

from a citizen's house. Cornelis was banished for fifty years from Flanders because he did not call the aldermen.<sup>113</sup>

Those convicted in abduction cases thus played different roles that contributed to the success of the venture. These examples show that the authorities considered abduction a serious offence and all those involved responsible, no matter how small their role. In addition, the collective nature of many abductions, even those labelled as consensual, calls into question the image of abduction as a tool for young people to freely go away together because they wanted a free choice of a spouse. Abduction was not an affair between one man and one woman. Multiple people were usually involved because abductions were complex phenomena entailing property, honour, power and status, sex, and gender. Moreover, it is important to note that there were female abductors and male abductees. These cases indicate that women could also desire 'impossible marriages' and men might also be attractive spouses.

### A family affair

The fact that groups of people frequently executed abductions becomes even more significant when considering the relationships between the people involved. Some clues reveal a pattern of abduction by groups of relatives of the abductor and, more surprisingly, of the abductee as well. This pattern can be detected in Heylwig's deposition discussed at the beginning of this chapter: Goeswijn was assisted by his brother and his father was involved, while Heylwig's aunt and some other relatives also played a part.

Many group abductions were perpetrated by men with the same surname, suggesting they were related. For participation in the same abductions, the authorities punished two men called 'Vanderheyden',<sup>114</sup> three men named 'Van Melle',<sup>115</sup> two men named 'Van Gheelee' together with two men named Vanderdijle,<sup>116</sup> three men named 'De Vorster',<sup>117</sup> and so on. Other acts specify the precise relationship between these men. For example, when Pierre de Bode abducted and married Katheline Pauwels in Land van Waas, he received help from his brother and father.<sup>118</sup> When Peter de

113 CAG, S 212, no. 1, fol. 52v (12 May 1481).

114 SAB, CC, no. 12904, 1500, fol. 270rv.

115 CAG, S 212, no. 1, fol. 113r (18 April 1494).

116 SAB, CC, no. 12653, December 1405–April 1406, fol. 87v–88rv.

117 SAB, CC, no. 12655, June–December 1433, fol. 194r.

118 SAB, CC, no. 14112, May–September 1425, fol. 18v.

Necker abducted a woman in Antwerp, his brothers and his nephew assisted him.<sup>119</sup> The bailiff's accounts of Vier Ambachten contain a case of a man receiving assistance even from his father and mother to marry a young girl called Zoektin against the will of her guardians: 'About Perceval, son of Willem, and Katheline, his wife, who have been charged because they have helped their son Willekin in marrying Zoetkin [...] against the will of her guardians'.<sup>120</sup> Even cases reported as consensual abductions were often perpetrated by family members. Around 1460, Henneken Camerlinck, his uncle Art Van Tudekem, and two other men, Henneken van Tudekem and Woytte Poelmans, 'found' Lijsken van Tongerlo in a field near Tildonk (north of Leuven, now 'Haacht') and asked her where she was heading. According to the act, Lijsken responded 'I am going home' (*ic ga thuisweert*) and intended to use a specific path. The related men proposed she take a path 'more beautiful than the one she wanted to take' and accompanied her to a tavern in Tildonk. There, Lijsken declared her consent to two aldermen and she and Henneken Camerlinck exchanged marital consent.

The sheer number of cases in which relatives were among the perpetrators indicates that abduction was a strategy used by some families to secure beneficial marriages. Because these cases represent conflicts between two families, they must be situated within the context of family feuds in the late medieval city.<sup>121</sup> The abductor and his family used abduction as a tactic to conclude an advantageous marriage and, by doing so, thwarted the patrimonial strategy of the abductee's family. Some historians have noted this pattern, but current abduction research does not give it enough attention.<sup>122</sup> The high degree of group abductions by relatives is significant because it calls into question the idea that abductions were elopements of couples trying to circumvent parental control over partner choice.

