

***Gin, Cloth, Salted Meat and Abuse of Office: Ethics in the Dutch Batavian Republic in 1798***

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**Working paper for NIG-conference, Leiden 12-13 November 2009**

**Abstract**

In the wake of two *coups d'état* in the Dutch *Batavian Republic* (1795 – 1801) an investigation was launched into the actions and ethics of several leading representatives. The result was a scandal of corruption involving bribery, high treason and the misappropriation of public funds for private purposes. The scandal erupted in a period when the Dutch called for improving the morals of a nation thought to be in serious decline. Influenced by revolutionary thought, administration too was to be cleansed from abuses of office, nepotism and patronage. The paper offers a detailed historical analysis of this case for three reasons. First, it serves to help explicate what the ethics and values of the Bataves actually consisted of. Second, it serves to begin to answer theoretical questions on change and/or continuity of ethics and values. Third, it is meant to further methods of inquiry into ethics of public administration from a historical perspective.

## Introduction

### *Administrative history and ethics of public administration*

The use of administrative history is hard to dispute (cf. Mahoney and Rüschemeyer 2003; Raadschelders 1998). In short, to quote Jos Raadschelders, it "enables us to see through political and administrative fads and fashions of the day and enables us to get a perspective on more fundamental differences and similarities between present and obsolete structures, operations and policies" (Raadschelders 1998, 13). To use historical research in such a way, historians need to test and generate theory and hypotheses (Pierson 2000a, 72) to discern trends, mechanisms or social processes (Fischer 1970, 4; Thelen 2002). Reversely, political scientists and scholars of public administration should also – and in fact usually do – take history and historical methods into account (Hood 2000, 16; Raadschelders et al. 2000; Caldwell 1955, 458). This is true for research on ethics and integrity as well. After all, we want know 'why, where and how' particular ideas on ethics change or which values are important at specific moments in time. Also, where and under which circumstances did present-day conceptions of integrity or corruption originate? Historical (case) studies, then, help to answer such important questions (cf. Rüschemeyer 2003, 315, 318; Mahoney and Rüschemeyer 2003, 9; Thelen 2002, 94). I will exemplify this by means of a historical case study on a first Dutch 'parliamentary inquiry' in which ethics of public administration were, as we will see, at the heart of the matter.

During the final years of the Dutch *Batavian Republic* (1795 – 1801) two *coups d'état* took place as different factions in the National Assembly clashed over how to organize and structure the new state and how to formulate a new constitution. An initial coup by radical democrats on 22 January 1798 was followed by a counter coup of moderate reformers on 12 June that same year. The moderate regime immediately launched an investigation into the behavior of the ousted representatives. The result was a detailed report involving all kinds of abuses of office by several of the leading men (and their cronies) in the Batavian Republic. The scandal that followed provides important information concerning ethics and integrity of early modern public administration.

In this paper I intend to do three things. First, the case study is meant to provide a detailed empirical account of the particular ethics of public administration of the Bataves. What was wrong or right? Why was certain behavior considered corrupt? What did 'corruption' actually constitute? What values did people express? Were there differences of opinion or interpretation? Second, the case raises theoretical questions. What insights does historical empirical data offer to find out more on how ethics and its underlying values are shaped in historical institutional context? Does this, also, help explain whether and if so how ethics changes or evolves over time? Third, the paper has a methodological objective. How might we investigate ethics and integrity through historical analysis?

### *Political strife in the Batavian Republic (1795 – 1801)*

In 1795, reformers known as Patriots or Bataves succeeded in establishing a new Dutch (Batavian) Republic with the help of revolutionary France (for an extensive discussion of events see Schama 1977; Palmer 1954). The events during this period were crucial in Dutch political history. In short, the Bataves managed to forge the basis of a unitary state out of an existing federation of provinces, introduced new legislative institutions, a separation of powers and a new constitution, laying the foundations for the future development of the modern Dutch nation state.

The Bataves' main task, drafting and adopting a new constitution led to continuous strife over its content and the – unitary or federal – structure of the state. This ultimately resulted in a *coup d'état* by radical 'unitary' democrats. On 22 January 1798, prominent representatives from the second National Assembly<sup>i</sup> decided to break the deadlock which had "cast the Republic into a kind of Polish chaos" ever since 1795 (Schama 1977, 271). Encouraged by developments in France, Wybo Fijnje, Pieter Vreede and Stephen van Langen led a coup by a caucus of radicals. As 'federalists' and 'aristocrats' were placed under arrest, the remaining members of the National Assembly took an 'oath of hatred' against the Stadholder, federalism and "the general anarchy or failed administration" of previous decades (Staatsregeling, Chapter [Ch.] I, Art. xi; Schama 1977, 291; Colenbrander 1905-1922, lxxv-lxxvi).

The purges and the establishment of a temporary radical democratic Executive Directory (headed by Vreede, Fijnje and Van Langen) assured a new radical democratic constitution on 23 April 1798. One of the stipulations in the constitution was the so-called "two-thirds" rule (*Staatsregeling*, Ch. I, Art. xxxvii-xxxix). Two thirds of the new Assembly were to be former members of the purged convention (Elias, Schölvinc, and Boels 1991, 11-12; Palmer 1954, 31). Only one third would be replaced every year. The Executive Directory, which was intended to be temporary, retained power too.

This kind of self-perpetuation went in against some of the basic ideas underlying the revolution, most notably that of popular sovereignty. As the behavior of some of the radical leaders also started to raise some eyebrows existing tensions within the assembly and moderate dissatisfaction with their radical leaders were fueled (cf. Palmer 1954, 31-32). On 12 June a counter-coup took place, to "safeguard the constitution, democracy and the basic unitary structure of the Republic". The moderates, led (among others) by Isaac Gogel and Samuel Wiselius took charge. General Daendels' troops, who had turned against the regime as well, made their way to arrest Fijnje, Vreede and Van Langen (Schama 1977, 350). All three men would eventually have to answer for what they had done during their six-month period in power. Fijnje and Van Langen were even imprisoned (together with a host of accomplices) and prosecuted for a wide variety of offences while in office. Gogel and other would form an Interim Executive Directory, planning new elections for a legislative assembly.

### *Three Sets of Questions*

The importance of the Batavian Revolution in general, and the events between 22 January and 12 June in particular, has been widely acknowledged by historians (for an overview see Palmer 1954, 34-35; Schama 1977; Sas 2004; Bruin 1986). It has been a crucial period to understand Dutch – and with it European and even Western (Palmer 1954, 35) – political history. The coups made it possible to introduce far reaching institutional changes. The new constitution dismantled many old institutions of the *ancien régime* and paved the way for the formation of a modern Dutch nation state after 1848; institutions being the "formal or informal procedures, routines, norms and conventions embedded in

the organizational structure of the polity or political economy" (Hall and Taylor 1996, 938). Attention has mostly been focused on the former kind of institutions rather than the latter. Although it has widely been recognized how the Bataves were indeed ethically motivated, their ethics of administration have not really been investigated up-close. This is odd since their institutions were clearly meant to end a corrupted 'aristocratic' system with its nepotism, patronage and abuse of office. The Bataves' focus on new administrative ethics therefore warrants further investigation.

The three main objectives of the paper are, as I have already stated, empirical, theoretical and methodological. They lead to three sets of questions that run through the paper. First, while it is widely accepted that the fundamentals from the Bataves' 'reform programme' do relate to ethics of public administration, it is as yet rather unclear what this ethics exactly consisted of. We might thus ask to what extent the Bataves actually proposed (new?) behavioral guidelines or norms for their officials? Did the obvious 'democratic' concern for improved organizations and institutions laid out in the constitution (a parliament through popular elections, abolishing the guilds, ending patronage, oligarchy and nepotism etc) also entail a concern for values of public administration and what were these values? Was the Batavian Revolution of pivotal importance, not just for the evolution of politics and state formation but for ethics as well?

