

The Dutch debate on commercial neutrality (1713–1830)

Koen Stapelbroek

The United Provinces or Dutch Republic, between the second half of the seventeenth and the end of the eighteenth century, turned from a powerful and rich merchant republic into a small state that failed to preserve its independence, collapsed and changed form several times (between 1795 and 1813) to be re-established at the end of the Napoleonic wars as a new Kingdom of the Netherlands. The aim of this chapter is not primarily to provide additional detail to the existing Dutch historiography, but to offer a transversal reading of the terms and modes of debate by which Dutch writers and statesmen between the 1713 and 1830 – the year of the Belgian independence from the Kingdom that was formed in 1813 – considered the Dutch predicament in the European state system. By joining together a series of episodes in Dutch history an overview emerges of how Dutch writers developed various future scenarios and political and economic projects to protect the Republic's independence in the interstate system.

One central line of argument that gained political ground in the 1740s was that the United Provinces had to remain neutral in the power struggles between neighbouring states, isolate itself from warfare and represent and defend the neutrality of trade in international relations. Deploying this argument a claim could be made to occupy a moral high ground amidst international conflict. Alternatively, it was generally understood from the start that the Dutch – a nation of self-interested merchants equally uninterested in patriotic sentiment and unmoved by cosmopolitan concerns, as the commonplace went – stood to gain from their status of neutrals by carrying the goods of belligerent states and temporarily reclaiming their previous supremacy in global trade. The present chapter investigates the interplay of these two sides – moral valuations – of Dutch neutrality and how a third outlook was generated in the course of the eighteenth century. In the process of contemplating the commercial-political interests of the Republic alongside the problem of “Jealousy of Trade” among Europe's large territorial states, Dutch political writers recurrently touched upon the idea that if international trade was

conducted by the Dutch this took away a major cause for international economic rivalry among other states and its escalation into warfare. The issue was how this idea could be reconciled with British and French strategies of economic state-building and be put on a solid legal foundation.

Somehow, by the time of the Seven Years' War the idea had become dominant that the Dutch were by nature a neutral state. The question how in the course of the early eighteenth century the Dutch Republic assumed this identity is not taken up in this article.¹ Instead, the impact of Dutch commercial neutrality on the neutrality of trade itself is the central theme. How did the unresolved tensions between ideas about the Dutch as saviours of international trade and as a nation of self-seeking agents feeding on war manifest themselves in the international development of legal ideas on neutrality and their public presentation in Dutch pamphlet debates? I would like to suggest that in the final instance the options in the Dutch debate on commercial neutrality form a representation of the wider European debate on the dissolution of "Jealousy of Trade" and that the explosive Dutch neutrality debate – after the Fourth Anglo-Dutch War (of 1780–1784) – was channelled into the development of political economy by figures like Gijsbert Karel van Hogendorp.

De la Court: the Dutch Republic as a "bearing burden ass"

A preamble to the later stages of the eighteenth-century Dutch neutrality debate is Pieter De la Court's *Interest of Holland* of 1662. This book contains most of the ingredients for later debates and offers an early vision of the Dutch trade republic's necessity to break out of the logic of power and territory – be it by "balancing" aspiring hegemonic powers (as is commonly held) or otherwise attempting to control the foreign politics of European states vis-à-vis the Dutch.²

During the first years of the eighteenth century, the memoirs of John de Witt became standard reading among European political writers and statesmen. The French translation of Pieter De la Court's *Interest van Holland*³ – since that was what the book was, even if Johan de Witt contributed some smaller parts to it⁴ – has often been taken to be an account of the inner mechanisms of Dutch mercantile

1 I hope to publish a separate article about the treaty politics of four early eighteenth-century Grand Pensionaries and their contexts.

2 See Alice Clare Carter, *Neutrality or Commitment: The Evolution of Dutch Foreign Policy, 1667–1795* (London: Arnold, 1975) for the "balancing" thesis.

3 Pieter de la Court, *The True Interest and Political Maxims of the Republick of Holland and West-Friesland*, (London, 1702) based on the *Aanwysing der heilsame politike gronden en maximen van de republike van Holland en West-Vriesland* (Leiden, 1669) an earlier version of which was published as the *Interest van Holland, ofte gronden van Hollands-Welvaren* (Amsterdam, 1662).

4 The French translation's title, of 1709, was *Mémoires de Jean de Witt, grand pensionnaire de Hollande*.

republicanism, a manual for commercial Republican glory.⁵ However, a closer look at the context of the book and the way it addresses its audience, the regents of Holland, shatters the idea that the book was in praise of Dutch politics of the time. Rather than a celebration, the *Interest of Holland* was an incisive critique of the direction in which the Dutch state was heading during the first stadholderless era. Amidst changing circumstances of foreign politics and trade, De la Court suggested that although Dutch institutional characteristics by themselves were superior to any other form of government, if regents neglected their duty to actively consider the common good they turned into massive weaknesses. Following a period of economic prosperity in which these weaknesses had developed but remained concealed, by the second half of the seventeenth century they had grown into an inlet for corruption and a breeding ground for the refusal on the part of the Dutch regents to face up to newly emerged challenges.

This reformist understanding of De la Court's political thought has traditionally been overshadowed by attention for his anti-monarchical theory of the passions and Tacitist arguments for a system of government controlled by the States General.⁶ In the pamphlets of 1672 already, De la Court's name was associated with De Witt's alleged attempts to forge what was seen as a *coup d'état* by altering the constitutional mechanisms of the Dutch Republic and virtually equated with treason.⁷ Yet, for De la Court, who was called a "new Cromwell" or "Quaker from Leiden" and often castigated for his extreme "republicanism" the evil also always was the temptation of pseudo-monarchical government.⁸ At the only two times in the *Interest of Holland* where De la Court directly addressed his audience, he vented fierce criticism of the mismanagement by the regents who had in exchange for offices allowed the Republic at the hands of Dutch stadholders to be turned into a "bearing burden ass".⁹

However, there is a way in which De la Court's anti-stadholderist trope and his assertion that polemic about forms of government between advocates of monarchical spirit and free rule was to be replaced with an interest-led kind of political theory can be understood as two sides of the same coin.¹⁰ De la Court saw

5 In this way the book was used as a guide to Dutch political economy by British and French political writers, see the first page of the article in this volume by Antonella Alimento. See also K. Davids, "From De la Court to Vreede. Regulation and Self-regulation in Dutch Economic Discourse from c.1660 to the Napoleonic Era", *Journal of European Economic History* 30 (2001), pp. 245–89 and Joyce Oldham Appleby, *Economic Thought and Ideology in Seventeenth-Century England* (Princeton: Princeton University Press, 1978), pp. 73–98.

6 But see Hans W. Blom "The *Republican Mirror*: The Dutch Idea of Europe", *The Idea of Europe: from antiquity to the European Union*, ed. Anthony Pagden (Cambridge: Cambridge University Press, 2002), pp. 91–115.

7 See Michel Reinders, *Printed Pandemonium. The Power of the Public and the Market for Popular Political Publications in the Early Modern Dutch Republic* (PhD thesis, Erasmus University Rotterdam, 2008), pp. 225–6. See also pp. 135–6 for an explanation of the context.

8 Blom, "The *Republican Mirror*", p. 93.

9 De la Court, *Interest of Holland*, pp. 329, 334.

10 De la Court, *Interest of Holland*, p. 9.

the United Provinces, owing to its geographical and historical characteristics, as a natural trade republic,¹¹ but one whose functioning was hampered by outdated laws and ideas that resembled those of the “warlike Roman republic”.¹² A better way to protect the Dutch state than by maintaining a principle of stadholderly military virtue,¹³ was by copying English fiscal principles and have automatic recourse to aggressive retorsions,¹⁴ stimulate the growth of financial markets,¹⁵ and abort the power of guilds, which De la Court called an “impost” to society.¹⁶ The aim of Dutch politics had always been and remained to “fix” the population by developing the trade-based linkages with other economic sectors – a view which must be seen in the light of De la Court’s own concerns as a Leiden cloth merchant, but which can also be related to his wider understanding of the development of interstate (and colonial) trade politics.¹⁷

De la Court saw foreign trade competition and commercial rivalry between territorial states as a historical accident. By the 1660s he was among the first to identify the emergence of a major new threat that he saw both as affecting the Dutch state and itself as the effect of a neglect on the part of the Dutch of their foreign trade and domestic manufacturing policy. Failure on the part of the regents to get rid of the privileged charters of trade companies and the institutions of guilds that damaged the price competitiveness of Dutch manufacturing affected the long-term prospects of the Dutch carrying trade and the manufacturing sector, which relied on the staplemarket. Not only had the prices of Dutch carrying trade risen beyond their natural level owing to the entrance restriction created by the company charters, the ostentatious gains (although small in number) made by the VOC and the WIC had caught the eye of foreign politicians and had triggered a desire to emulate the Dutch. When the charter of the VOC was copied by other states and this unleashed colonial rivalry between European states the ultimate results of Dutch neglect were higher prices of foreign wares and unstable peace. As such the shift away from trade being the business of specialized merchant republics had been harmful to all states involved.¹⁸

11 Underlined by Blom, “The *Republican Mirror*”, p. 92.

12 De la Court, *Interest of Holland*, p. 108.

13 De la Court, *Interest of Holland*, pp. 410–15. A political revolt against the stadholder (as opposed to a revolt against bad government by regents) was legitimate – even natural – De la Court argued because the institution itself contradicted the natural character of the state.

14 De la Court, *Interest of Holland*, pp. 78–90, esp. 82, also 66–7, 89 and 103.

15 De la Court, *Interest of Holland*, p. 83.

16 De la Court, *Interest of Holland*, pp. 63–4, 74, 330–1.

17 De la Court, *Interest of Holland*, p. 23, and particularly the early work with ideas on the future of the linen trade, Pieter de la Court, *Proeve uit een onuitgegeven Staathoudkundig geschrift Het Welvaren der Stad Leyden opgesteld in den jare 1659*, ed. B.W. Wittewaal (Leiden: Luchtmans, 1845).

