

## **Seigneurial governance and the state in late medieval Guelders (14<sup>th</sup> – 16<sup>th</sup> century)**

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### **Abstract**

This article charts the long-term development of seigneurial governance within the principality of Guelders in the Low Countries. Proceeding from four quantitative cross-sections (c. 1325, 1475, 1540, 1570) of seigneurial lordships, the conclusion is that seigneurial governance remained stable in late medieval Guelders. The central argument is that this persistence of seigneurial governance was an effect of active collaboration between princely administrations, lords, and local communities. Together, the princely government and seigneuries of Guelders formed an integrated, yet polycentric, state. The article thereby challenges the narrative of progressive state centralisation that predominates in the historiography of pre-modern state formation.

## Seigneurial governance and the state in late medieval Guelders (14<sup>th</sup> – 16<sup>th</sup> century)

### I. Introduction

There has been no shortage of studies on the interaction between power elites and the emergence of secular government in pre-modern Europe. Ever since the 1980s and 1990s, historians have begun to nuance what had become the traditional view: that the persistence of noble warfare and independent seigneurial law courts in the medieval period were counterproductive to the centralised power of the state and its associated institutions.<sup>1</sup> The main contribution of the revisionist scholarship of the end of the twentieth century was its departure from this emphasis on absolute power and institutional development, focusing instead on the social aspects of pre-modern politics. Historians began to argue that European states actually arose in a constant dialogue with their social elites.<sup>2</sup> Jeremy Black has characterised this revisionism as ‘an interpretation centred on crown-élite consensus, in which the crucial political question becomes that of the crown issuing orders that it knows will meet with a ready response, in large part because it is reacting to élite views’.<sup>3</sup>

So far, this reinterpretation revolving around state-elite cooperation has primarily extended to the development of fiscal and military apparatuses, which are widely recognised as two crucial pillars in the process of state formation.<sup>4</sup> But a vital third pillar, governance, or the practical application of political power and juridical authority, remains underexamined. For the late medieval and early modern periods, the key concept in this regard is lordship. Rightly called ‘the “master noun” in the medieval lexicon of power’, lordship may refer to a varied range of power relations. However, within that spectrum, the seigneurial lordship, or the *seigneurie*, forms a concrete institutional benchmark. This paper chiefly addresses that institution, rather than the more versatile relational components of

lordship.<sup>5</sup> Thus, the focus is not so much on normative aspects of governance, or the manner of governing itself, but on the institutional outlines of government. The central institution in this study, the seigneurial lordship, arose in slightly different forms throughout Europe in the medieval period. It can be broadly defined as the private ownership of public authority; embodied by the lord's legal court.<sup>6</sup> The seigneurial exercise of justice has long been considered problematic to state formation because most historians adopt versions of Max Weber's 1919 definition of the *modern* state as the organisation with a 'monopoly' on the legitimate use of force.<sup>7</sup> The 'private' law courts of seigneuries would have detracted from this exclusive right to coercion. Several more recent studies about late medieval state formation still support this view, arguing that 'noble justice was in retreat as princely institutions drew business out of private courts and noblemen's role in those centralising tribunals simultaneously declined'.<sup>8</sup> By that rationale, one would expect falling numbers of seigneurial lordships towards the end of the middle ages. However, these claims about the erosion of justice in seigneurial courts are not substantiated by empirical evidence.

What is more, a growing number of studies show that the relationship between seigneurial governance and the pre-modern state could actually be characterised by collaboration and mutual respect. According to this reinterpretation, late medieval and early modern monarchies persistently outsourced key aspects of governance (taxation, justice, keeping the peace) to the level of the seigneurie and lordly law court. Much of this scholarship is focused on the kingdom of France, following on from Pierre Charbonnier's 1980s and 1990s seminal works on the Basse-Auvergne.<sup>9</sup> More recently, historians have found the same pattern in other French regions such as Languedoc and early modern Normandy.<sup>10</sup> But this was not a distinctly French phenomenon: in her 2016 book *The shape of the state*, Alice Taylor demonstrates that a similar kind of cooperation existed in the high

medieval kingdom of Scotland. According to Taylor, 'the growth of governmental institutions' in Scotland was buttressed by aristocratic power and did not take form in opposition to 'a private sphere, occupied by lordship'.<sup>11</sup>