A Second set of questions is, basically, concerned with change and continuity of ethics. If ethics did indeed become increasingly important as a result of the Bataves' ideas, did it also change in this period and, if so, why and how? Did new ideas constitute or lead to a new value system? Any answer to such questions obviously requires comparative historical research as well. Still, single case must still be studied in order for any comparison to be made. However, we can (as mentioned) learn about mechanisms and processes of ethical change from single cases as well. What about, for instance, the – long standing – question whether actors behave strategically and rationally or bounded in creating new institutions. Did Batavian reformers rationally seek to maximize the attainment of a predetermined set of goals (ethics, values) or did they more or less automatically turn to established routines from the past? From this related questions follow such as whether and, if so how, certain new institutional structures (a constitution,

a general assembly) led to the rise of new (individual or communal) values and morals (Hall and Taylor 1996, 939-940; see also Thelen 1999, 379)? How much, individual autonomy or, instead, routines were involved in reorganizing Dutch administrative institutions and underlying ethics in the Batavian Republic? Finally, a theoretical question can be asked as to the role of time and sequencing in analyzing and explaining social-political processes from a historical perspective (see Pierson 2000a, 202; 2000b; Thelen 2000, 102). What, for instance, is the role of path dependency or critical junctures in the interplay between organizational reform in the Batavian Republic and (changes in) ethics regarding the behavior of its 'new' officials?

Third, the paper raises a methodological set of questions. How might we go about investigating ethics from a historical perspective? How can we make value judgements that are usually implicit more explicit and visible? Part of the answer, it is argued here, lies in investigating the actual historical context in which values are discussed or debated. It is likely that in the social and political 'minefield' of the Batavian Republic, groups and individuals continuously clashed over what was supposedly 'correct' government. A case study on conflict and debate surrounding a case of corruption then becomes a highly informative tool (cf. Johnston 1996). It provides a unique opportunity to get a detailed empirical understanding of and view on different 'actors' or 'sources of values' judging their own behavior and that of others (cf. Hoetjes 1977, 1982).

First, what can be called the *Morality of the time* (here: moral philosophy, political-administrative ideas in the new constitution, 'ideological' reports or memoranda written by leading Bataves) provides an important view on ethics and integrity. Such 'high standards' are, however, only a part of what constitutes an ethical (value) system. There are also what we might call *codes of the shop-floor*, personal views and statements from those involved in the scandal on what has been going on (here: letters, written 'public apologies', responses to interrogations, legal defense). Third, there are *legal rules* (here: legal accusations and indictments, court proceedings, sentences and motivations when passing judgement, reports of the investigation, interrogations of the main culprits) expressing how the law judges, defines and describes correct ethical behavior. Finally, a brief look at contemporary media (here: political newspapers, pamphlets and public reports) provide views on some sort of *public opinion* on ethics of administration.

*The Bataves' 'Reform Programme': Morality of the Time on Ethics of Administration*

Attempts to end an old and corrupted administrative system were at the top of the Bataves' list of priorities. The Bataves in the 1790's (much like the Patriots of the 1780's and even the Doelisten of the 1740's) vehemently argued for a new kind of public administration. The administrative reforms proposed by the Bataves have already been discussed in detail (Schama 1977; Sas and Velde 1998; Grijzenhout, Mijnhardt, and Sas 1987; Rosendaal 2005). Still, a brief overview is necessary.

The basic foundations of the ethics (the majority of) the Bataves had in mind can be found in the pages of the new constitution or *Staatsregeling* (Sas and Velde 1998; Gou 1983; Rosendaal 2005) and in the writings by some of its more ideological members, such as Isaac Gogel, Samuel Wiselius, Jacob Blauw, Willem Ockerse or Pieter Vreede (Schama 1977, 651). In general the suggested reforms and ethical ideas of the Bataves were all (at least in theory) in line with the basic revolutionary sentiments of the era: ideas of freedom, equality, a separation of powers and popular sovereignty. In line with a general sense of decay and doom hanging over the 18<sup>th</sup>-century Dutch Republic, the Bataves were also deeply concerned with the supposed deterioration of morals. As in other European countries (Kossmann 1995, 119-120), moral decay was even considered the root cause of decay in other areas as well, such as politics, economy and culture. If the Dutch were ever able to return to their 'golden' 17<sup>th</sup> century, the first step was thus to revitalize the nation through improving its morals [*zedenbeschaving*].<sup>ii</sup>

A public lecture by Isaac Gogel, delivered in 1796 at a meeting of likeminded Patriots, exemplifies the deep rooted feeling that the Republic was in decay and offers a typical way forward. Gogel stresses how good virtues and laws stem from striving towards the happiness of the entire society instead of individual happiness. Similar to the later constitution (*Staatsregeling*, General Principles [GP], Article [Art.] vi), a virtuous public official lives according to the golden rule "do unto others as you would have others do unto you" [...]. "The desire to make profit [*winzucht*] and ever increasing wealth have brought immorality [*zedenloosheid*], disloyalty [*ontrouw*] and extortion [*knevelarij*]"'. "Civil servants, according to Gogel, "no longer saw the need to behave

better than the people or their so-called masters. Stealing from the nation [*landsdieverij*] was no longer condemned in a harsh manner and ceased to be wrong – each pillaged and looted at will and the nations' finances were ruined" (National Archives [NA], *Gogel*, Inventory Number [Inv.Nr.] 2, page(s) [p.] 10-13). A similar message was conveyed in the important political journal *De Democraten* (The Democrats). Here, Batavian ideology and ethics was spelled out for a wider audience. Free elections were to guarantee honest representation, responsibility and accountability by administrators. On many occasion the journal stated, furthermore, how “only virtue [*deugd*] and capability [*bekwaamheid*] could be reasons to occupy a public office.” National unity, based on national loyalty and *l'esprit publique* would lead to thrift [*sparzaamheid*] in (public) administration and finances” (NA, *Gogel*, Inv.Nr. 173, Issue 1). The opposite of this was the ‘ aristocratic system’, based on self interest and the desire to rule [...] the cherished system of those wishing to promote provincial interests and their own wellbeing [*eigenbaat*] over that of the nation” (NA, *Gogel*, Inv.Nr. 173, Issue 20). Popular elections rather than political appointments were also meant to end a system of extensive patronage by Stadholder and oligarchic town councils (see Gabriels 1989; Rogier 1954). Privileged interests, hereditary offices and mechanisms of office rotation within the oligarchic town and provincial councils should be abolished (Staatsregeling, GP, Art. xv, xxv; Palmer 1954, 25).

More specific ethical demands for individual public official behavior by the Bataves can be found in the reasons for the coup of 22 January. A proclamation by the new Constituent Assembly on that day for instance states how: “It is time to close the gap between an orderly [*ordelijk*] state of affairs and the deformed [*wanstaltig*] administration and its ruinous consequences which have so often befallen our nation [...] to end the confusion and uncertainty [*verwarring en onzekerheid*] which has paralyzed our prosperity and has brought us [this] cesspit [...], “to end the craving for rule and power [*heerszucht*] and the lack of administration [*regeeringsloosheid*]”. It is time to “end the plans of those suffering from megalomania”. The proclamation continued saying how “state funds have been abused to force a constitution on the people who had already rejected it in favour of people’s own personal goals [*eigenbelangzoekers*]. It was time to

end the use of public money, “the fruits of such hard work”, for personal gain [*het vuige eigenbelang*] (NA, *Wetgevende Colleges*, Inv.Nr. 33, p.25-32).

Interestingly, the reasons for the counter coup of 12 June were very similar in their ethical content. According to a Memorandum written by the radical Directory after 12 June, the radical directory had been made up of “narrow-minded [*bekrompen*], weak and long-winded [*langdradig*] men, totally unsuitable to take care of people’s interests, whose self-interest and preservation [*zelfsbehoud*] could be seen in all that they did”. In condemning the previous administration and accounting for their own coup, the new Interim Executive Directory stated how they had to end the previous regime’s tendency to increase and flaunt its wealth [*praalzucht*] while in fact wasting what had been built and gathered in previous times [*spilzucht/verspilling*] (*Memorandum*, 2). Here, the Memorandum read, “deceit [*volksbedrog*] replaced love of the people [*volksliefde*], theft of the nations’ wealth [*landsdieverij*] replaced honesty [*eerlijkheid*] and decent administration [*goede staatkunde*] had led to despicable machinations [*kuiperij*] and bribery [*omkoping*]” (*Memorandum*, 8). The Interim Directory also agitated against the purges following 22 January and the ensuing nepotism which had brought so many incapable civil servants to government jobs. Such political games, brought about by “personal vendettas and self interest” [*personele haat en vuige eigenbaat*] were detrimental to the benefit of the state as “the national spirit [*nationale geest*] made way for party politics and intrigue [*partij- en factiezucht*] (*Memorandum*, 3-4). To avoid this ever happening again and to increase popular support for the counter revolution of 12 June, the Memorandum restates some of the central issues for *individual* behavior. Clearly influenced by Rousseau, the Directors say how it is crucial for administrators “to choose the common wellbeing over one’s own individual interests; to submit oneself to the common will [*algemene wil*]” expressed in popular sovereignty [...] Those in public office should stick to the tasks given to them. To serve personal interests instead and go against the will of the people means one becomes an oppressor [*onderdrukker*] and a tyrant [*geweldenaar*] with which the right to any public office is forfeited (*Memorandum*, 6-8; cf. *Staatsregeling*, GP, Art. v]

*A Case of Early Modern Abuse of Office*

The investigation into Van Langen, Fijnje, Vreede and others resulted in the, already mentioned, *Memorandum* on 1 August 1798. It was a hefty report on all kinds of shady dealings based on investigations led by attorney general C.F. van Maanen at Holland's Supreme Court (Kluit 1953). What had been going on?