18 De la Court, *Interest of Holland*, pp. 26–7, 62–3, 70–1, 123–30, 159, 351.

In this way, De la Court put forward a fundamental version of the view that to avoid becoming embroiled in war it was best to be rich: if only the Dutch took good care of their wealth, other states would not vie for trade and compete each other aggressively.¹⁹ From De la Court's Dutch perspective the idea of taking trade out of the equation of international political rivalry meant a restoration of natural affairs that deserved general support by states acting in their proper interest. Having the Dutch carry other states' goods was not only beneficial for the Dutch economy, but for European states at large. On both counts this solution to the problem of keeping power and trade separated was much to be preferred to the alternative of balancing states by means of war or treaties, which offered no certainty, so De la Court insisted.²⁰ He also asserted with regard to treaties that alliances were to be avoided and not in line with the maxims of a trading nation.²¹

If states behaved in their true interest, not the interest of their monarchs the world had no need for alliances or treaties. De la Court discussed Anglo-Dutch and Franco-Dutch relations to underline his views and argue that the way back to the previous condition where the Dutch enjoyed ownership of the world's carrying trade was not blocked with insurmountable obstacles. With regard to England, the Dutch rejection of the English peace proposal following the regicide of Charles I had inspired English Jealousy and triggered a bitter rivalry in trade and war that went against the natural cause of affairs and the interests of both states which in reality were perfectly reconcilable.²² Concerning France, De la Court noted that this state no longer posed the same kind of threat to the future of Dutch trade since it had developed into a post-monarchical commercial state.²³

One of the presuppositions of the *Interest of Holland* was that the time of Republican glory – the Golden Age – in the interstate arena was over. The status of the Dutch East India Company's maritime power had declined and the Dutch interest no longer dovetailed seamlessly with Grotian natural law doctrine and its concept of justice.²⁴ Instead, the flourishing of Dutch trade had come to hinge more delicately than before on general policies on foreign political treaty arrangements so as to align the Dutch interest and a wider and general separation of the world of trade from the world of power politics.

The beautiful vision, then, that De la Court put forward of a world in which the Dutch Republic flourished led by wise regents protecting their own long-term

19 De la Court, *Interest of Holland*, p. 204, also pp. 133, 195.

20 De la Court, *Interest of Holland*, pp. 216–9.

21 De la Court, *Interest of Holland*, pp. 311, 393–7.

22 De la Court, *Interest of Holland*, pp. 391–3.

23 De la Court, *Interest of Holland*, pp. 228–32.

24 Richard Tuck, *The Rights of War and Peace: Political Thought and the International Order from Grotius to Kant* (Oxford: Oxford University Press, 1999), pp. 78–108. For a matching wide perspective see Istvan Hont, *Jealousy of Trade: International Competition and the Nation-State in Historical Perspective* (Cambridge Ma.: Harvard University Press, 2005), pp. 13–14, 164–9, 173–6.

interest, and kept Europe's territorial states at bay was not a description of reality as it was, but of what might have been and what still could and had to be aimed for. Given the situation of fresh competition in trade by foreign powers, mainly England, De la Court judged that it was now more than ever necessary to encourage manufactures and to boost this sector's linkages with trade.²⁵ The old links had to be restored. The *Interest of Holland* in other words was informed by a great sense of urgency concerning the necessary reform of the state's fiscal and foreign politics and served to hammer in an awareness of this situation.

De la Court was optimistic about the future of Dutch wealth, but also believed that no time could be lost as the window was closing. His basic understanding of the predicament of the Dutch Republic and its challenge to restore itself as a prime carrier of other states' goods was perpetuated in the eighteenth century and shared by virtually all participants in political debates and pamphlet wars of the period.

Commercial treaties and the depoliticisation of trade

De la Court's views were echoed by the 1714 *Korte Schets Van 'sLands welwezen door de laatste Vrede*, a critique, written in the aftermath of the Peace of Utrecht, of the war effort and the alliance with England which had been too costly and – according to its anonymous author – had been inspired by a monarchical-territorial “envy” and “lust for war”.²⁶ The author of the *Korte Schets* instead presented trade as the primary concern of the Dutch state as well as the primary sector of the Dutch economy. The *Korte Schets* continued and made more explicit De la Court's association of profit margins made in foreign trade with the depoliticisation of international trade. Dutch traders by nature sought for gain everywhere, even in war as neutral traders, and the United Provinces counted enough merchants and sailors to carry on the world's entire trade. However, most of them had been excluded from the Indies companies, which wanted to make a few large profits, rather than own the world's trade and be content with smaller margins.²⁷

The very fact that the Dutch organization of foreign trade had left space for other states, now led to the conclusion of politically inspired commercial treaties, which reinforced the decline of Dutch trade.²⁸ The recently concluded Anglo-Spanish commercial treaty showed the danger and the direction in which competition for trade was heading. Shares held in the South American trade were bound to have a direct impact on the balance of power, so the *Korte Schets* argued. The Anglo-Spanish treaty made commercial competition subject to the relation between

25 De la Court, *Interest of Holland*, pp. 20–29, 39–43.

26 Anonymous, *Korte Schets Van 'sLands welwezen door de laatste Vrede, Nevens eenige Aanmerkingen op het stuk van de commercie en Barriere* (s.l. 1714), pp. 4–5.

27 Anonymous, *Korte Schets Van 'sLands welwezen*, pp. 7–12.

28 Anonymous, *Korte Schets Van 'sLands welwezen*, pp. 35–7.

dominant and weaker states and by consequence removed trade from the United Provinces.²⁹

The *Korte Schets* was not just, or even primarily, an anti-English treatise, but represented a wider vision: the two big Dutch Indies trade companies had frustrated Dutch merchants who were not part of a company, and thereby had allowed other nations to become trading nations (an unnatural situation, in the view of the *Korte Schets*). In this way the India trade companies – driven by mistaken and narrow self-interest – had simultaneously impoverished the Dutch state *and* destabilized the entire world order.

A similar view lay at the basis of the policies promoted by the Grand Pensionary Hoornbeeck whose office lasted from 1720 to 1727, a period seldomly studied by Dutch historians. Hoornbeeck, who succeeded Heinsius – known by historians as the last “Williamite” – suspected that the Southern Netherlandish Barrier could prove to be a cause of war rather than prevent a showdown with France, which was its main aim. On the whole it would be preferable to withdraw from alliances that governed the territorial integrity of European states and thereby create a first precondition for the Dutch to present themselves as a neutral trading nation.

Somehow, it seems,³⁰ that out of discussions on and choices made within the array of alternative policies on treaty politics and the fate and function of Dutch trade in the first half of the eighteenth century, the idea arose that had become general by the beginning of the Seven Years’ War that neutrality was part of the Dutch identity in interstate relations. Yet, the meaning of this term did not have a clear provenance. One thing that was clear from the start about the emergence of the notion of Dutch commercial neutrality was that the idea was susceptible to rival interpretations as regards its moral relation to military conflict. Whether the Dutch as a neutral power helped to contain or exploited warfare depended on the legal framework through which the position of the neutral trade republic was considered.

Neutrality as a license for exploiting warfare?

And so it was that by 1760 a lawyer from an Amsterdam merchant family, Albertus Ploos van Amstel, argued that the Dutch had a perfect right as a neutral power to trade in wartime and exploit the benefits arising from whatever treaties that politicians had concluded³¹ – the obvious implicit reference being to the “free ships, free goods”-clause, included also in the 1674 Anglo-Dutch Treaty of Westminster,

29 Anonymous, *Korte Schets Van ‘sLands welwezen*, pp. 14–7.

30 This will be the working hypothesis of further research on the political and economic visions held by the Grand Pensionaries Heinsius, Hoornbeeck, Slingelandt and van der Heim – mentioned in footnote 1.

31 Albertus Ploos van Amstel, *Verhandeling over het recht van commercie tusschen onzydige en oorlogvoerende volken: Uyt het Latyn vertaald en vermeerderd met een aanhangzel over het nemen en verbeurdverklaren der schepen, en breedvoerige aanteekeningen*, 1760, Amsterdam [translation of *Specimen academicum inaugurale de jure commercii, quod gentibus in bello medii competit* (Leiden, 1759)], pp. 35–42.

that guaranteed either contracting party the enjoyment of neutral trade while the other party was at war. Ploos van Amstel presented his argument as based on Christian Wolff's moral philosophy, much like Emer de Vattel presented his *Droit des gens* as a legal-political adaptation of Wolff's work.

Ploos's view was an extreme take on Dutch neutral rights. Ultimately, what was so extreme about it was that it did not bring into the same frame the problem of neutral trade and European peace, i.e. its legal argument did not connect to any outlook on the future of foreign trade in the interstate system. Ploos's dual strategy was to defend Dutch neutral trade on the grounds that commercial treaties created forms of perfect right in an international society *and* that such obligations between states involving trade were in agreement with Wolff's precepts of the necessary law of nations. The first aspect amounted to the outright rejection of moral deliberation as having any bearing on the validity of advantageous treaties in the European state system. Here Ploos ran with Wolff's idea of the voluntary law of nations and used it to give articles in treaties of neutral trade rights the status of a Grotian perfect right. Each nation, Ploos argued, was free to conclude inviolable agreements with another state. Ploos's second aspect played on the parallel between the idea that commerce was the cultivation of sociability between individuals and interstate commerce as the manifestation of apolitical exchange between two parties only – thus not recognising any effects of trade for third parties.

In this way a second rate Dutch lawyer exploited a flexibility that was present in Wolff's "translation" of the law of nature into the law of nations. Likewise the Dane Martin Hübner was criticised by the physiocrat Nicolas Baudeau for relying too much on the construction devised by Wolff that was naïvely superficial, Baudeau alleged, and could never be successful in rationalising interstate relations;³² whereas Vattel's substitution of Wolff's fiction of a *civitas maxima* with the idea of reality as a *de facto* approximation created a new set of unresolved problems in the development of theory on the maintenance of European peace.³³

It has been argued that Vattel's *Droit des gens* played an important role in political debates on the problem of neutral trade – in particular trade carried by Dutch ships – during the later eighteenth-century wars, starting with the Seven Years' War.³⁴ Vattel's treatise has gone down into history as the first modern treatment of

32 Nicolas Baudeau, Review of Hübner's *Essai sur l'histoire du droit naturel, Ephémérides du citoyen* (1767). Part II, p. 143. Discussed on Koen Stapelbroek, "Universal Society, Commerce and the Rights of Neutral Trade: Martin Hübner, Emer de Vattel and Ferdinando Galiani", *Universalism in International Law and Political Philosophy*, ed. Petter Korkman and Virpi Mäkinen, *COLLeGIUM: Studies across Disciplines in the Humanities and Social Sciences* 4 (2008), p. 69. Ferdinando Galiani also criticised Hübner and Vattel on a fundamental level, but (being the physiocrats' most prominent critic in 1770) from a different perspective. For Galiani on neutrality see my other piece in this volume.