These studies have firmly challenged and nuanced the centralisation paradigm. Yet there have been few attempts to *quantify* the long-term evolution of aristocratic institutions in relation to the expanding state. This hiatus applies especially to the late medieval German Empire, including the larger part of the Low Countries. A complicating factor here is the Empire's polycentric nature: despite its official royal or imperial core, in practice, sovereignty was divided between the various principalities. This has largely forestalled their analysis as medieval 'states'.<sup>12</sup> However, a promising case in this regard is the Low Countries, which covered parts of present-day Belgium, the Netherlands, France, and Germany. The political history of the Low Countries provides a useful contrast to the trajectories of 'strong' European states with clear medieval antecedents, such as the kingdoms of England and France.<sup>13</sup> Although progressively unified under the rule of the dukes of Burgundy during the fifteenth century, the various Netherlandish principalities retained much of their own political traditions and institutional structures. Accordingly, some historians have labelled the political system of the late medieval Low Countries a 'composite monarchy', whereas others consider it a mere subsection of the 'Great Seigniorship of Burgundy', that is, a short-lived polity cobbled together from French and German principalities that never gained political coherence.<sup>14</sup>

The present article offers a contribution to this debate through a quantitative analysis of the seigneuries within one specific principality of the Low Countries in the period between 1325 and 1570. At this point, it is important to note that the Low Countries, like the German Empire more generally, was not as a rule completely covered by seigneuries.

This marks a contrast with regions like late medieval France or Norman England, which were blanketed with seigneuries (France) or manors (England).<sup>15</sup> By 1300, large stretches of the Netherlandish countryside were in fact governed by communities of free peasants, which recognised no lord beyond the regional prince. These non-seigneurial localities existed alongside the seigneuries – where, incidentally, the majority of inhabitants were also legally free, and not of villein or serf status as was common in England – and the relatively numerous, enfranchised urban centres.<sup>16</sup> Because of this variety, charting the seigneuries is a crucial first step towards understanding the relationship between seigneurial and other forms of governance in the Low Countries. The long-term evolution of this relationship is relevant, because even though the lordship was an institutional container of power – which may suggest immutability – it still constituted a power *relation*. Most seigneuries were held in fief from princes, who could occasionally alter the conditions of infeudation. The lords and ladies themselves had an analogous relationship with their own fief-holders, seigneurial officers and residents. Therefore, it is far from certain that a given lordship came with the same powers of governance in 1325 as it did in 1570.

The case study that will be central to the analysis is the principality of Guelders, in the north-eastern part of the Low Countries (**Figure 1**). The extant records relating to the seigneuries of Guelders is exceptionally rich, up to the point that they allow a reconstruction of the entire seigneurial landscape and its evolution between c. 1325 and c. 1570. The foundation for this reconstruction derives from contemporary registers kept by the princely administration of Guelders, which list all known fief-holders at a particular moment in time. These registers enable ‘snapshot’ surveys of the number of seigneuries in four sample years (c. 1325, c. 1475, c. 1540, c. 1570), which in turn allow us to infer quantitative developments in the interim.<sup>17</sup>

Guelders is a prime example of the political polycentrism characteristic of the late medieval Low Countries. The principality may therefore serve as a microcosm of the German Empire in general, and concomitantly provides an ideal point of comparison with better-known regions in France and the British Isles. That said, even within the Low Countries, the different principalities show marked variation in their development of governmental institutions. Therefore, the seigneurial evolution in Guelders cannot be automatically projected onto other regions such as the county of Flanders, the county of Holland, or the duchy of Brabant. Guelders is simply the first Netherlandish region to be studied in this way, but the expectation is that future research could – and should – determine to what extent this principality’s late medieval seigneurial development compared to other regions in the Low Countries.<sup>18</sup> Still, as an extreme example of Netherlandish governmental polycentrism, Guelders is ideally suited to foreground such an analysis of the relationship between aristocratic power and political institutionalisation in the late medieval Low Countries – even while it is often left out of general political histories of the Low Countries.<sup>19</sup>