In planning the coup of 22 January, Van Langen, Vreede and Fijnje needed French support and they needed money to persuade the French to lend a helping hand. After all, assistance from their French 'revolutionary brothers' had never been cheap for the Dutch.<sup>iii</sup> The Batavian radical democrats took their chance when radicals in France staged a coup of their own on 4 September 1797 (Rosendaal 2005, 21). Vreede, Fijnje and Van Langen immediately sent several secret agents (among whom Jan Eykenbroek, Arthur Eberstein and Wouter Struyk) to Paris to convince the French to help them (*Gedenkstukken* [GS] II, Document [doc.] 588, 605; *Memorandum*, Exhibit [ex.] 24a, 24b). Following negotiations between French Director Barras and Van Langen, using Eykenbroek and Eberstein, the Dutch democrats got the French to back their plans for f 1,000,000. In a letter from Eykenbroek to Van Langen the negotiations with Barras –who “smelled profit in the unsavory company of Eykenbroek and Eberstein” (Schama 1977, 286-287) – and the matter of actual payment are discussed. In the letter Eykenbroek tells Van Langen how he had negotiated to pay half in cash (over a period of four months) and the rest in "gin, cloth and salted meat", most likely meant for the French troops already camping in the Batavian Republic (*Memorandum*, 165-167; Kluit 1953, 66-67; Rosendaal 2005, 21).

To get the money, Van Langen, Fijnje and Vreede turned to the (public) funds of the *Committee for Affairs relating to the East Indian Trade and Possessions* [EIC]. This organization was responsible for the assets and archives of the former Dutch East Indian Company, which had been handed over to the state in 1797. The directors took some f 400,000 (WG, Inv.Nr. 508, doc. 381, 20 June 1798), using bills of exchange.<sup>iv</sup>

While the use of EIC money could (and would!) already be construed as illegitimate use of public funds (i.e. treason or the bringing about of a coup), the appearance of 'corruption' got stronger as both Van Langen and Vreede were cloth merchants. Other obvious conflicts of interest soon became apparent as well. The secret

agent (or diplomat depending on who was asking) Struyk dealt in supplies for the French and Batavian armies. Eberstein owned a distillery (*Memorandum*, 38-39, 160-161: ex. 19a) In short, Van Langen and associates used the credit of the EIC for (personal) purposes other than buying French support and 'serving the Nation's interests'. The deal to pay part of the money in cloth, gin and meat was a way of serving the private commercial interests of those involved. The businesses of Van Langen and others would supply the goods to pay the French. This way they would more or less 'pay themselves' with public money taken from the EIC.

Van Langen's business administration, confiscated after 12 June (*WG*, 509, doc. 13), reveal how Van Langen had also used funds of the EIC to settle some of his most pressing personal financial affairs. Since Van Langen needed cloth in order to pay the French he decided to contact J.E. Pessers, a fellow cloth manufacturer from Tilburg and a Member of the Constituent Assembly and the National Assembly as well. From the documents it becomes clear how Pessers still had a large outstanding debt to Van Langen (roughly *f* 100,000). The latter – by his own admission (*NA*, *Van Maanen*, Inv.Nr. 18, letter #3) – apparently decided to keep parts of the money taken from the EIC for himself and get the needed cloth from Pessers to straighten a portion of the debt (*Memorandum*, 36; *WG*, Inv.Nr. 508, doc. 399).

Van Langen had outstanding debts of his own as well. Among his creditors was the moneylender J.E. Guerin (*Memorandum*, 37). Gerrit Van Marle, the business associate of Vreede, would later declare in an official statement to Tadema (the minister of Justice) how their firm had supplied “blue and white sheets worth *f* 13,227 to J.E. Guerin on behalf of Van Langen” paid with bills of exchange from the EIC (*WG*, Inv.Nr. 509, doc. 66, 68; *Memorandum*, 36, 91, 102, 106, *Authentique bylagen tot de gebeurtenissen van den 12 Junij*). As far as the later investigators of the case could tell, Van Langen had taken over *f* 40,000 from the EIC to pay his debt to Guerin (*Memorandum*, 36).

Van Langen, in other words, made sure he was serving the revolution as well as his personal commercial interests. A letter by him to Eykenbroek, dated 21 February 1798, is especially revealing. In it Van Langen calls on Eykenbroek to keep on strengthening the ties with the French since his personal financial affairs are also on the

line as he writes: “how I have had to sacrifice my commercial interests to the revolution”. The French, according to Van Langen, “should therefore keep on taking steps [*fares des démarches*]”. Eykenbroek should “keep this in mind, or else nothing will happen, then our other engagements would fail, you know what I am trying to say here” (*Memorandum*, 17, 67, ex. 1). The French, in other words, had to stay on board to receive their payment which was beneficial to Van Langen and others. Furthermore, the longer the Radical Batavian Directory was backed by the French, the longer Van Langen could stay in power, enabling him to reap all financial benefits this entailed.

Apart from payments and deals with Guerin and Pessers, Van Langen (and Fijnje) used the EIC to pay for a host of other (personal) things as well. There was, for instance, *f* 697 for renting carriages; *f* 242 for buying hats and scarfs for the Directors Wildrik and Fokker<sup>v</sup>; *f* 15 for the repair of some furniture; *f* 5 for several tea cups and *f* 2 for the repair of a chess game. The list, also taken from Van Langen’s office, is endless, totaling *f* 15,926 (*Memorandum*, 88, ex. 10). Among the many other payments by Van Langen and Fijnje using money from the EIC was *f* 3000 to P. Ondaatje (*WG*, 509: doc. 68, 6 July 1798), a member of the EIC on behalf of the Province of Holland and secretary to the Agent of internal police. Could the *f*3000 have been a bribe?

### *Ethics on the shop-floor (1): An Early Modern Parliamentary Inquiry*

The Directors of the Interim Executive were unanimous in condemning the behavior of the previous administrators who, by protecting their own interests, have acted with so little tact [*beleid*] that the building only just built [the Batavian Republic] already had to collapse under its own weight” (*Memorandum*, 27). “One would have to search in vain for men of capability [*kunde*], loyalty [*loyaliteit*] and courage [*moed*] [...] all of it testifies to their incapability [*onkunde*], negligence [*nalatigheid*], sloppiness/carelessness [*slordigheid*] en disloyalty [*ontrouw*]” (*Memorandum*, 30). What, exactly, had gone wrong in the opinion of the Interim Executive? Why were the actions of the radical democrats perceived as morally ‘corrupt’?

First, there was a preoccupation with legitimacy and accountability (cf. Schama 1977, 312). In the eyes of Gogel and the other Agents writing the *Memorandum*, Vreede

and others had formed an *unconstitutional* Executive Directory. They had managed to ‘re-elected’ themselves without giving the population the chance to vote, undermining popular sovereignty (*Memorandum*, 26-27; *Staatsregeling*, GP, Art. x-xiv). The leaders of the Republic had turned into “usurpers, trampling on the constitution” (*Authentique bylagen tot de gebeurtenissen van den 12 Junij*, issue 4, p.13). As far as accountability was concerned there were serious problems too. It was near impossible to check what the Directory had done after they assumed power as the minutes of their meetings were largely incomplete. This obviously did not constitute open access to information or ensure proper accountability (*Memorandum*, 30). The lack of proper procedure, resulting in a lack of legitimacy and accountability, also became apparent from the improper way of appointing Agents. Among them was La Pierre who had been appointed as Minister of Interior Police on 21 February 1798. While executive orders and letters showed how agents had been appointed, there were no official minutes of deliberations of any kind. This, according to the *Memorandum*, proved how “important offices were given without their parameters having been properly defined” [...] “the lack of instructions designed for these officials lays bare how the interests of the nation have become dependent on the ability, honesty and moderation of a single person” (*Memorandum*, 30). These offices, in other words, were handed out without procedures, instructions or proper (parliamentary?) supervision, increasing the chance of nepotism. The fact that La Pierre, himself a member of the Interim Executive and co-author of the *Memorandum*, felt comfortable to mention his own name is interesting too. Apparently it was wrong to appoint officials without proper procedure but not wrong for the official to accept a position offered to him in this way.

