

between the abductor and abductee, or the abductee and her parents. Instead, many abductions, even ones in which women supposedly consented to go with their abductors, were not generational conflicts. They were struggles between families, or sometimes between different kin groups within the abductee's family, that should be interpreted in the context of the politicized family feuds that were ubiquitous in the late medieval urban Low Countries.

Focussing on 'the abductor', a collective noun for those who instigated the abduction or bore some degree of responsibility for it, will elucidate what motivated people to resort to abduction to contract marriage. The first section will analyze the popular medieval theme of the impossible marriage and its deployment in legal records to explain the abductor's motivation (as it was incorporated into Goeswijn's plea). Linking this theme to the social background of the abductors and abductees in this study shows that abduction did not only touch the lives of aristocratic elites, as some have argued.<sup>5</sup> These sections are followed by an inquiry into the relationships among the group of abductors and between the abductors and the abductee. In short, this chapter will demonstrate that abduction was rarely a pageant featuring one man and one woman sidelining their parents but instead featured conflicting interests and tactics from many different parties in complex social constellations.

## The impossible marriage

The records seldom reveal the motives behind an abduction explicitly. If any information is included, it usually refers to love, wealth, or both. This type of information generally appears in pleas, defences, and pardon letters, all of which were records that deployed personal or emotional statements for strategic reasons. Moreover, these inclusions in legal records resemble narratives about love and impossible marriage in late medieval literature.

The idea of a social imbalance between lovers was a popular cultural theme as the numerous works of contemporary literature that deal with

to Consent'; Wieben shows that this clash of interest could also occur between parents and sons in Wieben, 'Unwilling Grooms'.

5 Jeremy Goldberg has argued that abduction marriages were an aristocratic rather than a bourgeois phenomenon, in Goldberg, *Communal Discord*, 175. His remark was echoed by Gwen Seabourne who suggested that English abduction legislation was probably meant to deal with disputes in the higher levels of society. Seabourne, *Imprisoning Medieval Women*, 92.

the topic of elopement and parental opposition illustrate.<sup>6</sup> In the Low Countries, the theme of the impossible marriage between two partners from different social backgrounds was also popular and featured in various types of medieval literature.<sup>7</sup> One story from the *Cent Nouvelles Nouvelles*, a mid-fifteenth-century work of one hundred stories situated in the context of the Burgundian court, tells about the love between *damoiselle* Katherine, a wealthy noble daughter, and Gérard, who came from a poorer noble family. Resisting the relationship between the two, Katherine's parents would not approve of their marriage.<sup>8</sup> The domestic drama *Spiegel der minnen* has a very similar storyline but situates the protagonists in a bourgeois environment rather than a noble one, a choice that supports the argument of Chapter 1 that marriage conflicts in urban middling groups were also on the rise. This work, written by the Southern Low Countries' writer Colijn van Rijssèle sometime between 1480 and 1500, treats the dramatic love between a wealthy merchant's son and a poor seamstress. When his parents would not allow the marriage, both aspiring partners eventually died from despair.<sup>9</sup> The piece's unmistakable message to 'love in moderation' (*mint bi mate*) was a widespread theme in late medieval literature, as it warned people about the danger and foolish behaviour that love could bring.<sup>10</sup> Nevertheless, most authors of these stories were sympathetic toward young lovers and showed compassion for their difficult situation.<sup>11</sup> This cluster of texts demonstrates that the idea of impossible marriage was well known to late medieval people and thus also to litigants, witnesses, lawyers, and judges in the Low Countries.

Some legal records connect with quasi-fictional motives by referring to love and the impossible marriage, thereby engraining these literary *topoi* into the legal narrative. The argument that the perpetrator was 'less rich' than the abducted party reappears many times in several types of sources. For example, one pardon letter explicitly states that the abductor

6 See examples in Ward and Waller, *The Cambridge History of English Literature*; Tarr, 'A Twisted Romance'; Saunders, *Rape and Ravishment*; Gravdal, *Ravishing Maidens*.

7 Duinhoven, *Floris, Gloriant en Walewein*, 141; for a short overview of such works in the medieval Low Countries, see Boone, de Hemptinne, and Prevenier, *Fictie en historische realiteit*, 11–15.

8 'La XXVIe nouvelles', in *Les cent nouvelles nouvelles*, Champion ed., no. 26.