The shadow of Max Weber looms large in the historiography on late medieval Guelders. Most specialists have been hesitant to call the principality a state, precisely because of the persistence of decentral political units such as seigneurial lordships.<sup>20</sup> In what follows, I develop a different perspective, proceeding from the hypothesis that seigneurial governance was not necessarily inimical to princely power or to the effective maintenance of law and order.<sup>21</sup> In order to test this hypothesis, the present article departs from a (partly comparative) study of two sub-regions within the principality of Guelders. The first of these areas, the so-called ‘Quarter’ (*Kwartier*) of Arnhem, has been noted for its predominance of self-governed peasant communities – where the only lord was the remote

prince of Guelders – whereas historians have emphasised the prevalence of elite power in the second sub-region, the Quarter of Nijmegen.<sup>22</sup> One objective of this study is to determine whether the number of lordships in these areas conforms to the same sub-regional divergence. Yet the underlying goal is to examine the impact of seigneurial law courts on princely authority and on the performance of the political system.

To that end, the second section of this article offers a brief introduction to the political landscape of late medieval Guelders, before presenting the results of the quantitative survey of seigneuries in the two sub-regions. As will become clear, the Quarter of Nijmegen had a far higher number of these seigneurial jurisdictions than the Quarter of Arnhem. On the whole, though, the number of lordships in both regions remained remarkably stable between the early fourteenth and later sixteenth century. What is more, the breadth of lordships' powers of jurisdictions evinces the same pattern of stability, even showing signs of increasing strength. Sections three and four sketch the possible explanations for this continuity, first from the perspective of lords and seigneurial communities, and secondly from the viewpoint of the princely administration of Guelders. Finally, the conclusion explores some of the broader implications of this case-study for how we might conceptualise state formation in the context of late medieval Europe in general.

## **II. Stability of seigneurial governance, c. 1325 – c. 1570**

While technically part of the German Empire, Guelders was an independent principality for much of the fifteenth and sixteenth centuries. The power base of its princes stemmed from a collection of Carolingian counties spread around the various corners of what would later become Guelders's four 'Quarters' (*Kwartieren*). Around 1100, the core region still lay in the area around the town of Gelre (Geldern), after which the comital dynasty would come to

style itself. But in the course of the next two centuries, the counts of Guelders managed to extend their influence over the cities of Zutphen, Nijmegen, Roermond, Arnhem, and their hinterlands. In the fifteenth century, these cities became the capitals of synonymous Quarters, with each Quarter subdivided into several shires (*ambten*) (**Figure 1**). By the early fourteenth century, Guelders had taken the physical shape it would more or less retain until the later sixteenth century, even as the emperor raised its status from a county to a duchy in 1339.<sup>23</sup> However, the principality's political ties to the Empire declined over time. The *de facto* independence was consolidated in 1423, when Emperor Sigismund (1411-1437) put forth a successor to the empty ducal seat but the cities and nobility of Guelders supported a rival claimant from the House of Egmont. The latter candidate ended up duke, despite the Empire's refusal to recognise the Egmont claim as legitimate. This remained the official imperial stance until 1538.<sup>24</sup>

The princes' fragile legitimacy contributed to a polycentric political system with a prominent role for the towns and seigneurial lords of Guelders. Neither a brief takeover by the Valois Dukes of Burgundy (1473-1477) nor Guelders's incorporation into the Habsburg Netherlands (1543-1581) brought significant change in this regard. To be sure, these foreign administrations sped up the process of political institutionalisation, especially through the growing role of the ducal Chamber of Accounts (*Rekenkamer*) and the central Court of Guelders (*Hof van Gelre en Zutphen*).<sup>25</sup> But the urban and rural elites had secured privileges in the fifteenth century that secured their autonomy in the long term. Among other things, the duke could not institute direct taxes without the consent of the Estates assemblies, which were composed of representatives of the Cities (*Steden*), Knighthood (*Ridderschap*) and Lords-Banneret (*Bannerheren*). This meant that the aristocracy was represented by two out of three Estates – a contrast with most other Netherlandish regions (e.g. Flanders,



Brabant), where the clergy was also represented. Furthermore, although the Knighthood officially consisted of armigerous men of established noble lineage, these men often possessed a seigneurie, while each Lord-Banneret also held at least one lordship with its own seigneurial tribunal.<sup>26</sup> In other words, the lords of Guelders took a prominent part in duchy-wide politics through their strong presence at these assemblies, as well as at the Ducal Council.<sup>27</sup>