Second, the Interim Directory (and many others) objected to the deception of the people, the abusing of their trust and the waste of their money. The counter revolution of 12 June was indeed necessary when "the hard earned money of the citizen was not spent right or simply stolen". The dishonesty, cheating and deceiving of the population was continuously stressed in all kinds of writing and unanimously condemned because representatives were to serve the interests of the people and not their own (*Authentique bylagen tot de gebeurtenissen van den 12 Junij*, issue 5). The *Memorandum* was clear about wasting money stating how "the Batavian people, so famous for its frugality

[*zuinigheid*] and simplicity [*eenvoudigheid*] has apparently had to pay for the extravagant expenses of three of its fellow citizens, as Fokker and Wildrik occupied an expensive home in The Hague [and how] in these destitute times we have seen how the nation has paid for costumes, a theater<sup>vi</sup> and carriages, meant to serve the Directors' idle waste of time [*ijdel tijdverdrijf*] while so many citizens are so often waiting in vain to be heard " (*Memorandum*, 34).

A third criticism concerned the purges and the way in which the radical regime had appointed new officials. They had given in to an insatiable lust for offices [*ambtshonger*]. According to the *Memorandum*, the purging of both National Assembly and Primary Assemblies of "good patriots" [*goede vaderlanders*] had been followed by appointments of men "who were incapable and unsuitable [...] who's only asset was being able to shout real loud" (*Memorandum*, 45). The *Memorandum* spoke of men like A.H. Bode, A. Boeseken and H. Nobbe, members of the 'Amsterdam Jacobin Club' who had largely been responsible for purging the Amsterdam Primary Assembly, maintaining contact with the French on behalf of the Directory and taking important positions in new institutions (Schama 1977. 330). These people had "made arrests deviating completely from the common rule of law, stemming only from the conceit [*opgeblazenheid*] of the administrators [...]" (*Memorandum*, 46). Similarly, a pamphlet asked: "are not all able and respectable citizens driven from their offices by incapable and evil men? Are not thousands of innocent civil servants, with their wives and children reduced to beggary, by incapable men, drunkards without morals?" *Authentique bylagen tot de gebeurtenissen van den 12 Junij*, issue 4).

A fourth criticism concerned the people with which the Directory surrounded itself. Colenbrander had a lot of interest in men like Eykenbroek, Eberstein, Boeseken, Bode and Nobbe. They helped bring about the revolution but were, in fairness, mostly interested in "making their own fortunes" (Schama 1977, 287). According to Schama, they have been greater status and influence than they actually had (Schama 1977, 286). From an ethical point of view, however, I argue they were very important. To the Interim Executive the use of such men made for an easy target, enabling them to criticize the bad judgement and corrupt nature of the previous Directory. The worst thing about using such people was that Van Langen and others had put their trust, and with it public money,

matters of national importance and the national honour, in the hands of “fortune hunters and schemers” [*fortuinzoekers en intriganten*] abusing the nations’ interests in favour of their own (*Memorandum*, 160-1, ex. 19a). While these men were indeed relatively unimportant in bringing about the revolution, their involvement was important as it reflected poorly on the Executive Directory. Through them, the Directory had wasted much of the nation’s money, prestige and honor.

A fifth criticism or accusation launched by the Interim Directory concerned the use of public money by the Directory for private benefit. Here, accusations started to focus on van Langen and (to a lesser extent) Fijnje (*Memorandum*, 42). Van Langen seems to have been a scapegoat or at least an example to set the entire previous Directory straight.<sup>vii</sup> Still, evidence of his malversations is strong. In an initial report by Gogel and La Pierre to the other members of the Interim Executive on 25 July 1798, the two investigators stated how they had managed to find out enough to warrant an extension of Van Langen's arrest and further investigation, among them the list of expenses already mentioned (*Memorandum*, 34, ex. 9 and 10; *Authentique bylagen tot de gebeurtenissen van den 12 Junij*, issue 5, p.7) The Interim Executive became increasingly convinced of Van Langen's shady deals with Geurin and Pessers. His use of EIC credit to straighten his own disorganized financial affairs also became ever clearer. The indignation about the use of public funds for private and dubious expenses was thus aggravated by blatantly serving one’s personal interests. "No matter how bad all of this is [the Interim Directory wrote], it is nothing when compared to the reprehensible behavior [*laakbaar gedrag*] by Van Langen, being guilty of such vile [*laag*] behavior of direct theft [*landsdieverij*] to keep his own mixed-up affairs in order at the expense of the nation" (*Memorandum*, 35). The Interim Directory was amazed about the deal involving payment in cloth, gin and salted meat. However, they quickly realized Van Langen’s and Vreede’s intent: "since this way the citizen Directors Van Langen and Vreede, being merchants as well, would get some extra profit" *Authentique bylagen tot de gebeurtenissen van den 12 Junij*, issue 8). Amazement turned into condemnation when the Interim Directory was confronted with "the impudent behavior of one of the Directors [Van Langen] in enriching himself with the Nations' money" [...] "it is indeed difficult", they continue, "to believe how a member of the Directory could have such vile [*laag*] an intent as corruption"

(*Memorandum*, 40-41). "When we see how people stop asking themselves whether the bread they eat is earned or not [...] when we see how honesty [*eerlijkheid*] and good faith [*goed vertrouwen*] are completely forgotten when the opportunity arises to serve one's own interest at the expense of the common interest, when we see the indifference [*onverschilligheid*] with which people serve their own needs first, we know that it is unforgivable when the highest powers abuse the power invested in them" (*Authentique bylagen tot de gebeurtenissen van den 12 Junij*, issue 9, 3-5).

*Ethics from the shop-floor (2): other views from those involved*

How did others view what had happened? In the following, we will look at some of the reactions by Van Langen, Vreede, Fijnje and others. Which (different?) values did they adhere to? Are there any differences of opinion? What did they think of the accusations launched against them?

On 9 October 1798, a letter from Pieter Vreede was submitted in the Representative Assembly. The letter was an account to the nation and its representatives for Vreedes' "public behavior" and an attempt at rehabilitation (*Vreede* 1798, 1-2). It provides an interesting view on Vreede's 'shop-floor' ethical codes of conduct. To Vreede, federalists, aristocrats and orangists were the truly self interested ones [*eigenbelangzoekers*]. This, together with the paralysis of the state due to the continuous bickering between moderates and radicals, was sufficient reason for the coup and purges. As Van Langen would later argue as well (*GS* II, 605), without a coup it would have been impossible to end "the paralysis and lack of administration [*regeringloosheid*] and create an energetic [*energiek*] government" (*Verantwoording*, 9-12). Vreede, interestingly, stresses the fact that the purges had been done irrespective of rank [*zonder aanzien des persoons*]. Where they had made mistakes, they had corrected them (Vreede 1798, 15). The accusation that he and the other Directors had been guilty of nepotism or had tried to get as much offices as possible for themselves was, furthermore, ridiculous. Although the hunt for offices is "natural in times of revolution" and while many others had indeed satisfied their need for offices [*ambtshonger*], never had Vreede acquired positions for himself for other reasons than doing his duty and being of use. This was not really true as

he himself admitted. He had once helped his second son Paul to a job at foreign affairs. Vreede senses this might have been wrong but tries to find an excuse by asking: “is it also wrong for a father to do such a thing for his son, especially when he has six sons and has never before taken anything for himself while always fighting for the cause of freedom?” (Vreede 1798, 46-57).

Vreede counters other accusations made against the Directory too. He completely agrees that any criminal activity should be thoroughly investigated: “rightly so! Investigate these wrong doings! Rightly so! Let the world know! Call it stealing, thievery if you will. While I desperately hope that my colleague [Van Langen] will be able to give a full account of his actions [...] there is not a shred of evidence that I have been involved in any crime. It appears that no evidence has been found against any of my other colleagues [either]”. However justified it is to investigate crimes, Vreede (hinting at the case against Van Langen) does feel however that it is unfair how the entire Directory should be held accountable for the actions of only a few of its members (Vreede 1798, 37-38). A feeling Van Langen would later express as well.