33 On the influence of Wolff on Vattel see Isaac Nakhimovsky, "Vattel's theory of the international order: Commerce and the balance of power in the Law of Nations", *History of European Ideas* 33 (2007), pp. 157–173, Tuck, *The Rights of War and Peace*, pp. 187–96 and Stapelbroek, "Universal Society, Commerce and the Rights of Neutral Trade", pp. 74–8.

34 A.C. Carter, *The Dutch Republic in Europe in the Seven Years' War* (London, 1971), chapter 6.

neutrality. On the other hand a number of elements within Vattel's *Droit des gens* appear also to have been *inspired* by the problem of Dutch neutrality in the War of the Austrian Succession of the 1740s.³⁵

One sign of this is Vattel's discussion of the legal restrictions that ought to exist with regard to (private) investment in foreign state debts by citizens of neutral states, which emphasized the idea that such investments should not in any way be politically interested (even if such investments led to spending on warfare), i.e. interest payments had to be in accordance with market conditions.³⁶ Another was Vattel's opinion that fulfilling obligations emanating from longstanding defensive treaty alliances could be combined with the status of neutrality. The precedent for this was the recurrent British appeal to the Dutch to provide 6,000 auxiliary troops to help to defend the British shores.³⁷ All in all, Vattel deployed the experience of Dutch neutrality and actual problems that had occurred to determine the bandwidths within which a state could justify its status as a neutral in eighteenth-century Europe. In particular, Vattel provided an outline of how the Dutch Republic could without breaking its ties with England or be driven into the arms of the latest designs of French state-building preserve their own interest.

In the process of dealing with political vis-à-vis commercial relations between citizens of different states and by opening up questions about obligations and rights emanating from treaty arrangements, Vattel discussed political neutrality and trade in relation to each other more than any writer had done before, in order to respond to the problem of neutral trade in the War of the Austrian Succession. Yet, Vattel's discussion of neutrality itself was part of a treatise whose main aim may be described as to provide a logic for the rationalisation of interstate conflict.³⁸ Thus, it may seem ironic that in the hands of Ploos the very foundation that Vattel worked with turned into a license for a cynical profit-oriented exploitation of a state's neutrality during wartime.

Another way of looking at Vattel's ideas about neutrality and trade – notably in the light of Vattel's qualification of the rightfulness of treaties as contingent upon necessary justice in the *Droit des gens*³⁹ – is through comparison with the ideas of the Dutch lawyer Cornelius Bynkershoek, which were influential during the Seven Years' War in that they shaped the perspective of the British Admiralty on neutral

35 Emer de Vattel, *Le Droit des Gens*, 2 vols. (London, 1758) vol. 2 (Book III, chapters 6 and – especially – 7). See also Carter, *The Dutch Republic in Europe in the Seven Years' War*, pp. 90–91.

36 Vattel, *Droit des Gens*, Book III, chapter 7, par. 110.

37 Vattel, *Droit des Gens*, Book III, chapter 6.

38 Isaac Nakhimovsky, "Carl Schmitt's Vattel and the *Law of Nations* between Enlightenment and Revolution", *Grotiana* 31 (forthcoming for 2010).

39 See Nakhimovsky, "Carl Schmitt's Vattel and the *Law of Nations*."

trade.⁴⁰ Like Vattel, Bynkershoek developed a minimalist outlook on the law of nations, yet along different lines, owing to which Bynkershoek tends to be seen as a forerunner of legal positivism. The basic foundation of Bynkershoek's radical modification of Grotius's idea of neutrality was his critique of Grotius's derivation of property rights from the principle of necessity, rather than from utility. What could actually be claimed to be legitimately useful for a person or a state was not determined by a person's or state's perceived need to appropriate or exercise power over the external world, however necessary such a desire might appear in the eyes of any person or state. Bynkershoek deployment of this fundamental principle of natural jurisprudence with regard to neutrality ultimately resulted in the notion that the degree to which belligerents could interrupt neutral trade depended not upon a basic right to justice on the part of the belligerent, but upon the "enmity" of the goods carried by neutral vessels.⁴¹ With regard to the status of the neutral, Bynkershoek rejected the idea that a neutral state had to "sit in judgment between his friends who may be fighting each other, and to grant or deny anything to either belligerent through considerations of the relative degree of justice."⁴²

Compared with Vattel's framework for reconciling the rights of neutrals and belligerents, Bynkershoek's move to dispense with "necessity"-based rights had the advantage that the interests of neutral and belligerent states were brought into the same frame, rather than considered as belonging to different categories. Bynkershoek's views (or rather Lee's, Jenkinson's and Marriott's interpretations, elaborations and manipulations of them⁴³), during the Seven Years' War, provided the British prize courts with a set of guidelines for differentiating between contraband and rightful neutral trade.

The adoption of Bynkershoek's views created what may be called a "neutral rights revolution" in the Seven Years' War.⁴⁴ What happened, as is well known, was that a great many old treaties and certainly a number of old ways of looking at the rights of neutrals got literally "overruled" following the implementation of the doctrine of Continuous Voyage and what is known as the "Rule of 1756" by the British prize courts.⁴⁵ Legally, it became possible to distinguish between trade *with*

40 About Bynkershoek see Coleman Phillipson, "Cornelius van Bynkershoek", *Journal of the Society of Comparative Legislation* 9 (1908), pp. 27–49, Kinji Akashi, *Cornelius Van Bynkershoek: His Role in the History of International Law* (The Hague: Kluwer, 1998) and Tara Helfman, "Neutrality, the Law of Nations, and the Natural Law Tradition: A Study of the Seven Years' War", *Yale Journal of International Law* 30 (2005), pp. 549–86.

41 Stephen Neff, *The Rights and Duties of Neutrals: A General History* (Manchester: Manchester University Press, 2000), pp. 48–51, lists Bynkershoek among the writers belonging to his category of the "code of conduct" school.

42 Quoted by Tara Helfman, "Neutrality, the Law of Nations, and the Natural Law Tradition: A Study of the Seven Years' War", pp. 552–3.

43 See the article by Tara Helfman in this volume.

44 The term is used by Tara Helfman in this volume.

45 See Richard Pares, *Colonial Blockade and Neutral Rights (1739–1763)* (Oxford: Oxford University Press, 1938).

the enemy (which was permitted) and trade *for* the enemy (which was deemed illegitimate).

Yet, Bynkershoek's substitution of necessity with utility as the principle for monitoring the neutrality of trade in wartime had a wider scope in that it effectively redefined trade itself. It was not enough for Bynkershoek to replace the concept of necessity with the unspecified one of utility. Bynkershoek reinforced his conceptual shift by prescribing a certain form to utility, which with regard to trade meant that as a rule it contributed to what Vattel had described as the "perfection" of a state in accordance with the preservation of peaceful order in the interstate system.⁴⁶ Regular trade had to take place according to the rule that exchange repaired relative scarcity. In other words normal trade that was in the proper interest of both contracting parties followed the principle of complementarity between national economies.

Seemingly of a different order, but a manifestation of this very shift was Bynkershoek's assertion that treaties had not helped the development of the law of neutrality, since they only created law between two parties. The entirety of treaties (including commercial treaties) concluded between states, although binding states to each other, still could not be understood as embodying an approximation or instantiation of general natural law or the law of nations.⁴⁷ Regular trade that was free from political contract and influence of power relations instead could. Bynkershoek's outlook on treaties was intrinsically connected to his view that trade in the interstate system was not simply a relationship between two parties for mutual benefit, but had an impact on other parties too.

With regard to the Dutch predicament Bynkershoek's prescriptive idea of the relation between trade and economic development had extremely important ramifications. It must have been totally clear to Bynkershoek that the structure of the Dutch economy did not follow a regular pattern of simple complimentary trade relations. Dutch merchants from the time that the United Provinces were the carriers of the world's trade did not always trade in their own goods. It was precisely the clearing-house effect of the Dutch staplemarket and the gains derived from a more complex secondary redistribution of national surpluses that had turned trade into the primary sector of the Dutch economy. Nonetheless, this did not mean that the composite structure of the Dutch economy made its trade illicit. However, it could follow from this perspective, as it did in the interpretation given by the British prize courts of Bynkershoek's views in the Seven Years' War, that a neutral trading nation was not allowed in wartime to extend its trade if that same trade had been closed to the neutral in peace.

Seeing this point makes it possible to understand the rift that opened between Ploos van Amstel's outlook on the Dutch treaty-based right to freely trade with

46 Stapelbroek, "Universal Society, Commerce and the Rights of Neutral Trade," pp. 73–9.

47 Neff, *The Rights and Duties of Neutrals*, p. 44. See also the discussion by Tara Helfman in this volume (with notes 80–82) of the doctrine of *rebus sic stantibus* which appears to have been supported by Pinto in his *Bon hollandais* pamphlets (discussed below).

belligerent powers and Bynkershoek's vision which subjected trade contracts and treaty agreements to judgement from a wider perspective of international law, the normativity of which was construed along radically different and ultimately irreconcilable lines.

“Strict neutrality”

The gap between these two outlooks on the rightfulness of neutral trade did not disappear between 1740 and 1780, the year of the outbreak of the Fourth Anglo-Dutch War, despite attempts by a few writers to gather support for the idea of defining and subsequently sticking with what for the Dutch would be a course of “strict neutrality”: a middle-way between passive neutrality and radical claims to neutral trade rights that found its justification through the subjection of neutral politics to natural jurisprudence. Two political versions of this general position, that Bynkershoek had helped to develop, will be briefly discussed in this section.