However, not all abductions were conflicts between two families or the result of friction between 'the family' and a rebellious individual. Some abductions happened due to quarrels within the family about the abductee's choice of spouse, as is suggested here:

Lijsbette Broucx has been taken secretly in a subtle manner without the knowledge and consent of her aforementioned guardian and friends and relatives. Neither this guardian nor the friends and relatives were aware

119 SAB, CC, no. 12904, December 1482–June 1483, fol. 46r.

120 SAB, CC, no. 14113, May–September 1426, fol. 13v.

121 Buylaert, 'Familiekwesties'.

122 Prevenier, 'Huwelijk en clientele', 83; Joye, *La femme ravie*; Gowing, *Domestic Dangers*, 151.

of this and did not help to execute it in any way. It was and is a case of a very evil example.<sup>123</sup>

This quote comes from a plea made by the relatives of an orphan girl, Lijsbette Broucx, to the aldermen of Ghent in 1453. As the plaintiffs announced that their niece had been abducted and asked that she be disinherited, they reported that none of Lijsbette's friends or relatives had been involved in her abduction. The explicit clarification that Lijsbette was taken by a stranger might indicate that the reverse, the involvement of one or more of her friends or relatives, likely occurred as well. In fact, the records reveal a type of abduction in which relatives of the abductee appear on both the side of the abductor and the side of the abductee.<sup>124</sup>

This pattern of intrafamilial conflicts ending in abduction appears often in Ghent and usually involved half or full orphans, who had lost one or both of their parents. As Chapter 1 explains, choosing a spouse for an orphan normally involved several relatives. The extensive scholarship on orphanhood and guardianship in medieval Ghent makes it easier to find records on this topic here than in other cities.<sup>125</sup> Moreover, urban control of orphanhood and guardianship was more institutionalised in Ghent than in Leuven and Antwerp, where specific institutions charged with the care of orphans and control over their guardians only emerged in the sixteenth century. Since the Ghent aldermen of the *Gedele* were already serving as supervising guardians in the late Middle Ages, their court dealt with incidents regarding guardianship and orphans. Consequently, more of these events were registered in late medieval Ghent and still survive today.

The 1297 charter by Count Guy of Flanders ordered that women, both those 'who had a father or a mother' and orphans, who were abducted 'with their consent' but without the consent of their father and mother, or close

123 CAG, S 301, no. 42, fol. 36v (13 January 1453): 'Lijsbette Broucx in subtylheden buten dancke, wetene, wille ende consente van haren voorscreven vooght ende vriende ende magen heymelic ontvremt ende ontleet was ende dat andere zelve vooght vriend noch maghen gheene beter kenesse van oetmoede bijden wech leeden sinen hulpen noch mennnen van haerder weghe ghedaen hadde. Gheenin twelke was ende es eene zake van hele quaden exemple'.

124 This is slightly reminiscent of the wardship system in late medieval England. Individuals could buy, sell, or bequeath a wardship, which could be very profitable. It entailed the right of guardianship over a minor heir(ess) or feudal lender and their property. The person who possessed this wardship received the profits of the wards' lands and had the right to select a spouse for him or her. Many were therefore interested in buying the wardship, intending to marry the ward off to one of their relatives, see Walker, 'Widow and Ward'; Walker, 'Punishing Convicted Ravishers'; Walker, "Strange Kind of Stealing", 73.

125 Danneel, 'Orphanhood and Marriage'; Danneel, *Weduwen en wezen*.

relatives if one or both parents were deceased, would be disinherited.<sup>126</sup> Ghent custom held that both parents, father and mother, had the right to be involved in their child's choice of spouse. In case either parent died, however, the deceased's family required a guarantee that the material interests of their side of the family would be considered in the selection of a spouse. Therefore, the surviving parent could not exercise the parental right alone. Instead, they had to share parental authority over the child with members of the deceased parent's family. Both the paternal and maternal sides of the orphan's family had to be involved in decisions about marriage since both had material interests. When the orphan was a girl, her future spouse would manage the household, the community property and the woman's *propres*. Both wanted a voice to ensure that the future spouse would manage the property from both sides of the family well.<sup>127</sup>