Vreede also counters accusations that the Directory has wasted public money (some *f* 16,000) on useless “idle and extravagant [public] display”. He says how most of the money has, correctly, been spent on tablecloths and furniture (for new lodging in The Hague?) and how they spent it on dinners for the *corps diplomatique* (Vreede 1798, 39). Vreede does not understand the commotion. “Is this a crime, asks Vreede? Does this deserve a reprimand? Is this excess [*overdaad*]?” He started to sound indignant. “Yes”, Vreede continues, “we have been to the theater. Occasionally we needed relaxation from working all day, to keep on serving the nations’ interests at night with renewed strength, Is that criminal? Yes [sarcastically], we have used carriages. The five Directors, the first civil servants of the Republic, *rented* two carriages a month! Would it even have been a crime had we *bought* five? Our dinner table was always sober and orderly, never wasteful [*verkwistend*]. Never did we indulge in drinking. Why the commotion about the costs of our expenses and lodging?” (Vreede 1798, 39-41).

Vreede, interestingly, does not mention the deal with the French and the fact that his company had been involved in supplying cloth. He does however speak of the secret negotiations and the use of men like Eykenbroek. In a passage that reads like

Machiavelli, Vreede argues how secrecy and a lack of morality is often a virtue as “diplomacy follows different values, different morals and different duties. The honest man, used to sincerity and having an open mind, is unsuitable for it. He is fearful of the slippery paths that need to be taken, his morals prevent him from doing what needs to be done”. To Vreede, “Italian Politics” [*Italiaanse Staatskunde*] is inevitable and can never be a crime. The use of morally corrupt men like Eykenbroek is, consequently, not wrong either. “A flamboyant nobleman, arriving with his horse and carriage, ringing the doorbell of a house and finding out he is not allowed to enter, surely is less suited for diplomacy than a civilian who arrives on foot, goes through the back door and gets things done”. Like a general on a battlefield, Vreede knows “to expect something different from his spy than from his chaplain” (Vreede 1798, 60-66).

What did Van Langen himself have to say? Since 12 June, he had been arrested, investigated, detained and prosecuted. In a public statement Van Langen discusses the coup of 22 January, his own part in it and also addresses some of the accusations against him (*GS II*, doc. 475). In the process he accused others of immoral behavior. While trying to drag others along in your fall and spreading the responsibility is, perhaps, a logical reaction it also provides an interesting view on Van Langen’s own morals. After all, at the very least, the accusations he makes towards others tell us what he knew *others* would consider wrong or morally corrupt behavior.

Van Langen for instance wrote how the directory was forced to thank Joubert (representative of the French army in the Batavian Republic) and Delacroix with proper gifts. Joubert was offered a couple of horses, which the Frenchman apparently refused, replying he wanted *f* 1000 instead (*GS II*, p. 615). Delacroix received *f* 10,000 (*Memorandum*, p. 40-41. ex. 22). Van Langen had also not been happy about the hunt for offices that erupted immediately after 22 January. General Daendels, for example, reminded Van Langen of his services to the coup. He demanded offices for one of his nephews and for his friend Hespe (*GS II*, p. 603). He asked for positions for himself as well. Apparently Daendels was refused these favours, which according to Van Langen ultimately led his betrayal on 12 June (*GS II*, p. 607). Others tried and failed too, becoming enemies of the Directory in the process. Admiral De Winter, taken hostage by the English after the Dutch defeat at the Battle of Camperdown on 11 October 1797, had

asked for compensation for his dining expenses while in England. Van Langen had apparently told him that “since he at the time was not technically in command of any fleet or even a single ship, he could not possibly expect this to happen” (GS II, p.607)<sup>viii</sup>.

In his statement Van Langen (like Vreede), perhaps wisely, does not mention the deal with the French or his attempts to straighten his own business with public money. He is forced to deal with it in other instances though. The archives of Van Maanen, for instance, contain several personal accounts from Van Langen about the case. As he was detained, Van Langen had started an (illegal) correspondence with Pieter Vreede. This was later confiscated. The letters and the notes he made provide detailed accounts of the interrogations and, more importantly, a unique view on how he perceived his case and behavior (NA, *Van Maanen* (b) Inv.Nr. 18). After all, to each other the ‘accomplices’ might not have had many secrets. Furthermore, the fact that they probably intended the letters and notes to remain secret, might make such accounts more truthful than public statements intended for a wider audience.

During the first interrogation, Van Langen denies ever to have bribed anyone. The money taken from the EIC was meant for “travel expenses and correspondence”. The hand written bills of exchange found by the investigators (roughly thirty of which are attached to Van Langen’s file) had all been accounted for. When asked why the investigators could not find any proof of this, Van Langen responded that he had only made verbal instead of written agreements with the rest of the Directors. The money and cloth given to Eykenbroek to conduct business with the French could not be considered as bribery either. Rather this was meant for “secret negotiations”. Finally Van Langen was confronted with his letter to Eykenbroek insisting on keeping things going. When asked what he had meant by this, he answered that this was simply to protect “the system of 22 January and serve the nation” (NA, *Van Maanen* (b) Inv.Nr. 18, letter 1, no date). His own commercial interests had nothing to do with it.

The second interrogation was aimed at finding out why Van Langen and others had continued using the funds of the EIC even after they had (legal) access to funds from the committee of foreign affairs. It had been easier and logical, he said, to keep on using the credit of the EIC, mostly since many people working at the EIC had been involved in the coup of 22 January (remember Ondaatje’s *f* 3000...). Van Langen denies they used

the EIC to keep withdrawals hidden. After a while the interrogators Philip Hildebrand and Adrian Zeemans seem to have gotten annoyed with Van Langen. Despite repeatedly being asked Van Langen refuses to acknowledge any personal responsibility. The investigators should ask the *entire* Directory and not just him. He had done everything in name of the Directory. It was a stalemate as his interrogators were convinced that he could not hide behind the other Directors, saying: “this way it will take long time before we can make any progress with your case. You can’t deny personal responsibility or call on the other Directors. We will need a different answer” (NA, *Van Maanen* (b) Inv.Nr. 18, letter 2, no date). The answers Van Langes’ did provide make it clear how he did not consider it wrong in any way to use his own firm and settling his private business with public money from the EIC. Much like Van Marle and Vreede had argued, as long as the Nations’ interests were served as well, it did not matter where the money went. Besides, the other Directors knew everything, including the debts Pessers owed Van Langen (NA, *Van Maanen* (b) Inv.Nr. 18, letter 4, 9 September 1798). Here Van Langen did have a point. Resolutions from the Executive Directory show, for instance, how Vreede approved of getting *f*400,000 from the EIC (*WG*, 509, doc. 260, 21 February 1798).

The main players in the scandal do not, then, seem to have had very different views on public administration ethics. On the shop-floor, there seems to have been some sort of consensus on what was wrong or right. The accused simply denied having had any intentions of doing any of it. There did, however, seem to have been differences of opinion as to the divide between public and private. Whereas the Interim Executive and the legal investigators thought it wrong to mix both, Van Langen, Vreede and Van Marle, clearly thought otherwise.

### *Public opinion*

The 18<sup>th</sup> century Dutch Republic, especially from the 1770’s onwards, witnessed an explosion of media, creating a sphere of public opinion hitherto unknown (Broersma 2005; Buijnsters 1984, 1991; Hanou and Berg 1989; Hanou 2002). Consequently, there have been several pamphlets, periodicals and political journals discussing our scandal. The following is by no means meant to be exhaustive. It serves only to get yet another

(‘public’) view on the scandal. How was behavior discussed here? What values are mentioned? Did these differ from other sources we have already seen?

In general, we can say that the views and arguments of different actors in the discussion (legal, shop-floor, morality of the time) are all reflected in different media. This is not as trivial as it might seem. It shows, after all, how all parties and interests managed to get their views across to whoever was willing and able to read their papers. The periodical *Political Lightning* [De Politieke Blixem] (Schama 1977, 399) for instance argued in favour of the unitarians and the coup of 22 January. Putting forward similar arguments as the radical democrats the author (unknown) agreed something had to be done to end the continuous debating and start working on the future of the state. Lumping together aristocrats, orangists and federalists, the author blamed all of them for serving their own interests, filling their pockets with as much money as they can [*schraapzucht*] money and forcing their rule on the nation [*wingelandij*] (*Politieke Blixem*, issue 36, 13 February 1798).