9 On the relationship between this story and late medieval historical reality in the Low Countries, see Boone, de Hemptinne, and Prevenier, *Fictie en historische realiteit*.

10 Pleij, 'Taakverdeling in het huwelijk', 71; Pleij, *De sneeuwpoppen van 1511*, 267–73.

11 For an analysis of the content and message of 'De spiegel der minnen', see van Rijssèle and Immink, *De Spiegel Der Minnen door Colijn van Rijssèle*, 18–22.

targeted 'a rich widow' whom he wanted as his wife.<sup>12</sup> At first sight, this inclusion might seem bad for the abductor because it revealed his financial interest in the widow. However, the mention of disparity in wealth also framed the abduction as an attempt to contract a marriage between two unequal partners. For the medieval audience, this must have resonated and aroused sympathy and compassion for the abductor, who was pardoned. An extremely exceptional Antwerp case of a woman abducting a man included remarks about both love and money. The couple 'started to love each other and entered into a secret betrothal'.<sup>13</sup> However, faced with resistance from the man's family, the woman abducted him so that they could marry. In reaction, the man's father filed a complaint with the Antwerp bailiff, because, as the record states, he had not been informed about the marriage, and his son's abductor was from a less wealthy family ('since he was richer than the aforementioned lady').<sup>14</sup> In this case, which will be discussed further on, the bailiff allowed a monetary settlement. By describing the event as two lovers running away to escape parental opposition, the bailiff was justifying his decision to settle the case with a composition instead of a court procedure. The record of the abovementioned Goeswijn also included this *topos* by stating that Heylwige would have declared that she preferred Goeswijn over other men with more money.<sup>15</sup> By stating that Heylwige had consciously chosen him despite his inferior socioeconomic status, Goeswijn tried to proactively contest the claim that he had kidnapped Heylwige for her money, as he also presented himself as a man who fought for love despite the refusal of Heylwige's relatives. The invocation of love was used as a justification for abduction since it was perceived as an intense emotion that caused people to make desperate but foolish decisions.<sup>16</sup>

These legal narratives show a remarkable degree of similarity to the stories about forbidden marriages. Walter Prevenier noted the striking narrative resemblance between Burgundian pardon letters and the *Cent Nouvelles Nouvelles*, as he pointed out the mutual influence the genres must have had on each other's content.<sup>17</sup> The intertwining of legal and cultural narratives about rape and abduction in legal records has been established

<sup>12</sup> ADN, B1684, fol. 10r–13r (March 1448).

<sup>13</sup> SAB, CC, no. 12902, June 1430–May 1421, fol. 282rv.

<sup>14</sup> *Ibid.*

<sup>15</sup> SAL, AD, no. 1, fol. 83r.

<sup>16</sup> Pleij, *De sneeuwpoppen van 15n*, 267.

<sup>17</sup> Prevenier, 'L'hypothèse d'une transtextualité', 376.

for a long time.<sup>18</sup> By presenting the abduction as a way to force an impossible alliance, those who benefited from it or wanted to avoid a legal procedure, the bailiff or the abductor, constructed a narrative that paralleled popular stories about heroic abductors fighting for love and rescuing their women.<sup>19</sup> Although used strategically, these narratives do represent medieval cultural ideas and conventions and must have sounded plausible to a medieval audience. Therefore, the concept of abduction as a way for lovers to escape parental control might have corresponded to a late medieval reality, but the extent of that correspondence is unknown. Taking this logic one step further, McSheffrey and Pope argued for a strong connection between these narratives and historical reality by maintaining that these cultural and legal narratives were shaped by people's experiences and behaviour but also shaped them. Courtly love literature, an important root of these 'impossible marriages', would thus have represented a social reality.<sup>20</sup>

Although cultural representations of abduction might have affected actual practice, we cannot definitively conclude that these narratives either represented or failed to represent the extensive use of abduction as a method for turning unauthorised courtships into marriages. The bailiff's accounts and aldermen registers often add descriptive information on the background of the abductor and abductee. These implicit indicators of motivation show that the conclusion that abduction was a way to force a match between a high-status woman and a poorer man certainly applies in some cases. In one case, a pardon letter makes it clear that there was a socioeconomic imbalance between abductor and abductee. The abductor was the servant of a squire, while the abductee, Anna Willemsoon, was a wealthy widow, aged approximately sixty, who lived in Hulst in the quarter of Ghent and belonged to the Ghent patriciate.<sup>21</sup> The inclusion of the abductee's age is exceptional and therefore significant. Matches with younger husbands were a standard *topos* in premodern art and literature. While several examples of unions between young men and older widows can be found in actual practice, such marriages were socially and culturally associated with the idea that only their wealth made these women attractive spouses.<sup>22</sup> In another Antwerp case, Florijs Colibrant's surname connects him to the important