In fact, the Dutch public political debate on commercial neutrality in this period constantly reproduced the two legal approaches discussed in the previous section and oscillated unfruitfully between insistence on the validity of treaties and reference to a wider perspective on the future of trade that provided a justification for a positive law approach to neutral rights. This was so even before the adoption by the British Admiralty and by British statesmen and publicists in the Seven Years' War of Bynkershoek's views. Key points at the beginning and end of this period were the publication of, respectively, a text that is considered the first published writing by the French publicist Louis-Joseph Plumard de Dangeul, that urged the Dutch to insist on the rights of neutral trade emanating from Anglo-Dutch treaties⁴⁸ and the infamous pamphlet by Joan Derk van der Capellen from 1781, *Aan het Volk van Nederland* (1781), which must be considered his conclusion drawn from previous writings on Dutch foreign trade politics.⁴⁹ That conclusion, against the kind of politics that the House of Orange had tried to impose onto the state, was that if the Brits failed to keep their promises contained in defensive treaties with the Dutch trade republic and blocked Franco-Dutch trade, the Dutch in response were forced by the nature of their state to tie themselves to France not by way of commerce,

48 Louis-Joseph Plumard de Dangeul, *Lettre écrite à un Seigneur du gouvernement par un Patriote Hollandois, Au sujet des Conjonctures présentes contenant Quelques-uns des principaux Motifs qui doivent empêcher les Provinces-Unies de prendre parti dans la présente Guerre de la Grande-Bretagne* (s.l., 1741) [Knuttel 17170-2]. The original pamphlet was translated and reprinted six times, and in various contexts where Anglo-Dutch relations needed to be disturbed, for which occasions new prefaces were written [Knuttel 18526 and 18527 (1756), 18563 (1757) and 19188 (1778)]. For Dangeul's position towards French maritime commercial development see the piece by Antonella Alimento in this volume.

49 See Koen Stapelbroek, “Neutrality and Trade in the Dutch Republic (1775–1783): Preludes to a Piecemeal Revolution”, *Rethinking the Atlantic World: Democratic Revolutions and Free Trade. XVIIIth century Europe and America: history and historiography*, eds. Manuela Albertone and Antonino De Francesco (London: Palgrave, 2009), pp. 100–19 which includes a discussion of Joan Derk van der Capellen tot den Pol, *Advies door Jonkheer Johan Derk van der Capellen tot den Pol over het verzoek van zyne Majesteit den Koning van Groot Brittannie raakende het leenen der Schotsche [sic] Brigade* (s.l., 1775).

but politically, in the form of a military alliance.⁵⁰ On the other hand Bynkershoek's influence remained in the background and provided a reference point for Isaac de Pinto in the late 1770s in accounting for the Dutch predicament when the Republic again found itself exposed to conflicting French temptations and British claims.⁵¹

Not only did the popular neutrality debate echo the legal-political options that existed for the Dutch Republic, the work of the Danish lawyer Martin Hübner, rejected by some as “opening up a new world of political errors”,⁵² even served to explain the stalemate in international law and the diplomatic difficulties to reconcile claims emanating from treaty law on the one hand and natural jurisprudence on the other.⁵³

What made it harder to move in between these positions was the growing polarisation between Dutch sympathisers with the French and British perspective, who identified these states intermittently as “natural allies”.⁵⁴ Between the early 1740s, from Willem van Haren's poem *Leonidas*, recently called a “battlecry against neutrality”,⁵⁵ and the pamphlet debates of the Seven Year's War between 1756 and 1758, publicists like Jan Wagenaar and many others disputed the historical record of French and British depredations of Dutch ships.⁵⁶ The legal work by Ploos van Amstel, discussed above, was a thinly disguised effort in support of the “*neutraliste*” case. That case was promoted by French publishing campaigns in the Dutch Republic. In defence of British maritime politics in the Seven Years' War, a

50 This judgment is based on a hypothetical reading of Van der Capellen's political thought that I hope to substantiate in future work.

51 Manuscript held by the Archivio di Stato di Torino, inv. 100, 2a addizione, OLANDA, mazzo 4 addizione, fascicolo 2. Bynkershoek is mentioned explicitly, on the seventh page of the (unnumbered) manuscript, as the main reference point for supporters of the British line of argument. The manuscript is dated 1779. The text appears to be an earlier – rougher and unpolished – version of a manuscript held by Dutch Royal Library in its van Goens Collectie (KB, classmark 130 D3/ J, entitled “Examen impartial des intérêts actuels de la République par rapport à une alliance”), which, dated 1783, is attributed to Isaac de Pinto.

52 Anonymous, *Doutes et questions proposées par Montanus à Batavus sur les Droits de la Neutralité, par Hubner avec des Réflexions fur le nouveau Système de la Neutralité armée* (London [but Amsterdam?], 1781) [Knuttel 19491], esp. pp. 21–2 and 41.

53 Anonymous, *Mémoire touchant le code primitif et conventionnel des nations: en fait de commerce & de marine : a l'occasion des différends actuels entre la République & la Grande-Bretagne* (Groningen, 1780) [Knuttel 19439].

54 N.C.F. van Sas, “Between the devil and the deep blue sea: the logic of neutrality”, *Colonial empires compared: Britain and the Netherlands 1750–1850*, eds. Bob Moore, Henk van Nierop (Aldershot: Ashgate, 2003), pp. 33–44, see also Stapelbroek, “Neutrality and Trade in the Dutch Republic”, *passim*.

55 Jan A.F. de Jongste, “The Restoration of the Orangist Regime in 1747: The Modernity of a “Glorious Revolution””, *The Dutch Republic in the Eighteenth Century, Decline, Enlightenment, and Revolution*, eds. Margaret C. Jacob and Wijnand W. Mijnhardt (Ithaca: Cornell University Press, 1992), p. 39.

56 See Koen Stapelbroek, “Economic reform and neutrality in Dutch political pamphlets, 1741–1779”, *Pamphlets and Politics in the Dutch Republic*, eds. Femke Deen, David Onnekink and Michel Reinders (Leiden: Brill), pp. 196–200.

minority of writers accused Dutch sympathizers with the French point of view of politically blind profit oriented cynicism.⁵⁷

In this manner a gap opened between polarized Dutch sentiments and the reality of French and British state building with which they intersected. While Dutch writers contested each other's claims about French and British "Jealousy" towards the Dutch and designs by these nations to establish "universal monarchy", the actual French and British political logics were often overlooked. The Dutch knee-jerk responses to British political economy in general and the Navigation Acts in particular, all too often were inspired by nostalgia for the seventeenth-century Golden Age and the idea that the world's trade was naturally owned by the Dutch.⁵⁸ This was a far cry from Bynkershoek's view on the nature of trade, which construed the Dutch activity of carrying other nations' goods as an unnatural but excusable form of trade.⁵⁹

The Dutch self-image of being a nation of non-territorial cosmopolitan *neutraliste* free traders that almost had a natural right to own the world's trade contrasted sharply with the commonplace held abroad, including by French and British politicians and writers, that the Dutch Republic was an unreliable factor in the force field of international relations. The British envoy Yorke's characterisation of the Dutch as "a whole Country of Merchants and Advocates"⁶⁰ reflected his lifelong frustration in dealing with trade disputes with the Dutch.⁶¹ When Mirabeau the elder was requested to explain to his Swedish correspondent Scheffer why Sweden could not emulate the United Provinces, he argued that the nature of the Dutch economy and its institutional set-up made it impossible to consider the Dutch Republic as an actual real state.⁶²

If an important explanatory factor for the shared French and British distrust of and resentment towards the Dutch was precisely the Dutch inability to understand

57 Anonymous, *Particuliere Brief van een Koopman te Londen aan een Koopman te Rotterdam* (Amsterdam, 1758) [Knuttel 18659].

58 Paul Chr. H. Overmeer, *De economische denkbeelden van Gijsbert Karel van Hogendorp (1762–1834)* (Tilburg, 1982), p. 148 connects these prejudices to the mercantilistic doctrine of the positive trade balance, and – following Rees and Pierson – turns Pinto and Hogendorp into early "liberals".

59 Bynkershoek's distinction was reminiscent of Harrington's in *Oceana* between proper trade and mere carrying trade: "it is one thing to have the carriage of other men's goods, and another for a man to bring his own unto the best market", *The Commonwealth of Oceana*, p. 198. It was naturally second best to have to have recourse to the poor man's commerce, Montesquieu's "*commerce d'économie*".

60 Cited in note 85 in the article by Helfman in this volume.

61 Yorke called the "infernal" Westminster treaty "one of the plagues of my life", cited by J.W. Schulte Nordholt, *The Dutch Republic and American Independence* (Chapel Hill: University of North Carolina Press, 1982), p. 15.

62 Antonella Alimento, "La fisiocrazia in Svezia dopo il colpo di stato di Gustavo III attraverso la corrispondenza di V. Riqueti de Mirabeau con C.F. Scheffer", *Annali della Fondazione L. Einaudi di Torino* 23 (1989), p. 325. Similar arguments on the impossibility of the impossibility of patriotism in an eighteenth-century trade republic were made by loads of writers, for instance by Ferdinando Galiani, *Dei doveri dei Principi Neutrali* (Naples, 1782), p. 223.

and accept the logics of French and British state-building,⁶³ there were a number of Dutch writers who did attempt to reform Dutch neutral trade politics. Among other reasons for Dutch writers as well to argue *for* disciplining Dutch commercial neutrality was the fact that it was subject to debate whether exploiting neutral trade in wartime was actually profitable for more than a handful of merchants. Economic historians too have held different opinions on this matter.⁶⁴

Going against the grain of the repetitive exchange of irreconcilable views, in the early years of the Seven Years' War Jean Thomas La Fargue argued for a course of "strict neutrality" [*stipte neutraliteit*], which he contrasted with the rival pro-French *neutraliste* definition of the same term.⁶⁵

La Fargue first published his main work the *Staats-spiegel* [*Mirror of state*], a collection of previously appeared pamphlets containing his analysis of the principles of Dutch trade, the Republic's relations with both France and Britain and how preserving these relations was crucial for preserving the European order.⁶⁶ The first part of the *Staats-Spiegel*, published independently in 1741 as *Het waere interest van 't misleide Nederland* was a refutation of the previously mentioned first publication by Plumard de Dangeul, posing as a *patriote hollandais*, whom La Fargue "exposed" as a "seducer" of the Dutch into their own downfall and simultaneously that of Britain.⁶⁷

In his pamphlets on neutral trade La Fargue argued that the totality of previous treaties, both commercial treaties with France and political treaties with both Britain and France, – notably the Triple Alliance of 1717 – had to be interpreted as providing a definite set of guidelines for protecting the true interest of the Dutch

63 As Antonella Alimento shows in her article in this volume the French and Choiseul in particular were equally resentful towards the Dutch as the British and "afraid" of their bargaining skills.