Another point of view, so the reader is promised, was offered by J.C. Hespe’s *The Constitutional Fly* [De Constitutioneele Vlieg]. Its introduction is exemplary for many similar writings of the period (Schama 1977, 339; Buijnsters 1984, 1991). The fly will be “just and fair, never sparing anyone who deserves critique, unlike those who engage in pernicious ‘diablocracy’ [*the devils’ democracy/verderfelijke diablocratie*], those demagogues, those hunting for offices and engaging in party politics [*ambtenjagende partijzucht*]. The fly will help to complete the task of 22 January by “exposing fake friends [*schijnvriendschap*], double-hearted [*dubbelhartig*], self-interested people and plotters and schemers [*intriganten*] and distinguish them from true and virtuous believers in the revolution”. The fly will fight “cabals, schemers, fortune hunters and ignorant and loud Patriots” [*minvermogende cabaleurs, intriganten, fortuinzoekers, weetnieten, losbandige patriottische schreeuwers*] (*De Constitutioneele Vlieg*, issue 1). To the fly, the Roman consuls Marcus Curius and Caius Fabricius; those symbols of incorruptability in administration<sup>ix</sup>, exemplified the good virtues of justice [*regtvaardigheid*], honesty [*eerlijkheid*] and simplicity [*eenvoud*]. They were steadfast [*standvastigheid van character*] and selfless [*eigenbelangloosheid*]. Bad characteristics, on the other hand, were

chaos [*wanorde*], desire to rule [*heerszucht*] and self-interest [*eigenbelang*] (*De Consitutionele Vlieg*, issue 3, 9 June 1798).

On 15 June 1798 the fly discusses the case against Eykenbroek and, by association, Van Langen and others. He calls upon them to provide a full account of their actions (*De Consitutionele Vlieg*, issue 5, 20 June 1798). What happened on and after 22 January is in principal not a problem. Only when those participating in it acted out of self-interest does the coup become questionable. Cicero's *De Officiis* [*On Duties*] is taken up by the fly to provide lessons in politics and administration. Most of all, administrators should serve the interest of the citizen who have entrusted their faith in him. They should serve the state's interests instead of particular ones [*deelbelangen*] (*De Consitutionele Vlieg*, issue 5, 20 June 1798).

Since the men of 22 January had not adhered to such rules, the fly was glad about their removal. They had “trampled on human and civilian rights, renounced principles of reason and morals and given in to satisfying their own needs, throwing away the esteem they would have had otherwise”. Van Langen and others had “jeopardized property and personal safety of civilians, given offices to incompetent members of their own faction, driven the best patriots from government [and] made use of services from a swarm of intriguing men”. Had they not, indeed, “pillaged the nations’ treasury to satisfy those who were bankrupt! Yes, millions have been wasted to bribe the French government to help them in their cause” (*De Consitutionele Vlieg*, issue 6, 23 June 1798). Issue eight went on accusing Van Langen: “well now, former director Van Langen. It is a nice sum, to get *f* 50,000 all of a sudden for your personal use. Van Langen and others were cameleons, “hiding behind a mask of love for freedom and the people”. They had “wasted the nations’ time and [vainly?] put themselves in office [*hun eigen hoogheid vestigen*]”. They were hunters for office, did not serve the nation, wanting only wealth and luxury for themselves. “Yes, Batavian citizens”, the fly went on to say, “pay heed to doubters, traitors [*draaiers*], the wealthy and the shouting”. For the upcoming elections, he advised his readers to “choose an honest man, one who loves people, is affable [*minzaam*]. Choose those who are not conceited [*opgeblazen*] and haughty [*trotsheid*], but who are virtuous, simple, calm [*bedaard*]. Chose those who know how to unite a lofty [*verheven*] character, excellent merits [*verdiensden*] and a good soul with proven wisdom

[*bewezen verstand*] and political principles [*politieke beginselen*] (*De Constitutionele Vlieg*, issue 8).

*Prosecution and sentencing: legal codes and perspectives on ethics of administration*

The official resolution by the Supreme Court to prosecute and charge Eykenbroek, Boeseken and many other ‘smaller fish’, was made on 4 December 1798. They are charged with what Van Maanen calls: “these pernicious machinations [or: conspiracies, *machinatiën*] against the safety of the state [...] their treacherous and most criminal designs in Paris and Brussels to commit corruptions [*corruptiën*] with money collected by citizens [Van Langen and others] of this Republic”. The official charge became *crimen perduellionis*: high treason (NA, *Van Maanen* (a), Inv.Nr. 4, p. 649-662, 667-668, 676-678. Since Eykenbroek and others had tried to stage yet another, third (!) coup (Schama 1977, 359-361) sentencing was somewhat delayed (NA, *Van Maanen* (a), Inv.Nr. 20). On 16 June 1800, Eykenbroek and others were sentenced to “to be punished with the sword hanging over their head [traditionally a warning in most verdicts], to be imprisoned for 12 years at their own expense and afterwards to be banished for ever from the Batavian Republic (NA, *Criminele Sentencies van het Hof van Holland*, 1623 – 1811, Inv.Nr. 5670, Folio [f.] 7-37]. Apparently they would still get off the hook though. While the court journals are extremely unclear on the topic and lack a motivation, it appears as though their sentence was initially reduced to 5 years and eternal banishment. Eventually, due to severe French pressure, the charges were dropped entirely (Schama 1977, 401) .

Legal reflections on the behavior of the Directors becomes clear from a report by Reinier Tadema, the minister of Justice, to the Interim Executive, dated 6 July 1798. He writes how he (or rather Van Maanen, Hildebrand and Zeemans) has indeed found evidence of dereliction of duty [*plichtsverzuim*] and malversations [*malversaties*] by spending public funds from the EIC. Tadema points the finger clearly at Van Langen and Fijnje who had used the bills of exchange. He also thought it likely that other members of the Directory (mainly Fokker and Wildrik) had indeed not known what was going on (which was disputed by Van Langen). Tadema takes a somewhat different stance than the Interim Directory. To him, it is alright to get money from the EIC as long as the money is

spent on the nation's interests and as long as it is approved by the entire Directory. Since neither condition was met, he thought Van Langen and Fijnje were surely guilty. Furthermore, Van Langen and Fijnje were (as yet) unable to account for their actions and explain where all the money had gone to (WG, Inv.Nr. 508, doc. 68).

The formal request by the Supreme Court for an investigation into Van Langen and Fijnje (NA, *Van Maanen* (a), Inv.Nr. 4, f. 402) was made based on the Memorandum and the investigation by Van Maanen and others. Already on 7 September does Van Maanen conclude how the evidence has "raised serious suspicions that Van Langen and Fijnje are guilty of disloyal [*ontrouwig*] and for the nation disastrous and most criminal use of their office". Van Langen has, more particularly, "been involved in the scandalous theft of the nation's money, having made use of these funds before he was elected as a member of the Executive Directory". In short, the fact which made Van Langen's behavior wrong in a legal sense was that he used EIC funds (public money) while not (yet) being in the position to do so, i.e. *before belonging to the Provisional Executive Directory* on 25 January 1798 (NA, *Van Maanen* (a), Inv.Nr. 4, f. 419-420). On 17 September, Van Maanen repeats the charge. However, now he adds that it was Van Langen most of all who had "made use of money for his own individual, personal purposes. He is therefore guilty of stealing from the nation [*landsdieverij*]" (NA, *Van Maanen* (a), Inv.Nr. 4, f. 449-450). While Fijnje was initially spared the indictment [*mandement crimineel*] that was handed to Van Langen, Fijnje got one after all on 1 October 1798 (NA, *Van Maanen* (a), Inv.Nr. 4, f. 465-469, 473).

Despite overwhelming evidence and what seemed to be a clear-cut case of abuse of office, the case against Van Langen and Fijnje was to follow a similar course as those against Eykenbroek and others. On 17 November 1798, the Supreme Court received a letter from the Representative Assembly. As it happens the French had decided on a general amnesty, to "forgive and forget what had happened, to establish constitutional order and to reunite all friends of freedom and order behind the constitution". "[...] All crimes of the past years so closely related to politics that indeed they are inseparable from each other, were to be pardoned. Since, according to the French, this was the case for Van Langen and Fijnje, they ought to be freed of all charges (NA, *Van Maanen* (a), Inv.Nr. 4, f. 604-605). The moderate Bataves who had been pushing for prosecution were not

happy. They obviously thought Van Langen and Fijnje were guilty. Most likely they resented the French involvement in ‘internal matters’ as well (Schama 1977, 401). Despite an attempt to still prosecute Van Langen and Fijnje it seems that French pressure was too much to withstand. Based on the *Proclamation of Amnesty* from 12 December 1798 (see NA, *Gogel*, Inv.Nr. 74), Tadema asks Van Maanen on 20 December 1798 to free Van Langen and Fijnje of all charges and release them from prison.