<sup>18</sup> Gravdal, *Ravishing Maidens*, 16–73; McSheffrey and Pope, 'Ravishment, Legal Narratives, and Chivalric Culture', 818–19.

<sup>19</sup> McSheffrey and Pope, 'Ravishment, Legal Narratives, and Chivalric Culture', 830.

<sup>20</sup> *Ibid.*, 819.

<sup>21</sup> Arnade and Prevenier, *Honor, Vengeance, and Social Trouble*, 143–46, 168–71.

<sup>22</sup> Carlton, 'The Widow's Tale', 118–19; Feinstein, 'Longevity and the Loathly Ladies', 24; Archer, 'Rich Old Ladies', 16.

Antwerp Colibrant family, who produced several aldermen in the fifteenth century.<sup>23</sup> However, the record identifies him as an illegitimate son being penalized for abducting *Jonkvrouw* Woutruyt Scoetelmans.<sup>24</sup> Her title and the fact that Antwerp authorities intervened immediately after the offence by confiscating Florijs' property suggests that Woutruyt belonged to a high social group. The act does not tell us if Florijs succeeded in marrying Woutruyt. However, Florijs was possibly trying to force an advantageous marriage to overcome the social and judicial discrimination that came with his illegitimacy.<sup>25</sup> A more subtle socioeconomic imbalance seems to have motivated other abduction marriages. The abduction of Catharina Absoloens by Jan van Ranssem, for example, likely forced horizontal rather than vertical social mobility. Although Catharina, the daughter of the mayor of Leuven, inherited multiple hereditary lands as her parents' sole heir, Jan van Ranssem also belonged to an elite family. He inherited the family estate in Erps (near Brussels) and became lord of Ranssem.<sup>26</sup> While marrying Catharina must have entailed a climb up the social scale for Jan—she came with a considerable amount of property—Jan had a different profile from that of the squire who married Anna Willemszoon in Ghent.

Although these cases confirm the argument that abduction was used to force an impossible marriage between socioeconomically unequal partners, the records reflect more diverse motivations. A wide range of social groups beyond the patrician elites knew about and used abduction. Records explicitly label 114 abductors as poor. The Vier Ambachten account of 1420 describes Pierre filz Michiel as a *pauvre compaignon*.<sup>27</sup> The Ghent accounts label Coolbrecht de Huic and his accomplices as *pauvres compaignons labourans as camps*.<sup>28</sup> The Leuven accounts portrayed Willem Herdewale as a poor man who 'did not have anything more than what he earned with his craft' (*niet meer hebbende dan hij met zijnre ambachte mochten*).<sup>29</sup> It might initially appear that these men tried to escape poverty with an advantageous marriage. However, these descriptions were intended to justify the favour that the bailiff had given to the abductor by not initiating legal proceedings. Pointing out the suspected offender's poverty could have been

<sup>23</sup> Stockmans, *Het geslacht Colibrant*.

<sup>24</sup> Tahon, 'De schepenbank van Antwerpen'.

<sup>25</sup> On illegitimacy in the fifteenth-century Low Countries, see Carlier, *Kinderen van de minne?*, 273–75.

<sup>26</sup> SAB, CC, no. 12656, June–December 1453, fol. 228v, 263rv; De Troostembergh, 'Absolons'.

<sup>27</sup> SAB, CC, no. 14111, 1420, fol. 216r.

<sup>28</sup> SAB, CC, no. 14113, May–September 1430, fol. 6r.