64 E.E. de Jong-Keesing, *De economische crisis van 1763 te Amsterdam* (Amsterdam, 1939), argued that the Seven Years' War did not increase Dutch trade volumes, which, in the middle of World War II, sparked a controversy among Dutch economic historians. Recently, Wim Klooster, *Illicit Riches: Dutch Trade in the Caribbean, 1648–1795* (Leiden: KITLV Press, 1998), George M. Welling, *The prize of neutrality: trade relations between Amsterdam and North America 1771–1817: a study in computational history* (PhD thesis, University of Groningen, 1998) and Johannes Postma and Victor Enthoven eds., *Riches from Atlantic Commerce: Dutch Transatlantic Trade and Shipping, 1585–1817* (Leiden: Brill, 2003).

65 J.T. La Fargue, *Afscheid aan de nagtgedochten met de ontleding van 't zeer aanmerkelijk Antwoord op zekeren (verdichten) brief van zijne Excellentie* (The Hague, 1756) p. 60, [Knuttel 18525]. See also by La Fargue (part of the same exchange of opinions) Knuttel 18514, 18518, 18522, 18525, 18529. The only work about La Fargue is by H.M. Menonides, *Jean Thomas La Fargue als schrijver, vertaler en pamflettist* (The Hague, 1961). I hope to publish an article about La Fargue's political thought in the future. See already Stapelbroek, "Economic reform and neutrality in Dutch political pamphlets", pp. 196–200.

66 J.T. La Fargue's *Mirror-of-state for the Netherlands, against foreign trickery and false representations of the time* (*Staats-spiegel voor den Nederlanderen, tegen uitheemsse kunstenaryen en verkeerde bevattingen des tyds*). The work had various editions between 1743 and 1746, the later ones containing not three but four or five parts, some of which were published separately since 1741.

67 Plumard de Dangeul, *Lettre écrite à un Seigneur du gouvernement par un Patriote Hollandois*. During the Seven Years' War the republications of this work provoked angry reactions by La Fargue himself, while in 1778 it seems – by comparing the titles, publishing dates and Knuttel numbering – Pinto's *Bon hollandais*, discussed below, took over that role. In 1758 Elie Luzac also responded to the republished venom by Plumard [Knuttel 18660].

state *and* simultaneously formed the only right basis for fixing proper neutral trade policies. Arguing from this basis and referring to Bynkershoek's "correct rules of public law" and his distinction between a "friend" and an "ally" La Fargue held that it was, for instance, properly neutral behaviour to send 6,000 auxiliary troops to Britain if, in accordance with the relevant treaty stipulations, Britain was attacked.⁶⁸ The combination of existing treaties that Dutch politicians over the last generations had negotiated prevented a choice, as La Fargue put it elsewhere, between "onion soup or roast beef".⁶⁹ In matters of trade disputes, La Fargue suggested that the Dutch vis-à-vis France would take on a role similar to the ones that Sweden and Denmark had taken on through the ratification of commercial treaties with France in the 1740s.⁷⁰

Arguing from different starting points from La Fargue's, but similar in his attempt to transcend party struggle in the War of the American Independence the secretary of the Utrecht law court and winner of the famous 1771 essay prize of the Haarlem Society on the restoration of Dutch trade, Hendrik Herman van den Heuvel considered, in a few pamphlets from the late 1770s van den Heuvel, Dutch neutrality in relation to his vision of economic patriotism and the process of reform that he had outlined in his other works.⁷¹

Van den Heuvel's political economy focused on the combination of high unemployment rates, high wage levels and low interest rates in the second half of the eighteenth century, which led to the design of a transitional reform project the aim of which was to avert the further decline of Dutch trade and the competitiveness of the Dutch manufacturing – notably textile industry.⁷² In his pamphlets on neutral trade he expressed his great concern with the French policy of the late 1770s to directly address the mercantile cities of Holland and tempt them with commercial privileges and the fear to lose out on profits to be made from the burgeoning trade with the newly independent American state.

Van den Heuvel's position on neutral trade, as a matter of fact, seems – unlike his political economy – not to have been informed by a general theory of natural jurisprudence. At least, he presented his views in a predominantly pragmatic fashion. In a pamphlet from 1779, *Onpartijdige Raadgevinge tot Eensgezindheid*

68 J.T. La Fargue, *'T Laatste Olisel van den koopman te R.* (The Hague, 1756), pp. 32–3 [Knuttel 18522].

69 La Fargue, *Afscheid aan de nagtgedrochten*, p. 28.

70 La Fargue, *Afscheid aan de nagtgedrochten*, p. 59.

71 To my knowledge no monograph or extensive study exists on H.H. van den Heuvel. I have written an essay on the emergence of the *Oeconomische Tak* of the *Hollandsche Maatschappij der Wetenschappen* entitled "The Restoration of Dutch Trade and the Establishment of the Economic Branch of the Holland Society of Sciences, 1751–1830" (to be published in a volume under contract with Palgrave, entitled *Patriots and Reformers: The Rise of Economic Societies in the Eighteenth Century*, co-edited with Jani Marjanen) in which his politics are discussed.

72 See Stapelbroek, "The Restoration of Dutch Trade and the Establishment of the Economic Branch of the Holland Society of Sciences, 1751–1830".

en Moderatie van Batavus,⁷³ van den Heuvel agreed, “as a neutral Hollander”, that there were strong reasons to follow the French perspective on neutral trade rights. Indeed, the 1674 treaty gave the Dutch a right vis-à-vis Britain to profit from its neutral status, just like the Brits had profited from that treaty arrangement during previous Franco-Dutch wars. Van den Heuvel even agreed that the British legal perspective on neutrality – inspired by Bynkershoek – was entirely contradictory.⁷⁴ Nonetheless, it was a political mistake to insist on extensive neutral trade rights.

While the profits derived from trade in contested contraband goods were nowhere as great as often imagined and did not lead to an increase of Dutch commerce with beneficial effects on the Dutch economy, the costs of higher insurance premiums on all Dutch trade affected both the Dutch “*commercie van oeconomie*” (*commerce d'économie*) and the forms of *eigenhandel* [“own trade”] that directly related to the competitiveness of Dutch manufacturing.⁷⁵ Van den Heuvel believed that for these reasons it was better to adopt the classical Grotian position of the neutral and “sit still” while Europe’s territorial states battled out their struggle for global hegemony.⁷⁶

Similar to the way in which his patriotic political economy provided an alternative to the rising form of patriotism that would later inspire the overhaul of the Dutch Republic’s political structure, the contours of van den Heuvel’s pragmatically developed position on neutral trade provided a way out of the partisan struggle between pro-French and pro-British policies, precisely by re-asserting the importance of the political neutrality of Dutch trade for guaranteeing Dutch sovereignty. In his *Klagten van Eenen Gryzen Hollander wegens den Tegenwoordigen Toestand van het Vaderland* (Utrecht, 1780), he asserted that he had always hated the terms “Fransch-” and “Engelsch-gezind”.⁷⁷ It made perfect sense to Van den Heuvel, and was in line with the reasoning of diplomats in earlier generations, that the Dutch negotiators since 1745 had consistently broken off all negotiations with France over the renewal of the 1713/ 1739 Franco-Dutch commercial treaty as soon as France insisted on including the condition that vis-à-vis Britain the Dutch were to claim the extensive neutral trade rights that were read into the free ships, free goods clause included in the Treaty of Westminster.⁷⁸ Agreeing with the French demand would be tantamount, van den Heuvel believed, to a partial renouncement of Dutch sovereign rights. There were no reasons, all of a sudden, to deviate from the course that had inspired Dutch diplomacy since 1672. Rather than to be tempted by French promises and find the Dutch state divided and ultimately subjected to France it was

73 H.H. van den Heuvel, *Onpartijdige Raadgevinge tot Eensgezindheid en Moderatie van Batavus* (Utrecht, 1779) [Knuttel 19256].

74 Van den Heuvel, *Onpartijdige Raadgevinge*, pp. 4–6.

75 Van den Heuvel, *Onpartijdige Raadgevinge*, pp. 12–15.

76 Van den Heuvel, *Onpartijdige Raadgevinge*, pp. 15.

77 H.H. van den Heuvel, *Klagten van Eenen Gryzen Hollander wegens den Tegenwoordigen Toestand van het Vaderland* (Utrecht, 1780) [Knuttel 19314], p. 4.

78 Van den Heuvel, *Klagten van Eenen Gryzen Hollander*, pp. 8–9.

crucial to remain confident in the truth that France needed the Republic as much as the Republic needed France.⁷⁹ It was false patriotism, van den Heuvel concluded, to let private short-term commercial interests compromise the political reasoning that was necessary for the survival of the state.

Van den Heuvel's vision of misconceived neutral rights claims eating away at sovereign rights was by no means the dominant idea of the nature of neutrality politics. Twentieth-century historians have too often suggested that adopting a position of neutrality in eighteenth-century politics was a straightforward posture of political weakness and lack of power to exercise absolute sovereignty.⁸⁰ Yet, this idea is at odds with the reality according to which neutral states did not withdraw from international relations and the balance of power, but precisely by taking in a different position attempted to reshape the interstate system or buy into a scenario for its future development. Precisely for that reason the eighteenth century saw the development of a host of new interpretations of how a neutral state ought to behave. If the classical position of "perfect" or "passive" neutrality entailed a full withdrawal from trade with belligerents and immersion in conflict, a range of new forms of "active" neutrality emerged from discourses in legal and political thought. These new forms of neutrality were devised to engage with the conditions of interstate trade and power relations.

Precisely from this angle, the Dutch political writer Isaac de Pinto asserted in a pamphlet from the late 1770s that the United Provinces, unlike Venice (traditionally a "passive" neutral), had much more of a burden to bear and a responsibility towards the Balance of Power, both politically and commercially. This was the case, so Pinto argued, because the prosperity of Holland was necessary for the prosperity of Europe, just like the prosperity of Europe was necessary for Holland.⁸¹

Dutch trade forming a "Part" of other states' trade

Isaac de Pinto is perhaps best known by historians as a proponent of debt finance and author of a *Traité de la circulation et du crédit*, published, in 1771, by his own account to correct Hume's views on public finance and stability of Britain.⁸² Within Dutch politics Pinto was always suspected of defending the interests of the

79 Van den Heuvel, *Klachten van Eenen Gryzen Hollander*, pp. 16–22.

80 See for instance Franco Venturi, *Utopia and Reform in the Enlightenment* (Cambridge: Cambridge University Press, 1971), p. 41, which was taken up by E.H. Kossmann in a famous article on "Dutch Republicanism" in E.H. Kossmann, *Political Thought in the Dutch Republic* (London: Edita, 2004), pp. 167–193 (first published in 1985 in a *Festschrift* for Venturi edited by Raffaele Ajello). Similar ideas on neutrality feature in van Sas, "Between the devil and the deep blue sea."