The strong feelings of people in late medieval Ghent about this principle are reflected in the rule of the aldermen of the *Gedele* that guardians had to swear officially to consult relatives from both sides of the family and the aldermen, as supervising guardians, on the choice of spouse for the orphan.<sup>128</sup> The records abound with cases that expose intense discussions within the family preceding the orphan's actual marriage. The involvement of both male and female relatives in these discussions contradicts the traditional view that these affairs were exclusively male.<sup>129</sup> Relatives of orphans sometimes travelled for days to attend these discussions, which the aldermen of the *Gedele* sometimes attended as well, to keep an eye on potential conflicts. During these meetings, all parties had to reach a consensus on the choice of spouse and the precise conditions for the marriage. If an impasse occurred, the aldermen stepped in to mediate, sometimes asking for the orphan girl or boy's opinion.<sup>130</sup>

It is not surprising that disagreements and conflicts arose frequently during this process. A dissatisfied relative might then opt out of negotiating a solution and choose instead to take control and secretly marry the orphan to their candidate, thereby circumventing the other relatives' right to consent in violation of customary law and the 1297 charter on abduction. Some records show the orphan's surviving parent being punished for this offence. One example is the abduction of Amelkin Jacobs by Laureys Claes in 1466. The

126 *Coutumes de la ville de Gand*, Gheldof, II, 450–51.

127 Danneel, *Weduwen en wezen*, 129.

128 *Ibid.*, 129, 166–84.

129 *Ibid.*, 178.

130 *Ibid.*, 178–80.

Ghent aldermen not only penalized Laureys for abducting Amelkin, but also banished Amelkin's mother from Flanders for fifty years for co-arranging her daughter's abduction on 18 November 1466.<sup>131</sup> Amelkin's paternal relatives took this case to court because this abduction and marriage happened behind their backs.<sup>132</sup> In 1486, Wouter de Bot picked up his son after school and secretly married him to someone without consulting the relatives of his late wife. Wouter was similarly banished from Flanders for fifty years.<sup>133</sup> In 1462, Pauwel de Groot paid the bailiff of Vier Ambachten a composition for marrying off his daughter without consulting her guardians and relatives.<sup>134</sup> Other relatives were charged and/or convicted by the authorities for setting up a quick marriage for the orphan to impose their own choice of spouse. In Vier Ambachten in or around 1414, Margriete Huughs, daughter of the late Gillis Huughs, was abducted by a mob of five men, including Roegin dele Velde who wanted to marry her. In the group of abductors convicted by the bailiff was Guilleme Huughs, Margriete's uncle and guardian, who had 'encouraged' her to marry Roegin.<sup>135</sup> In another case from around 1400, two men were banished for *emmener* Trudekin Bruirs, an orphan living in Ghent. The men, Henry Bruirs and Joosse Schoorkin, identified as Trudekin's guardians, wanted to marry her to a man named Guille de le More, the brother of Henry Bruirs' wife. Trudekin's sisters did not agree to this marriage and complained to the bailiff.<sup>136</sup> Another Ghent case, the abduction of Margareta Van Hulle, ended up before the court of the aldermen of the *Keure*. Margareta's father was deceased. Her paternal relatives complained that Margareta's uncle, Jan van Hulle, had taken her from them because he married her off to someone called Willem Van Delync.<sup>137</sup> These cases make it clear that in Ghent 'abduction' included the arrangement of a marriage by a family member who had bypassed the requirement of approval by an orphan's other guardians and relatives.

Although it is tempting to describe abduction as a two-dimensional conflict between an actor and a victim, these examples teach us the importance of situating the event in its social and financial context. While the records mostly name only a few players, much could lie behind the surface, as the following example from Ghent illustrates. The accounts of the