<sup>29</sup> SAB, CC, no. 12657, July–December 1464, fol. 108v–109r.

a strategy to arouse pity for the perpetrator and sympathetic agreement with the bailiff's choice to settle out of court via composition.<sup>30</sup> The fact that the bailiff allowed some of these 'poor' abductors to pay the composition in installments indicates that some did come from lower socioeconomic groups. For example, after Pierre Martin and his two accomplices abducted Mergrite Ysmans in Vier Ambachten around 1409, the bailiff allowed these 'poor men' to pay the composition over two terms.<sup>31</sup>

Other records do not describe the men as poor but give their occupations, which suggests their social status. A few abductors were *oudekleerkopers*, who bought used clothes, mended them, and sold them again.<sup>32</sup> The Antwerp aldermen sentenced two *legworkers*, workers who weaved figures into textiles and carpets, for abduction in 1491.<sup>33</sup> Twenty-five years later the aldermen sentenced the abductor Adriaen Van Ranssem, who was a *droogscheerder* which meant he was involved in the production of cloth.<sup>34</sup> Jan de Ketelbuetere, who abducted Margriete Vandersmissen, was an 'old shoemaker'. He bought and fixed old shoes to resell them.<sup>35</sup> Leuven citizen Jan Vanden Poele came from a powerful shoemaker family, of which several men were members of city government representing the shoemaker craft guild.<sup>36</sup> He abducted Gertrude Utenhove, the daughter of Jan Utenhove, who belonged to one of Leuven's patrician families.<sup>37</sup> In Ghent, the aldermen punished a linen weaver for guiding a young boy into a marriage against the will of his relatives.<sup>38</sup> Another man worked as a master artisan in an unspecified craft.<sup>39</sup> The widow Katherina vander Hulst was abducted by Gieljs de Drijvere, a goldsmith, around 1454 in Leuven. All of these men thus had membership in the crafts guilds and belonged to the middling or upper social groups of the city. Needless to say, a lot of social differentiation existed within the craft guilds. While the *oudekleerkopers* did not belong to the city's richest groups, the goldsmiths certainly belonged to the high

<sup>30</sup> Baatsen and De Meyer, 'Forging or Reflecting Multiple Identities?', 36, 38; Verreycken, "En nous humblement requerant", 12. See the detailed analysis of the bailiffs' actions in Chapter 4.

<sup>31</sup> SAB, CC, no. 14109, January–May 1410, fol. 290r.

<sup>32</sup> CAG, S 212, no. 1, fol. 220v (31 April 1426); CAA, V, no. 234, fol. 150r (18 March 1485).

<sup>33</sup> CAA, V, no. 234, fol. 141v (11 August 1491).

<sup>34</sup> CAA, V, no. 234, fol. 176r (15 April 1507).

<sup>35</sup> CAL, OA, no. 7306, fol. 172v (27 September 1407).

<sup>36</sup> CAL, OA, no. 7752, fol. 332v (2 June 1458); Crombecq, *Stadsbestuurders van Leuven*, 235–236.

<sup>37</sup> Crombecq, 150–151.

<sup>38</sup> CAG, S 212, no. 1, fol. 3r (23 June 1473).

<sup>39</sup> SAB, CC, no. 12655, December 1433–July 1434, 209r, fol. 223v. 'Clementeynboeck', ed. Van den Branden, 26, 103v.

middling strata since this was an extremely capital-intensive craft.<sup>40</sup> In addition to cases specifying occupation, the records contain abductors who belonged to well-known families from the upper levels of urban society. In Ghent, the names Vilain, Van Formelis, and Borluut pop up, while in Leuven Pynnock and Uten Liemingen occur, all people from well-known patrician families.<sup>41</sup> While a well-known surname or a certain occupation is insufficient to support a definite statement about a person's socioeconomic status, the records do show that abductors came not just from the patriciate but diverse social groups, from 'poor' men who worked in the fields to wealthy men from ruling families.

Unfortunately, details about the abducted women's social background are even more challenging to find. Generally, the clerks only listed their names; a few cases lack even that. The Ghent sentence book states that Heinkin van Erloo was banished from Flanders in September 1484 because he had brutally abducted 'a female person'.<sup>42</sup> However, some women can be traced to a specific socioeconomic context. Of the 308 abductions listed in the relevant bailiff's accounts and sentence books, the clerks addressed only fourteen abductees as *Jonkvrouw*, a title given to women, wives, and widows that indicates their noble descent or marriage to a nobleman.<sup>43</sup> In 1517, when *jonkvrouw* Margriet Coolmans, the widow of Lord Jaques de Stovere, was abducted in Ghent by someone named Clais Vulsteke, the bailiff went to the abductor's house in Ghent accompanied by twelve soldiers on horseback and forty-eight soldiers on foot, an indication of this widow's important position.<sup>44</sup> After the abduction of another anonymous noblewoman around 1481, the Ghent aldermen banished the perpetrator from Flanders for fifty years. He had sought her out at night, taken her, and placed her in his wagon. In addition to the victim filing a complaint, her neighbours complained about such an evil deed happening during the night. The case caused much gossip

40 Van Uytven, *Stadsfinanciën*, 421–422, 479–486; Muylaert, 'The Accessibility of the Late Medieval Goldsmith Guild', 49.