81 Isaac de Pinto, *Letters on the American Troubles Translated from the French* (London, 1776), p. 42.

82 On Pinto see Nijenhuis, *Een Joodse Philosophie*, and more recently J.L. Cardoso and A. de Vasconcelos Nogueira, "Isaac de Pinto (1717–1787). An Enlightened Economist and Financier," *History of Political Economy* 37 (2005), 264–92. On Hume on finance see Hont, *Jealousy of Trade*, pp. 325–53.

Orangist party, his own interests as a financier and the British interests that he had served in the negotiations following the Seven Years' War, which earned him a British pension.⁸³ Nonetheless, underlying Pinto's views and lobbying activities lay a thoroughgoing perspective on the politicised nature of international trade and how it ought to be reformed. In this section that perspective will be discussed both as informed by Pinto's Dutch experience and in the light of his sustained attention for the problem of the neutrality of trade.

Pinto only published his main work in 1771, but advised Dutch politicians between 1747 and 1779 on economic reforms and foreign politics. In his earliest work, a *Tribut Patriotique* dedicated to the newly restored stadholder William IV, Pinto unfolded his plans for a reform of Dutch public finance, which he considered the weakest point of the state.⁸⁴ Pinto's starting point in the *Tribut* was the neglect of Dutch credit in the period of Dutch trade supremacy and the key challenge to catch up with the credit revolution and emulate British policies in the management of the national debt. That way, through credit management, it was possible to create the necessary preconditions for the restoration of the old situation in which commerce for the Dutch Republic was "comme un fruit naturel du pays". Whereas elsewhere trade was a secondary economic activity, it was a sort of "denrée chez nous". Following through this argument Pinto argued that the Dutch by means of trade, rather than through any kind of political contracts, were tied to the territory of other states whose reliance on the Dutch for their trade gave the Dutch state a special function and viability in interstate politics.⁸⁵ This was a similar conclusion to the one of the text of the 1751 Proposal for turning the entire Republic into a limited freeport, which confidently stated with regard to the attitude of other states towards a fiscal reform strengthening the Dutch capacity to attract trade, that "neighbouring Nations will be more or less concerned, in the Conservation of our Trade, as their commerce chiefly consists in the Vending of their own Products; and will therefore rather protect than obstruct ours, which has such a Connection with their own, that it may not improperly be called a Part."⁸⁶

Within this wider perspective the text of the *Tribut* emphasised the groundbreaking importance of the VOC, which Pinto identified as the most abundant source of the state's wealth and opulence. It was by means of this company that one had found the "secret" of how a sterile country could survive and flourish, after which

83 Nijenhuis, *Een Joodse Filosofe*, pp. 18–20, 22–3.

84 Isaac de Pinto, *Tribut patriotique présenté avec le plus profond respect à Son Altesse Sérénissime Monseigneur le Prince d'Orange et de Nassau*. Written probably in 1747, this manuscript is held by the Dutch Nationaal Archief (NA), The Hague, Gogel collection, inv. no. 165; discussed by Nijenhuis, *Een Joodse Filosofe*, pp. 99–103.

85 Pinto, *Tribut patriotique*, particularly the "Essai sur le credit" and the "Essai sur les finances en general", the first and second texts of the three essays of which the (unnumbered) manuscript comprises.

86 *Proposals made up by His late Highness the Prince of Orange [...] for redressing and amending the Trade of the Republick*. (London, 1751), p. 59 [Knuttel 18326], originally published in Dutch in The Hague in the same year.

geographical situation became a key factor in international politics. Many people still failed to understand the sheer impact of this discovery, Pinto asserted. Numerous philosophers and politicians still ventured to argue with dry eyes that the mines of Peru and Mexico had not enriched Europe, but that the abundance of gold and silver only made subsistence goods and manual labour more expensive. Although in a simple sense they were right, the consequences of their views were absolutely false. After the discovery of America and the development of intercontinental currents of capital and goods streams, Europe had become infinitely richer and become universally opulent. While these particular riches were like other forms of commerce in that they both created immense fortunes and a lot of misery, Pinto admitted, it was still the case that without the abundance of gold and silver Amsterdam could only have 20,000 inhabitants rather than 220,000.

In the 1770s Pinto still argued from the same perspective defining his concept of circulation in simultaneous relation to the Dutch Republic and global trade patterns. The American gold and silver trade had kickstarted mechanisms that ultimately connected to the invention of new production methods and the taking off of manufacturing improvement in Europe.⁸⁷ Even if the United Provinces was a different kind of entity from Europe's territorial states, it still functioned according to the principles that stimulated the integration of national economies and more perhaps than other states stimulated the increase of agricultural productivity and the cultivation of fields.⁸⁸ In line with this take on the nature of trade and the Dutch mercantile republic, Pinto considered those traders who fell in the category he defined as the "*Commerçant économe*" to be true patriots by virtue of the effects of their profit-seeking.⁸⁹ He even announced he would publish a moral philosophical work dedicated to the importance of providing the mercantile class of society with a system of honour.

The other side of the coin in all this, Pinto recognised in his essay on luxury, was that wealth could be derived from trade without being reinvested back into the productive chain. Pinto, for example, was a severe critic of freeports, which he regarded as leaking wealth from the global commercial system.⁹⁰ In general trade led to corruption if it was not well-regulated. For Pinto and his contemporaries, luxury was not just a consumption problem, even if the English taste for wine would always pose a danger to the state, but the general header for understanding instantiations of unproductive wealth that ultimately could affect the stability of

87 Pinto, *Letters on the American Troubles*, pp. 44, 63–64, 73, 80–89.

88 Isaac de Pinto, *Essai sur le Luxe*, p. 330. First published in Amsterdam in 1762. Quotations are from the version included in the second enlarged edition of his main work Isaac de Pinto, *Traité des Fonds de Commerce ou Jeu d'Actions* (London, 1772).

89 Pinto, *Essai sur le Luxe*, p. 335.

90 Pinto, *Essai sur le Luxe*, pp. 333–4.

interstate relations.⁹¹ Compared with the political side of the moral problem of overconsumption, it was much more dangerous to detach trade from its proper functions, which was why it was so important to develop a social honour system for merchants. Pinto's views on public debts resembled his position on trade. In fact, within the architecture of Pinto's political thought, debt finance only turned into a problem threatening the stability of states if foreign trade relations were badly regulated, and was not a cause, but a symptom, of a political economic problem. The core of that problem for Pinto was not that trade competition between states was dysfunctional in obstructing exchange between European states and because it led to war directly destructive of the interest of all states, but more specifically that it cut short colonial trade patterns and the global circulation of capital and goods and thereby sapped the essential lifeblood from Europe's manufacturing economies. Arguing from this perspective, Pinto concluded, when he published the *Letter on Jealousy of commerce* in appendix to his *Traité* that the only remedy to the present state of affairs was to somehow take trade out of the equation of economic rivalry. Only through such a move could the natural complementarity between national economies be restored and the course of history be straightened to revert back to the legal and moral principles of the progress of humankind that eighteenth-century moral philosophers contemplated.⁹²

By the late 1770s Pinto's main concern was Dutch neutrality, specifically that Dutch traders and financiers offered politically motivated advantages to France and America, but generally that neutrals had become accomplices to the inferior deceived world view of "Jealousy of Trade", and their behaviour a prime manifestation of the destruction of the mechanisms by which wealth had been created since the discovery of America. Pinto, as a matter of fact, argued that Dutch traders *did* attract a lot of wealth during the Seven Years' War,⁹³ which made it extra difficult to break out of the restricted views of rights of neutral trade and revert back to the long term development of international trade.

In a few anonymous pamphlets published in 1778 and 1779 under the pseudonym of a *Bon hollandais*, Pinto confronted the opinions held by many Dutch people at the time.⁹⁴ The Dutch hope to benefit from new trade opportunities arising from American independence was false. Instead America itself would soon turn into a territorial state like France and Britain, a new competitor vying for trade. On legal-political issues Pinto came up on the side of the British Admiralty arguing that the

91 See for context, Istvan Hont, "The early Enlightenment debate on commerce and *luxury*", *The Cambridge History of Eighteenth-Century Political Thought*, eds. Mark Goldie and Robert Wokler (Cambridge: Cambridge University Press, 2006), pp. 379–418.

92 Cf. Hont, *Jealousy of Trade*, pp. 389–446. Pinto operated in the same dimensions as contemporaries like David Hume and Adam Smith.

93 Pinto, *Letters on the American Troubles*, p. 50.

94 Isaac de Pinto, *Discours d'un bon Hollandais a ses compatriotes, sur différents objets intéressants* (s.l., 1778) [Knuttel 19189, Dutch translation 19190 and with criticisms added re-published in 1779, Knuttel 19242] and Isaac de Pinto, *Second discours d'un Bon Hollandais à ses compatriotes* (s.l., 1779) [Knuttel 19246].

spirit of the Anglo-Dutch treaties since the late seventeenth century did not allow for a radical interpretation. Instead Pinto believed that these very treaties had been concluded in order to guarantee the continuity of the enjoyment by the Dutch and British of their colonial territorial possessions and to secure Dutch foreign trade. This required a loose alliance with Britain, whose natural interests as a maritime power matched the Dutch. Thus, to invoke the same treaties in order to separate the Dutch and British interests was a major historical falsification.