However, the size and scope of seigneurial jurisdictions in Guelders could vary considerably from one case to the next. The most powerful seigneuries were those with their own criminal courts: so-called 'high lordships' (*hoge heerlijkheden*).<sup>28</sup> All sanctions fell within the remit of these seigneuries, including torture and capital punishment.<sup>29</sup> This raised high lordships above the so-called 'day-to-day lordships' (*dagelijkse heerlijkheden*). In the latter, adjudications of the lord concerned 'daily' affairs like financial malpractice, local water management and the wounding of livestock. But day-to-day lords shared jurisdiction over non-lethal violence (e.g. fist fights) with the regional princely officer.<sup>30</sup> The geographic range of these seigneurial jurisdictions is difficult to quantify because contemporary descriptions tend to omit precise boundaries. For the most part, however, seigneurial jurisdictions extended to one or a few villages, and the number of people subjected to their authority differed accordingly. So, in 1569, the lord of Poederoijen reported to the ducal administration that his seigneurie counted around 200 parishioners, which he considered 'a very small number'.<sup>31</sup> Estimates based on hearth counts of the fourteenth and fifteenth centuries nonetheless suggest that populations of a few hundred people were fairly typical for the seigneuries of Guelders.<sup>32</sup>

The political landscape of Guelders was a mixture of these seigneuries, of semi-autonomous towns, and of jurisdictions that were governed by local village officers but that

were overseen by one ducal 'reeve' (*ambtman*) who was in charge of all such villages in the entire shire (*ambacht*). In terms of their governmental powers and function, the seigneuries of Guelders were therefore largely analogous with these shires, with two important distinctions: firstly, instead of a ducal reeve, the chief governmental agent in the seigneurie was the lord or lady, who was not elected by the prince (at least not in that crude sense); secondly, shires proper tended to have a larger area of jurisdiction that usually included over a dozen villages, whereas seigneurial jurisdiction mostly extended to only one or a few localities – as illustrated by the example of Poederoijen in 1569 (see above). Because of this, strictly in terms of their physical range and demographic scope, seigneuries were more akin to villages than shires. In Guelders, as in the Low Countries more generally, these village communities – be they seigneurial or not – enjoyed a relatively high degree of self-governance from around 1300 onwards. As a rule, the village's bench of aldermen had the authority to oversee civil suits, while criminal justice rested either with the ducal reeve or with the lord and his officers.<sup>33</sup> In the high lordship of Oudewaard in the Quarter of Nijmegen, for example, the seigneurial seneschal (*drost*) and aldermen upheld justice and collected taxes which ended up in the lord's treasury. The duke had little to no direct power of governance in localities like this one. But directly bordering on this seigneurie was the village of Kesteren, which was not held by a local lord. In this jurisdiction, the reeve of Neder-Betuwe collected direct taxes (*schattinge*) at the behest of the duke and oversaw legal hearings, as well as appeals for the wider region.<sup>34</sup>

The quantitative evolution of Guelders's seigneuries suggests a stable coexistence of seigneurial institutions and the princely government from the early fourteenth to the later sixteenth century. This result is based on four cross-sections (c. 1325, c. 1475, c. 1540, c. 1570) of seigneurial jurisdictions in the Quarters of Nijmegen and Arnhem (**Table 1**). The