41 Muylaert, *Repertorium van de Vlaamse adel*, 229, 716; Muylaert, *Eeuwen van ambitie*, 287–296; Van Uytven, *Stadsfinanciën*, 598, 601–607, 691; Crombecq, *Stadsbestuurders van Leuven*, 174–178.

42 CAG, 212, no. 1, fol. 76r (4 September 1484).

43 Of all consent declarations in the Leuven aldermen registers, only one was made by a 'my lady' (*mijn vrouw*) Lijsbeth Vanden Vaerenberghe, see CAL, OA, no. 8127, fol. 165v, (13 January 1456) and one was made by Katerine, *Vrouwe* (lady) of Helmont, indicating their noble status, see CAL, OA, no. 7726, fol. 110r (1432). In other types of records, however, the percentage of noblewomen is higher. For example, most records in the Ghent aldermen's registers concerned 'my lady' abductees, but this is not surprising. Most of these acts dealt with the abductee's disinheritance, a rare event that especially occurred among the elites (see Chapter 4).

44 SAB, CC, no. 14111, January–May 1517, fol. 117r.

and turmoil in the neighbourhood, a common reaction to the abductions of high-status women.<sup>45</sup> Although families in the highest social strata probably had their own ways of settling disputes, the small number of noblewomen (about five percent) in these records nevertheless indicates that most of the abductees came from other social groups.

Several records contain brief notes on the abductee's background. Just as was the case with the abductors, many abductees could be traced back to well-known families. Several women belonged to guild families; one was the widow of an unspecified master artisan,<sup>46</sup> another belonged to a butcher's family,<sup>47</sup> while the guardian of a third abductee was a draper.<sup>48</sup> In Leuven, the record about the abduction of Lijskens van Ophem identified her as the daughter of Willem, a baker.<sup>49</sup> In Antwerp, the daughter of Jan de Bye had been abducted. He was possibly the master cloth manufacturer who was active in the Antwerp city government in the 1470s and '80s. The mention of a servant maid of the de Bye household being involved in this abduction could indicate that Lijksen was part of this master artisan's family.<sup>50</sup> Also in Antwerp, Machtelijse De Vriese, a clothmaker, abducted Lijnken Vanden Berghe, daughter of late Willem Vanden Berge. Several 1470s records in the Antwerp aldermen registers refer to two different Willem Vanden Berges, who had passed away at the time of her abduction in 1476. One was a tanner, the other one was a *cuyper*, someone who manufactures tubs and barrels. One of these men was possibly Lijnken's father.<sup>51</sup>

Several women were beguines or young girls living in a beguinage.<sup>52</sup> While some women in the beguinages belonged to elite or wealthy middling groups, other women of lower status lived there as servants.<sup>53</sup> Since beguines, who

45 CAG, S 212, no. 1, fol. 52v (7 May 1481).

46 Machteldre Truydens, widow of master Jordaeen Claus in SAB, CC, no. 12658, July–December 1473, fol. 75r and December 1473–July 1474, fol. 75rv, 98v–99r, 106r–108v.

47 Katharina Meulenaer stemmed from the butcher's milieu and was abducted by Dirk van Langenrode, who stemmed from a merchant family in Leuven, see ADN, B1698, 80r–81r (November 1476). See study of this case in Prevenier, 'Huwelijk en clientele'.

48 Josine Merschares alias Wevers probably belonged to a family of merchants and was abducted by a brewer, see ADN, B1709, fol. 76 v–78 v (July 1498).