While considering the “right” of neutrals, Pinto’s argument followed from the idea that such rights rested on the natural interests of any state.⁹⁵ Comparing the demands made by both England and France and their references to previously concluded treaties to the Republic, it was clear that the two rival conceptions of Dutch neutral “rights” that were prominent in the Dutch public debate were derived from French and British interests and inspired by mutual jealousies held by inhabitants and supporters of these states. Consequently, it had to be the case that going along with either French or British claims meant choosing one side, rather than taking in a neutral position and acting on one’s own interest.⁹⁶ Instead the “right” of the Republic, for Pinto, rested on its fundamental characteristic of it not being a property owning and trade generating state.⁹⁷ It was of primary importance, fundamental to the survival of the population, and thus constituting a “right”, that the Dutch were allowed to carry goods between states. Since Britain also relied on foreign imports for much of its subsistence, the right conception that prevailed in Britain was much closer to the Dutch.⁹⁸ Even if France was now also a modern commercial state and acted on different principles than in previous ages, this basic characteristic in the long term made Britain a more stable guarantor of Dutch “right”, Pinto believed.⁹⁹ In particular, Britain would be much more inclined to protect colonial trade as the foundation of the global economy, while French statesmen were less pervaded with an understanding of the importance of this foundation. Finally, turning pragmatic politics into “right”, Pinto put forward that since trade was “not a property, but an accidental possession”,¹⁰⁰ it could be seen that “our right” resided in equilibrium – the equal power of Britain and France. This consideration had to be a factor in deciding not to go all the way in claiming extensive neutral rights, since this could well prove a strong enough support to France to collapse future Dutch hopes of continuing to profit from the conditions of global trade that existed.¹⁰¹

95 Pinto, *Second discours d’un Bon Hollandais*, p. 11.

96 Pinto, *Second discours d’un Bon Hollandais*, pp. 27–31.

97 Pinto, *Second discours d’un Bon Hollandais*, p. 32.

98 Pinto, *Second discours d’un Bon Hollandais*, p. 57.

99 Pinto, *Second discours d’un Bon Hollandais*, pp. 47–52.

100 Pinto, *Second discours d’un Bon Hollandais*, p. 15.

101 Pinto, *Second discours d’un Bon Hollandais*, pp. 40, 63.

This was the paradox of the second half of the eighteenth century that over the past forty or fifty years trade had created a situation in which “each European power enjoys more or less the possessions of its neighbours”, yet still they were under the spell of “chimerical commercial jealousies”.¹⁰² The world stood at the crossroads, similar to the point on human history when Rome and Carthage battled for global hegemony. This war, Pinto stated, was to decide about the future well-being of nations.¹⁰³

A specific dimension of the conflict regarded the attitude towards foreign loans on the Dutch capital market, a topic Vattel had already commented on in his *Droit des gens*. Pinto, himself a financier, saw financial markets as a potential purifying interface for interstate relations. The credit of various states would act as an indicator of the well-being of a particular state and serve to determine the proper interest rate at which (foreign) loans could be taken up. Financial markets could also more generally contribute to ordering international trade by guiding the investment in particular activities based on natural resources and comparative advantages. Similar to the manner in which Dutch traders had held the key to the development of global trade, so Dutch financiers would also play a key role in the outcome of the War of the American Independence depending on whether they would stick to the rules of the market or provide loans to France and the American “rebels” at a lower than justified interest rate.¹⁰⁴

Pinto’s aims to impose purer forms of market competition onto global trade required the support of Europe’s territorial states. His idea that the Dutch unlocking, through artificial trade of a huge potential of wealth creation through circular global trade patterns had unleashed a major revolution in the history of humankind both put Bynkershoek’s definition of trade on its head *and* created leverage for the political project envisaged by Pinto to be necessary for dissolving jealousy of commerce. That project, which Pinto called “my system” and which he distinguished from the political reform views of Raynal and Tucker,¹⁰⁵ entailed the creation of a union of Europe’s territorial states for the protection of each other’s interests. The objective of this union was to forge a transition from a general sub-optimal situation for all powers involved to a situation in which European state all benefited from the global trade patterns of colonial trade as long as they could be maintained. Politically, this arrangement served to normalize international relations by transforming the tensions of the previous Balance of Power and alliance formations. Commercially, it provided a solution to the transgression of economic competition going beyond its boundaries by the consent given by other states to the Dutch – a harmless

102 Pinto, *Letters on the American Troubles*, pp. 40–1.

103 Pinto, *Second discours d’un Bon Hollandais*, p. 12.

104 See the discussion in Stapelbroek, “Economic reform and neutrality in Dutch political pamphlets”, pp. 183–91.

105 Pinto, *Letters on the American Troubles*, p. 43.

power – to carry the world's goods.¹⁰⁶ In this way, through a contractual political arrangement, the status quo in international commerce was preserved and the shared interests of all European states protected.¹⁰⁷

Collapse and restoration

Amidst polarised debate within the Dutch Republic about topics such as the strength of the British and French constitutions in relation to the size of the respective state debts, Pinto's perspective on the reform of the interstate system was understood and shared by few. Instead it tended to be ridiculed and criticised for its pro-Englishness.¹⁰⁸ Thus, it was also overlooked how Pinto since the 1740s consistently held the same political vision in all his works and activities and was among the most sophisticated views on how to reform modern finance, the Indies trade and international trade competition. His 1770s interventions in the Dutch neutrality debate and the similar warnings by van den Heuvel were in vain and did not prevent a dramatic escalation of Dutch political debate.

Compared with the comprehensive nature of Pinto's argument about "right", financial markets, colonial trade and the reform of treaty arrangements the period between 1780 and 1795 saw a complete meltdown of political reasoning. Likewise the legal-political debate about neutral rights dissolved into party spirit and merged with rhetorical argument about the history of the Dutch Republic vis-à-vis other states. As a way of thinking Pinto's views were totally at odds with the unproductive standoff of which the following provides an illustration.

In 1796, the Dutch rhetorician, statistician and literary figure Herman Tollius, who had originally trained as a lawyer, published a second edition with anonymous critical notes of the *Rechtsgeleerd advis in de zaak van den gewezen stadhouder, en over deszelfs schryven aan de gouverneurs van de Oost-en West-Indische bezittingen* in order to refute its authors, the Leiden law professors Bavius Voorda and Johan Valckenaer. The contested issue was the legitimacy of the instructions given by stadholder William V to the governors of the Dutch colonies of Surinam, the South-African Cape and the East Indies of February 1795. During the French invasion of the United Provinces, in January 1795, William V had fled to England. One month later, he wrote from Kew Palace urging the Dutch governors to consider the English the protectors of Dutch overseas territory. The Orange stadholder reasoned that since the United Provinces had been overrun by the French who supported the formation of an illegitimate regime, for the time being

106 This argument is most clearly express in the letter published in appendix to the *Traité*: Isaac de Pinto, *An essay on circulation and credit: in four parts; and a letter on the jealousy of commerce* (London, 1774 [transl. of the 1771 French original]), pp. 199–247.

107 Pinto, *Letters on the American Troubles*, pp. 42, 52–3. Interestingly, Pinto saw continued role for national trade companies (p. 85–7).

108 For example in an anonymous pamphlet from 1779, entitled *Engelsche syllogismen* (1779) [Knuttel 19300].

the protection of the Dutch colonies was in accordance with the terms of the 1788 defensive alliance treaty with England, which also stipulated a British guarantee to the Dutch constitution. Meanwhile, on Dutch soil, the Leiden professors Voorda and Valckenaer were requested to advise the government of the new Batavian Republic and in their report, from January 1796, launched an outright attack on the stadholder in an argument fuelled by Batavian patriotic rhetoric. Triggered by its widespread publication, which Tollius regarded as pure propaganda, he set out to expose Voorda and Valckenaer as led not by the “the legal science that is accepted and has been routinely followed in the united Netherlands, but to partial understandings, insights and passions”.¹⁰⁹

While Tollius had reason to accuse the Frysians Voorda and Valckenaer of partiality (both publicly connected their personal and professional fate to the anti-Orangist opposition that got into power in January 1795), his own argument was particularly stretched. When William V accepted Pitt's offer of the British protectorate of the major part of the Dutch colonies, he did so facing pressure both from British diplomacy and the new Dutch Batavian regime. His decision to let trust in the British promises prevail over honourable surrender of political command over the Dutch Republic was perceived as the relinquishing of Dutch worldwide territorial integrity, simply in order to prevent the spread of French power. At the time, defensive guarantees between European powers did not usually extend to the global sphere, which added to the impression that William supported British Empire building. As it turned out, William's acceptance of Pitt's offer indeed meant the Dutch colonies were never to be returned.

In order to deny that William V had sold the colonies to Britain and had betrayed the Dutch interest, Tollius argued that William's decisions were perfectly in tune with the true foundations of Dutch politics. Rather than that William V had chosen *for* the English and *against* the French, he had tried to protect for as long as possible the Dutch “neutrality, that is her undisrupted trade and wealth”, which required abstaining from choosing sides, whereas the present government chose to “sacrifice it [Dutch commercial interest and political neutrality] to the views of the [...] imperious Cabinet of Versailles”.¹¹⁰ Tollius argued that the Dutch national interest lay in its natural alliance with Great Britain, whose free government protected the true principles of foreign trade.

From this perspective, Tollius advanced his refutation of the claim by Voorda and Valckenaer that the English from the start of – and even before – the French invasion had started illegitimate hostilities against the United Provinces when they seized a number of Dutch ships in the Caribbean and near the African Cape and escorted them to British ports. According to Tollius, the French Revolutionary forces, for all their attempts to lure the Dutch, all along had been enemies of the Dutch

109 Herman Tollius, *Rechtsgeleerd advis in de zaak van den gewezen stadhouder, en over deszelfs schryven aan de gouverneurs van de Oost- en West-Indische bezittingen van den staat* (The Hague, 1796), v–vi.

110 Tollius, *Rechtsgeleerd advis*, p. 201.

state and its republican constitution, which was guaranteed by Great Britain. It had been perfectly suitable that in the immanence of a joint attack by the French and rebellious Dutch forces the British fulfilled their obligations by preventing Dutch ships from falling to the enemy. Curiously, Tollius invoked the authority of Martin Hübner, Georg Friedrich von Martens and Hugo Grotius to argue that these pre-emptive seizures as well as embargoes were allowed to enforce neutral behaviour.¹¹¹ Tollius believed that the English interpretation of their combined right to seize enemy ships of the soon-to-be French ally with their treaty obligation towards the Dutch state was characterised by great moderation. In the absence of a clear-cut legal answer to the question how to respond to the Dutch situation the British adopted the same political economic logic that lay at the basis of Dutch greatness in the seventeenth century and which William V had sought to defend. The British response and their overall attitude to international trade and politics, Tollius believed, confirmed that William V had been right to view them as the proper guarantors of the Dutch state.

Voorda and Valckenaer on their part argued that the British were not entitled to seize and bring up Dutch ships and saw the capture of Dutch ships as outright acts of unprovoked hostility towards a befriended state. The emergence of the Batavian Republic exposed the real allegiance of William V and his emphasis on Dutch neutrality as thinly veiled rhetoric. According to Voorda and Valckenaer, the facts showed that the English had no respect for the Dutch interest, for global peace and for the law of nations. William V, by buying into their schemes, supported the British Imperial hunger for power.

