the deciding actor in criminal justice in Haarlem and that intervention from the States could not help explain the most visible patterns and trends in crime and punishment.

Müller contrasts the civilization theory with the city as a 'civilization arena' (p. 81). He does not agree with Elias's idea that people gradually internalized the existing norms but, rather, that social interdependence might have caused the declining crime rate. People living and working together in cities led to them wanting to solve problems through mediation and punishments, so as to make sure that people could live together in peace and avoid bloody feuds. The specific city dynamics were thus responsible for the nature and developments in crime and criminal justice, which happened mostly independently of the development of the state.

The sources show the gradual decrease of physical violence as suggested by Elias and later by Pieter Spierenburg, but Müller disagrees in the cause for it.¹ He argues against internalization and suggests that local authorities had more influence than the centralized state on crime and punishment. The local authorities had sought to prevent physical violence between citizens ever since the Middle Ages and seemed successful, given the steady decrease in physical violence and murder in Haarlem, both absolutely and relatively. The number of thefts and other property crimes also steadily decreased. Another development was the decline of corporal punishments. Banishment and confinement in the workhouse became the more common punishment.

Besides taking a stance against the civilization theory, Müller brings forth another theory to explain his findings. He argues that elements in evolutionary biology could help explain the trends and patterns in crime and punishment in cities. Explaining crime and punishment from an evolutionary perspective is not completely new. Müller mentions Pinker in this regard, who explained the decrease in violence worldwide

1 N. Elias, *Über den Prozess der Zivilisation* (second edition, Bern 1969); Pieter Spierenburg, 'Long-term trends in homicide. Theoretical reflections and Dutch evidence, fifteenth to twentieth centuries', in: E.A. Johnson and E.H. Monkkonen (eds), *The civilization of crime. Violence in town and country since the middle ages* (Chicago 1996).

from an evolutionary perspective.² According to findings in research on evolutionary biology, living in hierarchical groups stimulated specific abilities such as empathy and conflict management and also influenced ethics, morals, and behaviours in groups, both as a collective and on an individual level.

The declining crime rates in Haarlem is an example of a phenomenon that could be explained by evolutionary biology. The effect of living in groups for many generations and the need to make the group as successful as possible is expounded in evolutionary biology. The success of the group became entwined with the success of individuals, which made crime a less likely option for a citizen. This dynamic can explain the declining crime rates. The lowering of sentences over the centuries can also be explained by the evolutionary effects of living in groups. This situation would make people more likely to not resort to violence, because empathy, trust, and cooperation became important values. Another example is the attitude in criminal justice towards non-citizens. The exclusion of outsiders from the group can be explained by the evolutionary behaviour to protect one's own group (p. 81-88).

The use of evolutionary biology to explain the past is refreshing since it has not often been put forward. The study is thorough and the trends and patterns that Müller identifies in crime and punishment are convincing, since his study covers several centuries. The fact that the study focuses primarily on Haarlem with only occasional comparisons to other Dutch cities somewhat weakens his generalizations, but this soft spot could be solved by comparative research.

Jessie van Straaten, Leiden University

Johan Joor, *Door de mazen van het net. Crisis en verborgen veerkracht in Rotterdam ten tijde van het napoleontisch continentaal systeem 1806-1813* (Amsterdam: Boom, 2022). 526 p. ISBN 9780024442430.

DOI: 10.52024/tseg.13631

Met zijn interessante boek *Door de mazen van het net* heeft de historicus Johan Joor een belangrijk werk toegevoegd aan zijn studies over de napoleontische tijd (1806-1813). Joor promoveerde in 2000 op de

² S. Pinker, *The better angels of our nature* (New York 2011).