

types of records have been examined thoroughly, such as bailiffs' accounts and sentence books, others could be accessed only partially through references to specific records in secondary literature or through search tools made available by different archives. When including quantitative overviews throughout this study, I mostly limit myself to the 420 cases found via the bailiff accounts and the sentence books between 1400 and 1536, since I have fully examined these series of sources and selected all relevant cases for this study. In addition, I have divided the 420 cases into 308 cases that seem to be clear examples of abductions and 112 cases that could alternatively have been cases of rape or abuse. The terminology used in the Low Countries records is more straightforward than the one used in medieval English records. While the Antwerp and Leuven cases were easy to label as either abduction or rape, the Ghent cases were more challenging. In Antwerp, eighty percent of the cases studied were abductions, while twenty percent could have been cases of rape or abduction. In Leuven, the ratio is eighty-eight percent vs. twelve percent. In Ghent and the Ghent districts, sixty-nine percent of the cases recorded in the bailiffs' accounts and sentence book were straightforward abduction cases while thirty-one percent could have also been cases of rape without matrimonial intent. The difference between Ghent (Flanders) and Antwerp and Leuven (Brabant) stems from the difference in the language used to record the offences, namely French and Middle Dutch. Middle Dutch had a specific term (*schaec*) to describe abductions with marital intent, while French records use more general and ambiguous terms.⁸⁶ While the legal terminology used in laws and statutes distinguished between rape (*vrouwencracht*) and abduction with marital intent (*schaec*) in the Low Countries, unlike in England where the legal categories themselves were ambiguous, the sources that record actual cases sometimes describe what had happened in a vague manner because of which it is impossible to be sure if the perpetrator intended to rape the victim or take her with him (and sometimes rape her) for the purpose of marriage. There are 112 of these cases with ambiguous language in the bailiffs' accounts and the sentence books.

Structure

The first chapter will set the scene by outlining customary law's views on marriage-making and by examining the legal statutes and ordinances against abduction issued by secular authorities in the Low Countries. It

86 See detailed analysis in Delameillieure, 'They Call It Schaec in Flemish'.

argues that the legal framework became increasingly strict in the late Middle Ages, an evolution that is particularly visible in the laws and statutes from late medieval Ghent. After this discussion of the legal framework of marriage-making and abduction, I will shift my focus to the judicial records, which provide insight into the actual practice of abduction with marital intent. Chapter 2 outlines the social profile of abductors and abductees and zooms in on the perpetrators and their motives for using abduction as a tool to force marriage. It complicates the common portrayal of abduction as either a conflict between a man and a woman or one between a pair of lovers and the woman's family. Chapter 3 looks at the abductee and revolves around the legal and social importance and meaning of her consent. It analyzes narratives on consent and coercion in court and studies the impact of an abduction on the abductee. The final chapter examines how authorities reacted to and dealt with abductions after they had occurred and how they tried to restore the familial and societal balance that had been broken by the act of forcing a marriage that was not agreed upon by all parties who would have been involved in the normal process of marriage-making.

Focussing on different parties' actions and involvement allows me to consider and bring together multiple medieval perspectives on marriage-making, abduction, and consent. By looking at abduction and marriage-making within middling and upper social groups in different cities in the Low Countries and as they are recorded in a varied and diverse body of legal and administrative sources, this book examines abduction with marital intent as a much more multi-layered phenomenon than it has been represented before. This work reveals that the complicated relationship between consent, marriage, and the family in the Low Countries can only be understood in relation to women's property rights and the unique powers of urban middling groups to make law.

Works cited

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