49 SAB, CC, no. 12655, December 1438–June 1439, fol. 336v, 375r.

50 Everaerts, *Macht in de metropool*, 38.

51 SAB, CC, no. 12904, 21 May 1487, fol. 131r; CAA, SR, no. 90, fol. 222r (4 November 1476).

52 Kateline Hollands lived in the *Groot Begijnhof* beguinage in Leuven from where she was abducted, see SAB, CC, no. 12659, July 1486–July 1487, fol. 172r. Ghertruyd Papen, 'a young virgin' who lived in the beguinage of Leuven, was abducted around 1458, see SAB, CC, no. 12656, June–December 1458, fol. 436r.

53 Simons, *Cities of Ladies*, 51, 91–117.

could possess substantial property, did not take permanent religious vows and were free to leave, they made attractive potential spouses.<sup>54</sup> Although there were other women from lower social groups, their cases are all in the 'possible abduction' category, which means that the record does not specify the form of sexual or physical violence suffered by the woman. These could be cases of abduction, but the records do not allow definitive interpretations. Several women described as prostitutes were taken away by men, but the acts strongly suggest that these men did not intend marriage. These were probably cases of assault and abuse. Jehan Van de Hove, for example, had followed, *pris et efforchie* Margriet, the daughter of Guillaume, who was a *femme commune*.<sup>55</sup> Yet, here too, care is needed because bailiff accounts and pardon letters sometimes tend to discredit victims of assault by calling them prostitutes or their behaviour dishonourable, all of which helped the perpetrator to escape a court procedure.<sup>56</sup> Beyond the minority whose backgrounds are listed, the majority of the abductees cannot be identified or traced to well-known families, trades, or guilds. Information is limited, but the diversity amongst the abductees' profiles offers more support for the conclusion that abductions were not occurring only among the highest social groups.

In their analysis of life cycle stages, historians have emphasized that abductees were mainly daughters and widows. This also holds true for the Low Countries, where most of the abductees in this study were single women (Figure 1). Wives were twenty-five percent of the recorded abductees in Antwerp (where I only found a few abduction cases), fourteen percent in the city of Ghent, thirteen percent in the rest of the Ghent quarter, and five percent in Leuven. Women identified as brides, daughters, widows, and 'unknown' were probably single (unmarried). The 'unknown' women (between twenty-three and fifty-eight percent) were not identified as daughters, wives, or widows. As the records only give their names, it is likely but not certain that they were single women who had not been married before.

Women identified as daughters were the largest life cycle group of the abductees in the bailiff's records and sentence books.<sup>57</sup> Moreover, a significant proportion of these daughters were orphans. Roughly half of the consent declarations in the Leuven aldermen's registers of voluntary jurisdiction

<sup>54</sup> On beguines in the late medieval Low Countries, see Simons, *Cities of Ladies*; Overlaet, 'Replacing the Family?'; Overlaet, 'Vrome vrouwen'.

<sup>55</sup> SAB, CC, no. 14111, May–September 1416, fol. 4r.

<sup>56</sup> Kelleher, *Later Medieval Law*, 142–43.

<sup>57</sup> When including the aldermen registers in all three cities, the abductees were almost exclusively unmarried daughters.

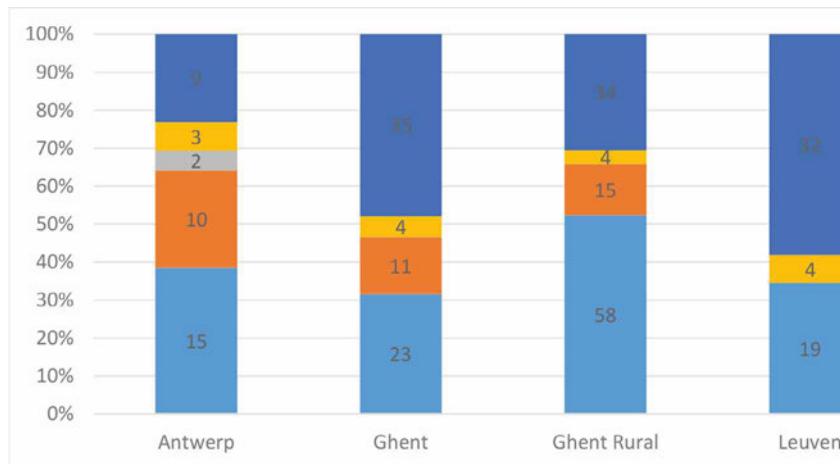


Figure 1: Abductees and their life cycle stages in the bailiff's accounts and sentence books (15th c.)