An attempt to explain to a wider audience why so many would in the end not be prosecuted appeared in the *Bataafse Courant* on 12 December 1798. The article provides an interesting public motivation for letting Van Langen and others go although the Directory was clearly against it. “If [the article read] “we were to judge the case by our initial feelings [and a large amount of evidence!] then it would have been decided already. We would have painted a picture of two men [Van Langen and Fijnje] who have wasted the nations’ money for their own benefit, who abused the high offices they occupied and disobeyed its rules. We would have shown you how such actions result in prosecution and trial. We would have also shown you the dangerous consequences should criminal procedures be halted, an act surely [to be] condemned by all parties”. However, such decisions should not be made based on emotion but in the interest of the nation [i.e. friendly relations with the French?] and according to principles of good administration [*gezonde staatkunde*].

The reasoning by the Directory was a little crooked to say the least. The Directory states how the “abuse of state funds and in particular the use these funds for personal gain has indeed been very intertwined with political events”. Because, they argue, “these crimes have originated in the political events in such a way that without the revolution of 22 January they could not have been committed [...] we have decided to apply the Amnesty to both men” (*Bataafse Courant*, 12 December 1798. See NA, *Gogel*, Inv.Nr. 74). Things were mended in 1799, when Van Langen having reappeared in politics, was elected by three constituencies. The Directory, probably still embarrassed by the Amnesty, decided to prevent the appointment (Schama 1977, 359). That, perhaps, was their way of punishing Van Langen after all.

*Concluding Remarks*

The aforementioned tells us several things with regard to the three aims set out at the beginning. First, it shows a lot of actual values and ideas on ethics. While accusations of corruption are always a useful stick to beat your (political) opponent, the views from the different sources of values in the scandal do tell us a lot about their ethics and the importance people attached to correct public official behavior. They do, in a very real sense, show us what was right and wrong from different perspectives.

What becomes clear from the list of values [see appendix 2] is that ‘corruption’ or wrong public official behavior could mean many different things. Wasting money in general; wasting public money; using public money to finance a revolution or using it for your own personal benefit were all considered wrong. It was also wrong to abuse the trust and power invested in you by the people or abuse the status your position or office provided. Damaging the public interest was a phrase often used. To the Bataves, this amounted to nothing less than undermining the moral, economical and cultural revival of the nation by serving your own personal interests; a definition of wrong public official behavior that is often seen throughout the case.

Illegitimate use of power was also wrong, although people would differ on what was illegitimate. While Vreede, Fijnje and Van Langen, for instance, argued how secrecy and circumventing procedures was legitimate in some cases (a revolution, diplomacy) others, like Gogel, clearly felt otherwise. It is, in this respect, interesting to see how even important members and allies of the later Interim Executive (Gogel, Daendels and others) initially participated in the coup of 22 January. They agreed on how ignoring proper channels could get them the constitution and unitary state they wanted. It was only when its leaders (Van Langen, Vreede and Fijnje) started to behave in an improper way that they arranged for a counter coup and a ‘parliamentary inquiry’. If we believe Van Langen, some personal interests (from De Winter, Daendels and others) were also at stake. In the end some hypocrisy might always be inherent in cases of corruption.

Still, what was improper to Gogel and others was the fact that the Directory and purged assembly held on to power while circumventing proper elections. Although having agreed to this in the constitution, they were not happy about it. Such deception, abuse of public trust as well as the use of immoral characters like Eykenbroek all led to

illegitimacy and a lack of accountability. Having a lust or desire to rule and to obtain offices at all expense was considered highly improper, as becomes clear from the reactions to the purges and subsequent attempts to get friends in high places. Acts in trying to get the French to back the revolution were, as we have seen, considered improper as well. However, it is interesting to see how the payments of large sums of public money for French support, even though this had been done in secret and probably was not even necessary, was not the most problematic to the Interim Directory, the law or 'public opinion'. The real problem was the fact that some had tried to benefit *personally* from such a public cause.

Second, what insights has the case study offered to find out more on how ethics and its underlying values are shaped and how they change or evolve in historical (institutional) context? As mentioned, any answer to such questions requires comparative historical research as well. Still, what (hints at) mechanisms of ethical change has the single case offered? To some extent we have been able to see how Batavian reformers did in fact rationally seek to maximize the attainment of a predetermined set of goals: a new kind of administration with much emphasis on a new kind of ethics as well. New organizational structures (a rationally designed constitution, legislative institutions etc) were indeed meant to shape and provide new moral templates for individual public official behavior. The case, furthermore, provides a view on how clashes between new ideas (popular sovereignty, a separation between office and person, adherence to a constitution etc) and established routines (office rotation, gift giving, secrecy or privately benefiting from public duties etc) lead to the proposition of new values or a renewed emphasis on existing ones. Another question raised was about the role of time and sequencing in analyzing and explaining social-political processes. Can the Batavian Republic, and more specifically its two coups, be considered a critical juncture; pivotal in the formation of a new direction taken not just in 'politics' but in and ethical matters as well? Based on this case, we could say that it was. The cocktail of economic, political and cultural problems proved crucial in establishing new institutions, among them a novel concern for ethics. It is true, as mentioned, that the Bataves of the 1790's owed much to the Patriots of the 1780's and even the Doelisten of the 1740's. Still, it is clear that the Bataves succeeded where others had previously failed, also with regards to

ethics. Such theoretical issues will however have to be explored further. Did, for instance, the new kind of administration and ethics proposed by the Bataves actually sink in and how long did this take? How much are the constitution of 1848 and the ethics of that period indebted to the Bataves? More must also be said about one of political science's most classic "chicken and the egg problems": what comes first? An idea, a policy or an organization (Thelen 2000, 102)? The interplay between organizational reform and ethical change is complex. Still, we could say that the Bataves might have been wrong to insist that moral change had to lead to way for improving other areas. Perhaps change in political and economical institutions was just as or more important to set the wheels in motion?

The third and final aim of the paper has been methodological. I hope to have shown the use of making ethics and values explicit through a focus on scandal, debate and conflict surrounding cases of corruption. It is cases such as these that help bring out the actual historical context in which ethics and integrity evolve and acquire meaning. The approach of multiple sources of values is useful in this respect. How else can we get such a detailed empirical picture of ethics of public administration in any given period? Such a methodology has provided us, most importantly, with the interesting fact that the ethics of different 'actors' in the discussion, expressed in sources of values (legal, shop-floor, morality of the time, public opinion) was the same in several important respects. All actors (ranging from Gogel to Van Langen) roughly had similar ideas on what was proper and what was not. The (ethical) reasons for the counter coup of 12 June were, for instance, similar to the coup of 22 January: the men of 22 January and those of 12 June accused each other of roughly the same immoral conduct! The list of values and vices in appendix 2 was, in other words, largely beyond discussion.

The conclusion that the Bataves for the most part adhered to the same value system makes the few exceptions all the more interesting. Van Langen, the secret Parisian agents and Vreede and Fijnje (to a lesser extent), had clearly crossed a line. Their corruption, using public funds for *personal* gain in sorting out their business was unacceptable. Accused and accusers had different opinions about the mixing of public and private affairs. The facts of the case also show different interpretations of values such as loyalty, legitimacy and accountability. Should a representative or public official be

loyal and accountable to the state, the people, the constitution, his personal interests or his friends and/or party members? Was it alright to mix such loyalties? The scandal, finally, has allowed us to get a specific view on consensus and conflict regarding ethics of public administration. The institutional changes in this period caused old and new ways to do things to clash. Acts that had in previous decades been more or less accepted were now increasingly considered immoral. Clearly, new codes of conduct such as stated in the constitution and by men like Gogel still had to sink in on a more practical level. Even some of those directly involved in pushing the Bataves' 'reform programme' still had to get used to different codes of conduct. Research on other scandals in later periods will have to show whether, how much and why the 'new' ethics proposed by Bataves made a lasting impression.