selection of these sample years has been motivated by their states of documentation: they coincide with the princely administration's periodic overviews of the region's fief-holders. The Feudal Chamber (*Leenkamer*) of Guelders generally updated this documentation whenever a new ruler succeeded to the principality. As a consequence, regime changes tend to coincide with particularly rich records on Guelders's seigneuries, even more so when the new ruling administrations was 'foreign', as with the Burgundian and Habsburg takeovers of 1473 and 1543. The bulk of the research for this article is based on four such registers of around 100 folios each, drafted by the princely administration's 'feudal stadtholders' (*leenstadhouders*) and preserved in nos. 102 (c. 1326), 116 (1473-74), 14G (1538), and 22L (1569) of the Feudal Chamber of Guelders – a subsection of the Ducal Archives kept in the Dutch city of Arnhem (see also **Table 1**). As opposed to other serial feudal records that show a tendency to simply reproduce the names of fief-holders listed in earlier registers, it is clear that these tomes were consistently updated.<sup>35</sup> Of course, most of these overviews only contain the *feudal* lordships, and only those held from the princes of Guelders themselves. Therefore, seigneurial jurisdictions held in fief from foreign princes, along with 'allodial' courts (in seigneuries without a feudal overlord), are generally omitted from these records.<sup>36</sup> Also, the fourteenth-century overview, which constitutes the first top-down attempt by the prince to record the current fief-holders of Guelders, is definitely incomplete.<sup>37</sup> These problems have been countered by supplementing the Feudal Chamber's registers with separate infeudation letters produced by the counts and dukes of Guelders, as well as charters and registers kept by foreign administrations – approximately 60 additional original documents in total. To name one example, the high lordship of Homoet in the shire of Over-Betuwe was a fief of the lords of Oosterhout in the duchy of Brabant before becoming an allod of the lords of Bergh in 1486. As a consequence, it does

not feature in the records of Guelders's Feudal Chamber. Nonetheless, its status can be followed throughout the research period through charters preserved in the archives of the lords of Bergh.<sup>38</sup>

[insert Table 1 here]

The resultant survey reveals that, taken as a whole, the number of seigneuries in the Quarters of Nijmegen and Arnhem remained more or less stable between 1325 and 1570 (**Table 1**). There are slight variations throughout the years, but these are primarily caused by gaps in the source material – especially for the fourteenth-century sample year. Note, however, that continuity in the number of lordships does not always mean that it was the same seigneurial courts that persisted alongside princely authority. For example, in 1342, the ducal administration permanently absorbed the village of Velp in the shire of Veluwezoom, which had been a high lordship up until then. Numerically, this balanced out in the long term (1325-1570), but that is because Duke Charles of Egmont turned another jurisdiction in the area – the high lordship of Roozendaal – into a fief in 1516.<sup>39</sup> But these are exceptions. The overall pattern is clearly one of seigneurial stability.

Strikingly, this stability holds true especially for lordships with high justice. These exalted seigneurial jurisdictions actually increased in number from the later fifteenth century onwards. This belies older interpretations of state formation in which princely administrations are thought to have developed a monopoly on legitimate violence. According to that view, the progressive political institutionalisation of Guelders, especially from the Burgundian interregnum onwards, should have gone hand-in-glove with a decline in the number of seigneurial courts (with their own 'license to kill'). This was far from the

case, however. In the decades before and after 1500, the ducal administration even raised the number of seigneuries with high justice in Guelders, either by creating new jurisdictions or by expanding the juridical license of existent lordships. The pattern is most clearly visible in the Quarter of Nijmegen, where Duke Charles of Egmont (1492-1538) augmented the prerogatives of the seigneuries of Dalem (1505), Doornik (1507), Gendt (1506), Waardenburg (1504) and Zoelen (1506), all within the first decade of the sixteenth century.<sup>40</sup> This phenomenon was by no means exclusive to Guelders, but rather a common strategy among Netherlandish princes who sought to consolidate their alliances with powerful aristocrats.<sup>41</sup>

Of course, the persistence of these seigneurial institutions does not necessarily imply a stability of governance. Another way to measure the continuity of the seigneurial system is to look at who possessed these lordships. Now, it is well known that the late medieval aristocracy in general had a high rate of turnover, especially when studied over longer periods of time. In the county of Flanders, also a Netherlandish principality, only around 42 per cent of the 228 noble lineages that had been active in the second half of the fourteenth century persisted up until the turn of the sixteenth century – even while the total number of active families remained roughly the same.<sup>42</sup> In a similar vein, most historians hold that the seigneuries of the late medieval Low Countries, and of the Burgundian power zone more generally, were gradually appropriated by an ever-smaller group of powerful families. For example, Raymond Van Uytven has demonstrated that a sample of 55 lordships in the duchy of Brabant that were held by 55 lords in 1415, were held by 44 lords in 1490, by 36 in 1525, and had come to be concentrated in the hands of only 33 lords in 1565.<sup>43</sup>