131 CAG, S 301, no. 49, fol. 46r (18 November 1466).

132 Vleeschouwers-Van Melkebeek, 'Mortificata est'.

133 CAG, S 212, no. 1, fol. 87v (13 July 1486).

134 SAB, CC, no. 14116, May–September 1462, fol. 216r.

135 SAB, CC, no. 14112, May–September 1414, fol. 14rv.

136 SAB, CC, no. 14108, May–September 1401, fol. 79rv.

137 CAG, S 261bis, no. 14, fol. 27rv (5 December 1487) and 30r (7 December 1487).

episcopal court of Tournai, the diocese to which Ghent belonged, contain a short act on the clandestine marriage of Barbara Keykins and Lieven van den Bossche. The court fined the couple for contracting a clandestine union while Barbara was already betrothed to Hendrik Fierins in a public contract.<sup>138</sup> The records from the Low Countries' ecclesiastical courts contain many similar cases of a person entering into two marital alliances, often one public betrothal and one clandestine marriage. Sometimes these records explicitly mention that an abduction led to the second alliance. It has been suggested that these cases were the result of tensions between individuals and their families over the choice of spouse. The first betrothal might have been arranged by relatives of the individual, who then 'escaped' from this first marriage by contracting a second clandestine marriage that annulled the betrothal.<sup>139</sup> In Barbara's case, there is additional information in the Ghent aldermen's registers. As Marianne Danneel noted, the case revolved around a conflict among kin about the choice of spouse for the orphan girl Barbara Keykins.<sup>140</sup> In December 1470, her paternal guardians complained to the aldermen that they had not agreed to the betrothal of Barbara to Hendrik, which the maternal relatives had secretly arranged. Now involved in working out a solution, the aldermen took Barbara away from her relatives and put her in the care of an impartial couple charged with watching over her. Although the precise course of events is unclear, the source states that relatives of Barbara's deceased mother again pushed forward their candidate, a man named Lieven van den Bossche. This time, however, Barbara was not betrothed to him but married, and the marriage was consummated, meaning that it was valid and could not be undone. Barbara was not refusing to marry Hendrik, who had been chosen by her family; she was being pulled back and forth between relatives on her father's side and those on her mother's side, who did not agree on a spouse for her to marry. Even if Barbara married Lieven Vandenbossche willingly, which she did, according to the Tournai account, this clandestine marriage cannot be reduced to a generational conflict between Barbara and her family.

Although the pattern is especially visible in Ghent, cases from other cities also show abduction used as a tool in intrafamilial quarrels. Historians have

<sup>138</sup> Vleeschouwers-Van Melkebeek ed., *Compotus sigiliferi*, no. 8670: 'Livinus Vanden Bossche et Barbara Keykins quia matrimonium carnali copula consummarunt non obstante quod ipsa Barbara perprieus in manu presbiteri affidaverat Henricum Fierins, solverunt: 40 lb.'.

<sup>139</sup> Donahue, *Law, Marriage, and Society*, 481, 493, 519.

<sup>140</sup> Danneel, *Weduwen en wezen*, 125–27.

noticed a special interest in orphan girls' marriages and the involvement of different relatives in arrangements. In Bologna, urban authorities showed particular concern when orphan girls were abducted, while in the northern Low Countries, there were also many orphans among the abductees.<sup>141</sup> Benveniste observed that orphans' relatives in late medieval Paris were often involved in abducting them.<sup>142</sup> For the Southern Low Countries, records from cities other than Ghent contain examples of intrafamilial abduction as well. On 21 May 1487, the Antwerp aldermen punished three people for abducting the half-orphan Lijnken vanden Berge, daughter of the late Willem vanden Berghe, who was 'below her years', which meant she was a minor.<sup>143</sup> Jan de Vriese was identified as the chief perpetrator. According to the record, his father Machtelijse de Vriese, categorized as a 'passive accomplice', had advised his son to abduct the girl and marry her without the consent of her guardians and relatives. The third accomplice was Marie vanden Bogaerde, Lijnken's mother. She had taken her young daughter away to be married to Jan to circumvent the girl's paternal relatives. Marie had to make a pilgrimage to s-Hertogenbosch and pay fines to the duke and the city of Antwerp.