describe the abductee as 'daughter of [her father's name]'. In half of these cases, the clerk added *wilen* or 'late', an indication that these women were half or full orphans. On this point, there are significant details in the civil lawsuits brought before the Ghent aldermen by relatives denouncing the abduction of a daughter or niece. Of the fourteen abduction cases in the *Keure* registers, six abductees still had two parents while eight abductees were half or full orphans. Orphaned women were attractive targets for abductors because abductors knew exactly how much property these women would bring into the marriage. After the death of her parent(s), the orphan's guardian surveyed her estate. It was the guardian's task to make sure that the orphan would receive this entire estate when she married or reached adulthood. The inheritance of a girl whose parents were still alive could still increase or decrease.<sup>58</sup>

In Antwerp, two abductees were brides who were about to get married. In her study of medieval Istria, Marija Mogorović Crljenko pointed out that strong competition between suitors sometimes resulted in abduction.<sup>59</sup> Competition might explain why these abductors seized brides right before their marriages. In one of these cases, two men, Janne Meertens and Jacop Meertens, took the woman because, according to the record, she had previously promised to marry Jan Meertens.<sup>60</sup> This act shows that an abductor might resort to abduction to fulfil a betrothal and prevent the

58 Danneel, 'Orphanhood and Marriage', 143–44.

59 Mogorović Crljenko, 'The Abduction of Women'.

60 SAB, CC, no. 12903, 1461, fol. 195v.

woman's marriage to another.<sup>61</sup> In the ecclesiastical registers, the majority of cases were abductions of women who were already betrothed to another man. For example, the Brussels registers contain ninety-six abductions of which fifty were cases that involved two marital relationships among three people. On 11 July 1449, an ecclesiastical official punished Stefaan Aversmans and Elisabeth Eggherycx for running away via abduction and marrying clandestinely even though Elisabeth had already concluded a publicly celebrated betrothal with Simon Peerman.<sup>62</sup> Canon law explains the prevalence of these cases in consistory courts because canon law objected to consensual abduction marriages if the abductee was already betrothed or married.<sup>63</sup> Not only was the abduction problematic, but also the fact that the abductee had engaged in marital relations with two different men.

In addition to young and single women, the criminal records identify widows and married women. There are only a few widows in each city, which is a striking contrast to the extensive attention paid to the abduction of wealthy widows in historiography.<sup>64</sup> Widows were possibly more able to negotiate their marriages without interference.<sup>65</sup> In the Low Countries, particularly, customary law granted widows a considerable portion of the couples' property when their husbands died. Widows might thus have had financial independence and maturity to make their own life choices.<sup>66</sup> The pardon letters analyzed by Walter Prevenier reveal a higher proportion of abducted widows (they are not included in Figure 1), most of them from the highest elites.<sup>67</sup> At this level of wealth and power, women probably had less agency to make decisions without interference, and more dependence on their families, which made their remarriages open to debate.

The records also contain a significant number of abducted married women. The clerks always presented these cases in the same way: a man abducts someone else's wife and also takes his property. Since the records never include contextual information on wife abductions, interpreting and

61 In late medieval Sweden, legal texts reveal a particular concern for the abduction of brides during the 'bridal procession', when the woman was brought to her husband and passed from one household to another, see Ekholst, *A Punishment for Each Criminal*, 198–201.

62 Vleeschouwers-Van Melkebeek, *Liber sentenciarum*, no. 74, 129–30; see discussion of these records on pages 192–93.

63 Donahue, *Law, Marriage and Society*, 171, n. 80.

64 Dunn, *Stolen Women*, 89; Cesco, 'Rape and Raptus', 695.

65 Still, historians have shown that relatives were often involved in a widow's remarriage and that her freedom to choose her own partner was often relative. See Danneel, *Weduwen en wezen*, 321–22; Schmidt, *Overleven na de dood*, 221–22.