[insert Tables 2.a and 2.b here]

On the one hand, late medieval Guelders fits into this pattern to some extent, with a slight concentration of seigneurial estates in the hands of a select number of families (**Table 2.a**). On the other hand, the evidence does not really support a pattern where a few powerful *individuals* amassed several of these jurisdictions: with a few exceptions, even by 1570, most lords held only a single seigneurie.<sup>44</sup> The records further reveal a degree of long-term stability of ruling seigneurial families in Guelders.<sup>45</sup> Looking at the persistence of members of the same lineages as lords of a given seigneurial jurisdiction in between the best-documented sample years, 1475 and 1570, it becomes clear that c. 44 per cent of the seigneuries continued to be governed by the same family over the course of almost a century (**Table 2.b**). This is reminiscent of what Pierre Charbonnier found for the Basse-Auvergne, where around 45 per cent of 100 seigneuries were held by the same families in the early fifteenth century as they had been in the early fourteenth, and 51 per cent (of 158 seigneuries) were still ruled by the same family in 1587 as they had been in 1488.<sup>46</sup> In fact, these turnover rates of seigneurial families roughly correspond to the rate of extinction Frederik Buylaert found through a detailed study of the noble lineages in the county of Flanders (see above). As the seigneurial families of Guelders also predominantly stemmed from the duchy itself, we may tentatively conclude that there was a relatively high degree of dynastic continuity in the region's seigneurial system. In that respect, Guelders may have differed from those areas of the Low Countries where the influence of the Burgundians (and later the Habsburgs) was more pronounced, as these show signs of the emergence of an overarching 'state nobility' from the second half of the fifteenth century onwards. This does not mean, however, that these other Netherlandish regions did not also know a stability of seigneurial *institutions*.<sup>47</sup>

[insert Figure 1 here]

That said, the survey for Guelders does reveal an uneven spatial distribution of seigneuries between the studied Quarters, which is a warning against projecting subregional trends in the seigneurial landscape onto polities as a whole. Based on Guelders's political sub-division into Quarters, the Nijmegen district emerges as far more lordship-dense than the Arnhem region (**Figure 1**). At its peak, the Quarter of Nijmegen (c. 1300 km<sup>2</sup>) counted around 60 seigneurial courts, more than half of which had powers of high justice. In fact, the area counted more high lordships than any other in Guelders.<sup>48</sup> By contrast, the Quarter of Arnhem (c. 3000 km<sup>2</sup>) continuously had fewer than 10 seigneuries, only 3 of which had high jurisdiction (Doorwerth, Rosande and Roozendaal).<sup>49</sup>

This subregional variation is not altogether surprising when viewed from an environmental and socioeconomic perspective. Bas van Bavel has argued that subregional variations in the landscape led to diverse economic trajectories in different parts of the Low Countries between the early middle ages and early modern period.<sup>50</sup> Guelders was no exception in this regard. The rivers Meuse, Rhine and Waal created fertile soils that led to a flourishing of agriculture in the Nijmegen region. The landscape of the Arnhem Quarter, by contrast, was far less suitable for arable production because the larger part of the countryside was dominated by sloping hills and sand drifts. These natural factors also meant that Nijmegen's rural hinterland was more densely populated than the Arnhem region. During the fifteenth and sixteenth centuries, the average population density in the countryside of the Quarter of Arnhem hovered around 11 inhabitants per km<sup>2</sup>, whereas the rural part of Nijmegen's Quarter had already counted more than 25 per km<sup>2</sup> in 1369.<sup>51</sup> The

more fertile environment and greater concentration of people created better opportunities for manorial surplus extraction in the Nijmegen area during the high medieval period. This is implicitly corroborated by the sparse number of seigneuries in the Arnhem Quarter, most of which were located in fertile areas bordering on waterways (**Figure 1**).<sup>52</sup>

The demographic contrast between the two Quarters can further be inferred from their total number of settlements: the Nijmegen district counted more than twice as many parishes as the Arnhem region (**Table 1**). Even allowing for this difference, however, the proportion of seigneurial communities was still far higher in the Quarter of Nijmegen than in the Quarter of Arnhem. By the beginning of the sixteenth century, when reliable overviews of the number of localities (*kerspels*) per shire become available, the proportion of seigneurial localities in the former Quarter was 48 per cent – ranging from 39 per cent in Tielerwaard to 73 per cent in Bommelerwaard. In the Arnhem region, only 21 per cent of all rural parishes was (partly) ruled by a local lord.