The Leuven aldermen adjudicated a remarkable lawsuit against a woman called Johanna Pypenpoys, a case that also involves discontent among relatives about the choice of spouse for an orphan. *Jonkvrouw* Johanna Pypenpoys, identified in the act as the wife of Robbrecht van Asse, knight, had been arrested in Merchtem (north of Brussels) for abduction, but she was tried in Leuven because she was a citizen of that town. On behalf of the duke of Brabant, the Leuven bailiff accused her of abducting the son of the late Jan van Bossuyt, an underaged child, and taking him out of Brabant against the will of three of his four groups of relatives.<sup>144</sup> The plea stated that Johanna should be decapitated by the sword since she had violated the ducal charter against abduction. However, it continued, 'because she is a female person', the death penalty should be converted into six consecutive

141 Dean, 'Fathers and Daughters'; Berents, *Het werk van de vos*, 37–40.

142 Benveniste, 'Les enlèvements', 19–20.

143 SAB, CC, no. 12904, fol. 131r; CAA, V, no. 234, fol. 153v (21 May 1487).

144 CAL, OA, no. 7726, fol. 145rv (9 December 1432). In other Leuven acts, it was sometimes stated that someone had to marry with the approval of two friends of the maternal family and two friends of the paternal family, thus representing the four grandparents' families, which is presumably how these 'four groups' of relatives here should be understood. See for example CAL, OA, no. 7352, fol. 212rv (15 March 1458). In late medieval Drenthe, a collection of medieval parishes in the prince-bishopric of Utrecht, two relatives of the mother's side and two of the father's side represented the wider kin network in marriage negotiations, see Hoppenbrouwers, *Village Community and Conflict*, 285.

pilgrimages, two to Cyprus, two to Rome, and two to Santiago de Compostela. The duke should confiscate her property. Johanna defended herself by claiming that the bailiff could not prove that she had taken the boy out of Brabant. Furthermore, her actions did not amount to abduction because all of his relatives supported this marriage, a claim that suggests she was a relative as well. The act states that Johanna defended herself 'with a lot of other reasons and words'.<sup>145</sup> In the end, the city council decided in favour of Johanna, finding that she did not perpetrate an abduction. Although this bailiff's plea was unsuccessful, it suggests that intrafamilial arguments over an orphan's marriage could also lead to abduction in Leuven.

The consistory court registers, which include cases from many other Low Countries cities and villages, also confirm that relatives were sometimes involved in abductions. Among the small number of abduction cases in the consistory court records of Liège, there are two cases of the abductee's relatives partnering with the abductor, attested in both the pleas and defences. One case is the alleged abduction of the aforementioned Heylwighe Comans, in which her aunt was involved, discussed at the start of this chapter. In the second case, Joost Claesszoon abducted Katrien Huysman and took her to the house of her relative Nikolaas Wijssen in Liège.<sup>146</sup> Another fascinating case in the records of the consistory court of Cambrai reveals a conflict about the choice of spouse between a woman's father and her aunt. Jean Cornut who lived somewhere in the Cambrai diocese made an unsuccessful attempt to raise an impediment that would stand in the way of his daughter's marriage. His daughter Jeanne planned to marry Pierre Thurin. Disagreeing with this choice, Jean filed a claim against Marie Carlier, his sister-in-law and Jeanne's aunt, charging that she forced the marriage on her niece. He also shouted out that he would give his soul to the devil before he agreed to this marriage for his daughter. The judge found that the impediment was false and punished Jean on 30 January 1443 for trying to break up the marriage between his daughter and Pierre Thurin and for acting disrespectfully.<sup>147</sup> These examples show that the abductee's relatives often appear as accomplices of the abductor and that the choice of spouse could give rise to competition and conflict within families.

<sup>145</sup> CAL, OA, no. 7726, fol. 145rv (9 December 1432).

<sup>146</sup> SAL, AD, no. 1, fol. 4v–6v. (19 July 1434). This case will be analysed in detail in the next chapter.

<sup>147</sup> He reportedly said: 'Demisielle, taisiez-vous ent car j'ay donné mon ame au dyable en cas que me fille l'ait a mariage', in Vleeschouwers and Van Melkebeek, *Registres de sentences*, no. 420, 224–25, (30 January 1443).