While this discussion spiralled off into a squabble over Dutch history, true love of the fatherland and the original freedom of the United Provinces; a battle that, predictably, was fought over Grotius's dead body and involved mutual accusations of treason,¹¹² the underlying opposition concerned the prospect that the present world might be successfully reformed. Tollius acknowledged the global struggle for hegemony between France and Britain, but saw in the English attempts to ground international stability on the neutrality of trade the best fit with the Dutch Constitution and its political culture. Voorda and Valckenaer were entirely sceptical about the possibility of integrating international commerce and the reciprocal logic of trade into the existing Balance of Power. To prevent escalations of rivalry between states a new world order of fatherlands was required. The large scale constitutional reforms that were required would inaugurate a European republican order dictated by the terms of the French Revolution which was spread across the world by the armies of "General Bonaparte".

During the Napoleonic wars the later architect of the Dutch Kingdom, which was established in 1813, contemplated the restoration of the Dutch state. Gijsbert Karel van Hogendorp did so in a series of texts in which he recaptured the previous political consciousness of the importance of the neutrality of trade for the existence

111 Tollius, *Rechtsgelerd advis*, pp. 38–42.

112 Tollius, *Rechtsgelerd advis*, pp. 209–215.

of the Dutch state and put it at its foundation, precisely through engagement with what had been “lost” between 1780 and 1813 and seeking new ways of articulating the ideas that had existed for over a century but never stuck.¹¹³

In many ways Hogendorp, himself a financier who was frequently accused of holding partisan British sympathies, reiterated Pinto’s views on the importance of the Indies trade, its enduring capacity to create European wealth and the lasting potential of the Dutch state to function in the interstate system as a carrier of goods for other states. The “intrinsic power” of the new Kingdom (to function as a trade-based economy), so Hogendorp expressed himself in the language of early Dutch statistics, and in the face of the stagnation of trade in 1810 owing to the Continental System, remained the same as during the existence of the Republic. Similar to how Pinto praised merchants for being true patriots, Hogendorp celebrated merchants and financiers who made “small gains” as to “workbees” of the state.¹¹⁴ Hogendorp also agreed with Pinto that the Dutch had to stick with Britain as its natural ally, and that this position, rather than be tempted by French promises of wartime profits, contributed to the future neutrality of trade and its reconciliation with political competition.¹¹⁵ Sentiments of jealousy towards Britain were entirely unfounded.¹¹⁶

Hogendorp’s political economy has often been considered as the expression of early Dutch liberal economic thought, but deeper insight into his writings has led to a more profound understanding of the foundation of his economic ideas as built on a political vision of the role of the Dutch state in the interstate system.¹¹⁷ Hogendorp’s views on trade and the Dutch state were informed by his reading of Accarias de Serionne’s works on European, British and Dutch commerce, whose views became known through Elie Luzac, who published his works and also commented on Accarias’s views in his own influential four volume treatise.¹¹⁸ Accarias de Serionne

113 Overmeer, *De economische denkbeelden van Gijsbert Karel van Hogendorp*, p. 150.

114 G.K. van Hogendorp, *Gedachten over ‘s lands finantiën* (Amsterdam, 1802), pp. 69–70.

115 Overmeer, *De economische denkbeelden van Gijsbert Karel van Hogendorp*, p. 150–1, for a comparison of Hogendorp’s views on “Dutch decline” with contemporaries like Metelerkamp. On the concept “intrinsic power” and the decline of the Dutch Republic see my “Dutch Decline as a European Phenomenon”, *History of European Ideas* 36 (2010), pp. 139–152 and Koen Stapelbroek, Ida H. Stamhuis and P.M.M. Klep, “Adriaan Kluit’s statistics and the future of the Dutch state from a European perspective”, *History of European Ideas* 36 (2010), pp. 217–235.

116 Overmeer, *De economische denkbeelden van Gijsbert Karel van Hogendorp*, pp. 148, 152.

117 Overmeer, *De economische denkbeelden van Gijsbert Karel van Hogendorp*, pp. 149–156 partially (yet not entirely) historicised the “liberal economic” dogmas that in the Dutch context are associated with Rees and Pierson and that have coloured the historical understanding of Hogendorp’s political economy.

118 Accarias de Serionne’s works, mostly published by Luzac, are *La Richesse de la Hollande*, 5 vols. (Leiden, 1778), *Les intérêts des nations de l’Europe*, 2 vols. (Leiden, 1766) and *Le commerce de la Hollande*, 3 vols. (Amsterdam, 1768). The former was “transformed”, see W.R.E. Velema, *Enlightenment and Conservatism in the Dutch Republic: The Political Thought of Elie Luzac* (Assen: Van Gorcum, 1993), p. 119, into Elie Luzac, *Hollands rijkdom, behelzende den oorsprong van de koophandel*, 4 vols. (Leiden, 1780–1783). On Accarias de Serionne, who was behind the influential Brussels *Journal de commerce*, see H. Hasquin, “Jacques Accarias de Serionne économiste et publiciste français au service des Pays-Bas Autrichiens,” *Études sur le XVIIIe siècle* 1 (1974), J. Accarias, “Un publiciste dauphinois du XVIIIe siècle Jacques Accarias De Serionne Sa Famille, Sa Vie, Ses Ouvrages,” *Bulletin de l’Académie delphinale* 3 (1889).

was also the French translator of a book on the law of neutrality by the Pisan professor Giovanni Maria Lampredi,¹¹⁹ whose views Hogendorp deemed inferior to the ideas of Robert Plumer Ward.¹²⁰

The title of Ward's work declared it was a critical response to the views of Hübner and Schlegel, which he rejected in favour of Vattel's basic outlook on the rights of belligerents. Like the late Dutch critic of Hübner who argued that there was no legal-historical basis for defending the rights of neutrals in the way that advocates of the League of Armed Neutrality tried to argue, Ward held that the old public law of Europe remained the only basis for reforming foreign trade in time of war. Whereas on a practical and concrete level Bynkershoek's conceptual shifts led to problems of imprecision, for instance in distinguishing contraband from rightful neutral trade, the limits set by the historical record and the definitions articulated in previous treaties and the *Consolato del mare* formed the jurisprudential basis for their own improvement.¹²¹ Hogendorp's conclusion from reading Ward's analysis of the history of political alliances and commercial treaties was that the Dutch state, in the interest of its trade could absolutely not afford to withdraw from international politics, but had to reinforce its posture of neutrality precisely by means of concluding treaties. Perhaps not unlike the Grand Pensionary Slingelandt in the first half of the eighteenth-century, whose diplomacy was geared towards reforming the Balance of Power without alienating Britain or France,¹²² Hogendorp concluded that neutrality required not a withdrawal but an active and very precise involvement in international politics.¹²³

Seeking to express his political economic views, Hogendorp found a useful tool in the discourse and discipline of German statistics which allowed for describing the economic side of the interstate system in terms of complimentary economic profiles and comparative advantages.¹²⁴ This discourse fit wonderfully with the vision of the 1751 *Proposal* for turning the Republic into a limited Freeport, which offered a snapshot of the possibility of the Republic serving as a commercial intermediary

119 Giovanni Maria Lampredi, *Del Commercio dei Popoli Neutrali in Tempo di Guerra* (Florence, 1788). On Lampredi see See Paolo Comanducci, *Settecento conservatore: Lampredi e il diritto naturale* (Milan, Giuffrè, 1981).

120 Robert Plumer Ward, *A Treatise of the Relative Rights and Duties of Belligerent and Neutral Powers in Maritime Affairs: in which the principles of armed neutralities, and the opinions of Hubner and Schlegel are fully discussed* (London, 1801).

121 Ward, *A Treatise of the Relative Rights and Duties of Belligerent and Neutral Powers*, *passim*.

122 Adriaan Goslinga, *Slingelandt's efforts towards European Peace. Part I* (The Hague: Nijhoff, 1915) and Johan Aalbers, *De Republiek en de vrede van Europa* (Groningen: Wolters Noordhoff, 1980).

123 Overmeer, *De economische denkbeelden van Gijsbert Karel van Hogendorp*, p. 152.

124 See Stapelbroek, Stamhuis and Klep, "Adriaan Kluit's statistics and the future of the Dutch state from a European perspective", esp. pp. 229–233.

between national economies and guarantor of peace between states.¹²⁵ Thinking along the lines of the 1751 *Proposal*, Hogendorp and other Dutch political writers developed their economic ideas on encouragement and premiums to devise a transition from a world order in which the Dutch owned the carrying trade of the world to a new configuration that would have to crystallise following the upheavals of the late eighteenth century.¹²⁶ What was really different from the 1751 project was that Hogendorp, like Pinto, did not believe that any set of Dutch reforms could have an impact abroad without an orchestrated design to raising political support for the reform of foreign trade.

Thinking along these lines Hogendorp was in a position to reflect on the Dutch constitution to be established along with the creation of the new Dutch state after 1813. The restoration of the Dutch state had to be part of a design for European peace and in this way it was still considered in 1830 by Thorbecke, the most famous political figure and constitutional reformer of the nineteenth century.¹²⁷ In itself recognising this is not an unusual insight, yet simultaneously taking into account the development of public law and European debates about the future of foreign trade still provide a basis for better capturing later transitions of the Dutch state – and debates about colonial trade, ideology and international institutions – beyond the Republican Golden Age and the early nineteenth century.

125 See Koen Stapelbroek, “Dutch commercial decline revisited: The future of international trade and the 1750s debate about a limited free port”, *Annali della Fondazione Feltrinelli* 43, (2009), pp. 193–221. Close to Hogendorp’s own time, the 1751 Proposal was understood to be consistent with Hogendorp’s perspective by the Utrecht professor Ackersdijck and his student N.E. Engelen, yet de-historicised as instantiations of the liberal commonplace of the Dutch political tradition as promoting free trade. See Overmeer, *De economische denkbeelden van Gijsbert Karel van Hogendorp*, p. 148.

126 Discussed in Stapelbroek, “The Restoration of Dutch Trade and the Establishment of the Economic Branch of the Holland Society of Sciences, 1751–1830”.

127 J.R. Thorbecke, *Een woord in het Belang van Europa* (Leiden, 1830). For context see N.C.F. van Sas, *Onze Natuurlijkste Bondgenoot. Nederland, Engeland en Europa, 1813–1831* (Groningen: Wolters-Noordhoff, 1985).