Notwithstanding these subregional differences, the overall pattern in both Quarters nevertheless reveals a long-term stability in the number of seigneuries and ruling families, and, by implication, a stability of seigneurial governance. The quantitative evidence leaves little doubt that this institutional benchmark of lordship persisted in Guelders for the duration of the research period. So, even while Guelders witnessed a progressive political institutionalisation from the fifteenth century onwards, seigneurial courts apparently continued to play a prominent role in governing its rural populace.

### **III. The seigneurie from the perspective of lords and local communities**

The persistence of seigneuries in Guelders between 1325 and 1570 suggests an alternative path of state formation to the dominant narrative of progressive governmental



centralisation. Clearly, the statement that ‘princely institutions drew business out of private courts’ does not hold unequivocally for this Netherlandish principality.<sup>53</sup> This raises the question how and why seigneurial institutions of governance continued to define the political status quo for such a long time; that is, within this specific part of the Low Countries, but the question has a broader relevance, as earlier studies on Scotland and several French regions have shown similar patterns. To address this issue, the next two sections will discuss the function of the seigneurie in Guelders’s political system from the perspectives of different political actors, as a means to uncover the institution’s lasting *raison d’être*. As will become clear, seigneurial lordships continued to play an important role in governance for three interrelated reasons: first, their legitimacy in the eyes of the various parties involved; secondly, their familiarity to those same parties; and thirdly, the relative accessibility of seigneurial offices to the inhabitants, which facilitated the employment of local expertise.

First of all, from the perspective of the lords and ladies themselves, the exercise of seigneurial justice was a fundamental aspect of their social status. Lordship, after all, entailed a formal license to rule over others. Throughout the late medieval Low Countries, the possession of a seigneurie with high justice was also one of the few guarantees of membership to the regional nobility.<sup>54</sup> And so, despite its relatively high maintenance cost, the right to a seigneurial tribunal remained a desired privilege in Guelders.<sup>55</sup> The clear stability in the survey bears this out, for one thing. For another, the desirability of semi-independent justice is supported by anecdotal evidence. The lords and ladies of Waardenburg in the shire of Tielerswaard, for instance, fought a protracted legal battle (1538-1570) before the Court of Guelders to secure title to their own seigneurial tribunal.

They were almost certainly motivated by status concerns, because these particular lords could offer few concrete examples of having exercised criminal justice in practice.<sup>56</sup>

Thus, seigneurial lords and ladies derived their exalted social status from their position as rulers over local subjects. At the same time, the seigneurie encompassed a contractual relationship between these lords and their subjects, with the potential to benefit both sides. From the point of view of local communities, this contractual basis of rule was useful because it offered protection in several ways. In medieval political ideology, lords and ladies were actually obliged to protect their communities in order to retain a legitimate claim to their jurisdictions. The very obedience of subjects was conditional upon the lords' compliance to the ideology of 'Good Lordship'.<sup>57</sup> Conforming to the precepts of this ideal was to protect the interests of the seigneurial community in a general sense. So, a popular song of 1450, about the pilgrimage of three Netherlandish lords to the Holy Land, admonished these lords to use their power for the protection of merchants, widows and orphans. The lord of Batenburg in the shire of Meuse and Waal was one of the protagonists of this song. Therefore, the song's popularity probably boosted the status of subsequent lords and ladies of Batenburg. But at the same time, the song served as a constant reminder of these lords' obligations to their subjects.<sup>58</sup> Indeed, there are various examples of late medieval lords who guarded the commercial interests of resident craft guilds and trade organisations.<sup>59</sup>