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### Appendix 1: Legislative & Executive Institutions 1796 – 1801:

|   |                               |
|---|-------------------------------|
| 1 <sup>st</sup> National Assembly<br>[1e Nationale Vergadering] | 1 March 1796 – 31 August 1797 |
|---|-------------------------------|

|   |  |
|---|--|
| <b>2<sup>nd</sup> National Assembly</b><br>[2e Nationale Vergadering]   | 1 September 1797 – 22 January 1798           |
| <b>Constituent Assembly</b><br>[De Constituerende Vergadering]<br>and<br><b>Provisional Executive Directory</b><br>[Provisieeel Uitvoerend Bewind]  | <u><b>22 January 1798 – 04 May 1798</b></u>  |
|   | <u><b>25 January 1798 – 12 June 1798</b></u> |
| <b>Representative Assembly (Inconstitutional)</b><br>[Het Vertegenwoordigend Lichaam, (niet-constitutioneel uitgeroepen)]   | <u><b>4 May 1798 – 12 June 1798</b></u>      |
| <b>The Interim Legislative Assembly</b><br>[Het Intermediair Wetgevend Lichaam]<br>and<br><b>Interim Executive Directory</b><br>[Intermediair Uitvoerend Bewind]                                | 12 June 1798 – 31 July 1798                  |
| <b>The Representative Assembly (constitutional)</b><br>[Vertegenwoordigend Lichaam van het Bataafse Volk, constitutioneel verkozen]<br>and<br><b>Executive Directory</b><br>[Uitvoerend Bewind] | 31 July 1798 – 17 October 1801               |
|   | 17 augustus 1798 – 17 October 1801           |

## Appendix 2: List of values encountered in the case study:

| Dutch                         | English                                | Dutch                      | English                                |
|-------------------------------|--|----------------------------|--|
| <b>Volksbedrog</b>            | <i>Deception (of the people)</i>       | <b>Fortuinzoekers</b>      | <i>Fortune hunters</i>                 |
| <b>Landsdieverij</b>          | <i>Stealing from the nation</i>        | <b>Weetnieten</b>          | <i>Ignorance</i>                       |
| <b>Eerlijkheid</b>            | <i>Honesty</i>                         | <b>Losbandig</b>           | <i>Lawlessness</i>                     |
| <b>Goede staatkunde</b>       | <i>Good politics</i>                   | <b>Schreeuwers</b>         | <i>Licentious</i>                      |
| <b>Gezonde staatkunde</b>     | <i>Healthy politics</i>                | <b>Regtvaardigheid</b>     | <i>Justice</i>                         |
| <b>Italiaanse Staatkunde</b>  | <i>Italian politics</i>                | <b>Eerlijkheid</b>         | <i>Honesty</i>                         |
| <b>Kuiperij</b>               | <i>Smuggling, plotting, 'nepotism'</i> | <b>Eenvoud</b>             | <i>Simplicity</i>                      |
| <b>Omkoping</b>               | <i>Bribery</i>                         | <b>Standvastigheid</b>     | <i>Steadyness, persistence</i>         |
| <b>Personele haat</b>         | <i>Act out of personal vengeance</i>   | <b>Wanorde / Ordelijk</b>  | <i>Disorder / Order</i>                |
| <b>Eigenbaat</b>              | <i>Selfishness (Act according to)</i>  | <b>Eigenbelangloosheid</b> | <i>selflessness</i>                    |
| <b>Nationale geest</b>        | <i>national spirit</i>                 | <b>Heerszucht</b>          | <i>Lust to rule (Act according to)</i> |
| <b>Partij- en factiezucht</b> | <i>Political rivalry</i>               | <b>Deelbelangen</b>        | <i>particular interests</i>            |

|  |   |                                   |   |
|--|---|-----------------------------------|---|
| <b>Algemene wil</b>                    | <i>(Act according to)<br/>general will</i>  | <b>De eigen hoogheid vestigen</b> | <i>Vanity and/or Putting<br/>yourself in office</i> |
| <b>Onderdrukker</b>                    | <i>(Being an) oppressor</i>                 | <b>Draaiers</b>                   | <i>Twisting and turning</i>                         |
| <b>Geweldenaar</b>                     | <i>(Being a) tyrant</i>                     | <b>Minzaam</b>                    | <i>Being affable</i>                                |
| <b>Laag gedrag</b>                     | <i>Vile behavior</i>                        | <b>Opgeblazenheid</b>             | <i>conceit</i>                                      |
| <b>Beleid</b>                          | <i>Tact (also: Policy}</i>                  | <b>Trotsheid</b>                  | <i>Pride</i>  |
| <b>Kunde / Onkunde</b>                 | <i>Ability / Inability</i>                  | <b>Verheven</b>                   | <i>Exhaltation</i>                                  |
| <b>Loyaliteit / Disloyaliteit</b>      | <i>Loyalty / Disloyalty</i>                 | <b>Verstand</b>                   | <i>Intelligence</i>                                 |
| <b>Moed</b>                            | <i>Courage</i>                              | <b>Verdiensten</b>                | <i>Merit<br/>Treason / Being</i>                    |
| <b>Nalatigheid</b>                     | <i>Negligence</i>                           | <b>Machinatiën</b>                | <i>treacherous</i>                                  |
| <b>Slordigheid</b>                     | <i>Inaccuracy, being<br/>sloppy</i>         | <b>Corruptiën / Corrupt</b>       | <i>corruption(s), Being<br/>corrupt</i>             |
| <b>Scheinheiligheid</b>                | <i>Hypocrisy</i>                            | <b>Plichtsverzuim</b>             | <i>Dereliction of duty</i>                          |
| <b>Ambtshonger</b>                     | <i>Lust for offices</i>                     | <b>Malversatie</b>                | <i>Malversation</i>                                 |
| <b>Goede vaderlanders</b>              | <i>Patriotism</i>                           | <b>Dwingelandij</b>               | <i>Coercion</i>                                     |
| <b>Regeringloosheid</b>                | <i>Lack of administration /<br/>Anarchy</i> | <b>Diabolocratie</b>              | <i>Oligarchic [?]</i>                               |
| <b>Energiek</b>                        | <i>Being energetic</i>                      | <b>Cabaleurs</b>                  | <i>To Conspire</i>                                  |
| <b>Zonder aanzien des<br/>persoons</b> | <i>Neutrality</i>                           | <b>Minvermogen</b>                | <i>Unable, Incompetent</i>                          |
| <b>Verkwistend</b>                     | <i>Being wasteful</i>                       | <b>Intriganten</b>                | <i>Intrigue, Plotting</i>                           |
| <b>Schraapzucht</b>                    | <i>Greed</i>                                |                                   |   |

<sup>i</sup> See appendix 1 for an overview of Dutch legislative institutions between 1796 and 1801.

<sup>ii</sup> Words in between brackets and in Italics are values [in a broad sense] in their original Dutch form. As translating 18<sup>th</sup> century terminology into modern English sometimes necessarily causes a loss of meaning, the Dutch term is, at least for Dutch readers, preserved in this way.

<sup>iii</sup> Robespierre has been quoted saying "why the Batavian Patriots, who have so much money and so great a fortune, [can] not make their own revolution, or at least offer a hundred millions to the French nation to carry it out?" (op cit Colenbrander 1905-1922, I: 81).

<sup>iv</sup> Much like a cheque today, these were written orders by a drawer (here: Van Langen and others on behalf of the Directory) to the drawee (here: the EIC) to pay money to the payee (here: Eykenbroek and others who would use the money to buy French support).

<sup>v</sup> These two were left mostly out of the loop by Van Langen, Vreede and Fijnje and seem to have been members of the executive committee only in name. See Colenbrander: "de overige twee directeuren, Fokker en Wildrik, schenen wel om hun volstreckte nulliteit te zijn bijgekozen; zij hielden hun hart vast maar verhinderden niets" (GS II, LXXIII). Such gifts might have been meant to keep them happy?

<sup>vi</sup> Van Langen had taken f 6000 from the EIC for the renovation of the Amsterdam Theatre.

<sup>vii</sup> This might also be deduced from Schimmelpenninck's later efforts to prevent the French from interfering in criminal procedures against Eykenbroek and Van Langen. According to Schama, Schimmelpenninck wanted to set an example. Schama 1977, 360)

<sup>viii</sup> After 12 June the Interim Executive would still pay De Winter f 21,600

<sup>ix</sup> Paintings describing their virtuous acts (denying bribes, being steadfast, truthful etc) by Govert Flinck (see title page) and Ferdinand Bol were hung in the Burgomasters' Chamber in Amsterdam's town hall to, according to Vondel, act as mirror to the Amsterdam regents.