66 See Chapter 1, page 53.

67 Arnade and Prevenier, *Honor, Vengeance, and Social Trouble*, 121–71.

explaining them is extremely challenging. In 1460, for example, Adrian vander Gouwene was punished for abducting the wife of his neighbour. Since she stayed with him willingly, however, the Antwerp bailiff let Adrian off for a small sum of redemption money.<sup>68</sup> Twenty years later, also in Antwerp, Jan Papaert had to pay a composition for taking a woman who left her husband and took all her property with her.<sup>69</sup> These acts seem to have been cases of adultery, with the betrayed husbands charging their wives' lovers as abductors rather than exposing the adultery directly and suffering shame and loss of face.<sup>70</sup> Pardon letters, which tell the story from the viewpoint of the 'abductor', confirm this interpretation. In 1438, Ywain Voet received a pardon for killing a man referred to as 'Master Jan'. Ywain, a messenger for the ducal equerry, lived in Nieuwpoort. The letter tells of his 'love, acquaintance, and great affection' for Jan, whom he respected and trusted as if he were his brother. However, this changed when Jan got involved with Ywain's wife. Jan 'abducted Ywain's wife and took her away, taking much of her movable goods'.<sup>71</sup> About a year later, Ywain accidentally encountered Jan and inflicted a wound that caused Jan's death. The letter describes the anger Ywain felt due to 'the great disloyalty, shame, reproach, damage, and dishonour that Master Jan, turning good into bad, did towards him'.<sup>72</sup>

In short, the records show significant variation in the social and economic background of both abductors and abductees. Several factors, such as the presence of many orphans among the abductees, show the importance of financial interests. In addition, there are individual cases of impoverished men luring daughters of wealthy families into marriage. Nevertheless, the records suggest that the image of abduction as predominantly a tool of adventurers targeting the highest levels of society does not match reality. Although there is evidence of socioeconomic imbalance between partners from elite families, the sources support a more varied reality. Abduction was not limited to the highest social groups in the Southern Low Countries. There were abductors and abductees from the middling groups, which is not surprising because these groups were partially responsible for the strict legal texts promulgated in the late medieval Low Countries. The pattern of mixed social backgrounds conflicts with recent arguments that strategic

<sup>68</sup> SAB, CC, no. 12903, July–December 1460, fol. 178r.

<sup>69</sup> SAB, CC, no. 12904, December 1481–July 1482, fol. 31v.

<sup>70</sup> Naessens, 'Judicial Authorities' views', 67–69; Brundage, *Law, Sex, and Christian Society*, 365.

<sup>71</sup> ADN, B1682, fol. 34r (December 1438).

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

marriages only happened at the highest social level.<sup>73</sup> Nevertheless, there are indications in this section of the importance of socioeconomic motives to those who instigated abductions. This does not mean that other motives could not have played a role, as emotional and personal incentives are more difficult to detect in legal records than financial ones. Since often socioeconomic factors and feelings were undoubtedly intertwined, distinguishing between them is impossible and undesirable.

### A gendered offense?

The depiction of abduction as a highly gendered offence, in which a rich woman is kidnapped for her fortune by a man of lower descent or in which a wealthy woman runs off with her poorer boyfriend willingly, dominates the historiography.<sup>74</sup> This section analyzes the two protagonists, the abductor and the abductee, and the gendered binary perception of abduction as an offence committed by an active man on a passive woman. I argue that the records reveal more diversity in gender as well as in the actual people involved in abductions.

Although most abductees were women, on several occasions, men and/or women abducted boys to marry them off against their parents' wishes. On 23 June 1473, for example, the Ghent aldermen punished the abovementioned Jan Springoen for abducting a young boy and marrying him off against the will of his relatives.<sup>75</sup> The bailiff's accounts and sentence books from the three cities include records of 31 female abductors out of the total of 625 and at least 7 male abductees from the total of 308. The sex of 4 abductees is not specified. It is important to note that not all the 31 women were trying to conclude marriages for themselves, nor were all male abductees taken by women. Most of the women accompanied male offenders or encouraged women to cooperate in their abductions. For example, the aldermen of Antwerp punished a woman called Kateline, whose last name is not mentioned, on 1 March 1435. She had to make a pilgrimage to Cologne and stay there for three years because she had talked the daughter of Jan Vander Rijt into agreeing to leave with an abductor ('she advised for abduction').<sup>76</sup> In another case from Vier Ambachten, Grielken Kuenync paid a composition

<sup>73</sup> De Moor and Van Zanden, 'Girl Power', 4–7.

<sup>74</sup> See, for example, Youngs, "She Hym Fresshely Followed and Pursued", 77–78.

<sup>75</sup> CAG, S 212, no. 1, fol. 3r (23 June 1473).

<sup>76</sup> CAA, V, no. 234, fol. 57v (1 March 1435).