This does not mean that seigneurial governments were categorically *more* benevolent to their subjects than officers appointed by the princes of Guelders, and the fifteenth- and sixteenth-century legal records also show examples of lords abusing their powers.<sup>60</sup> However, seigneurial communities specifically benefited from the contractual relationship embodied by the seigneurie because their lord or lady could be called upon to

protect their formal privileges. In 1568, for instance, the lord of Gendt submitted an official protest to the Court of Guelders to absolve his subjects from a financial contribution to the fortifications of the city of Arnhem.<sup>61</sup> Other examples relate to lords' formal prerogative and duty to police their own subjects. As the Habsburg rulers began to clamp down on the upsurge of Protestantism in the Low Countries in the mid-sixteenth century, certain lords interfered on behalf of their dependents, many of whom nurtured Protestant sentiments. So, in 1569, the lord of Poederoijen assured the Habsburg administration that his subjects had always followed the statutes and ordonnances of the Roman Church. The lady of Batenburg went one step further and actively blocked the Habsburg repression of Protestants in her lordship in 1566.<sup>62</sup> Thus, lords could act as powerful mediators, occasionally even challenging the princely government itself. To be sure, the precepts of Good Lordship applied as much to princes and kings as they did to seigneurial lords.<sup>63</sup> In fact, the 'violation of lordly values' was a central accusation levelled against King Philip II of Spain in the Act of Abjuration, signed by the Estates of several Netherlandish provinces – including Guelders – in 1581, marking the beginning of the end of Habsburg rule in these provinces.<sup>64</sup> But late medieval subjects probably had a less palpable experience of their contractual relationship with far-flung princes than with their local lord or lady.

Indeed, from the perspective of local residents, the legitimacy of the seigneurie was further bolstered by its familiarity. As lords maintained bonds with the princely dynasty, so local fief-holders and prominent landowners had personal ties with the lord and his officers.<sup>65</sup> Because of this, the seigneurie was at once more familiar and more accessible to rural landholders than the overarching political framework of the duchy of Guelders. Seigneurial communities associated justice and power first and foremost with physical structures that were close at hand. In seigneuries, this was the lord's fortified residence,

often a castle, which also served as a base of operations for his legal personnel. This building loomed over the seigneurial village, and residents frequently passed it in their daily lives. In Guelders, most lords were furthermore entitled to elect the parish priest, thereby also forging a link with the local church edifice – arguably the cornerstone of social interactions in the countryside. Some lords and ladies, like those of Batenburg, even had the authority to mint their own coins. These gave even more ‘currency’ to the lords’ authority; especially because the low denomination of the coins of Batenburg suggests people used them on a frequent basis.<sup>66</sup>

These tangible elements of seigneurial authority left a stronger imprint on local populations than the remote princely institutions. To be sure, the reeves and especially the local bailiffs (*schouten* or *richters*) of the princes of Guelders were usually nearer at hand, and therefore more familiar to subjects, than the ruler’s own court. But their authority was not symbolically buttressed by a towering structure such as a castle. Also, the wider radius of their jurisdictions – even of the bailiffs, whose juridical zones could encompass half of an entire shire – posed practical obstacles to local residents. People who belonged to the jurisdiction of the court of Kesteren, for example, could only redeem debts on their properties by submitting a formal request at the residence of the bailiff (*schout*) in that village. If they lived towards the outer bounds of the shire (e.g. in Dodewaard, Echteld), this meant that they had to travel for several hours to file for such a debt redemption.<sup>67</sup> As we have seen, seigneurial jurisdictions tended to be more limited in their geographic scope. Their inhabitants will consequently have encountered fewer problems in this regard.

Through its bottom-up legitimacy and familiarity, the seigneurie became a fulcrum of local knowledge, thereby supporting Guelders’s political system in general. Seigneurial officers were well-versed in the daily affairs of their village because they were recruited

locally. Surviving legislations of lordships dating from the fifteenth and sixteenth centuries reveal that the position of alderman (*schepen*) was not reserved for village elites but was accessible to men with medium-sized landholdings. What is more, the statutes dictated that the aldermen had to hail from the local community.<sup>68</sup> In this regard, seigneurial legislations mirrored privileges secured by the cities and nobility of Guelders in the fifteenth century, which stipulated that all ducal reeves had to be born in the duchy.<sup>69</sup> Yet, as mentioned above, these reeves and even the princely bailiffs had to oversee the affairs of several villages all at once. The officers of the seigneurie, by contrast, were solely charged with matters that concerned their own locality. Therefore, they were well-equipped to deal with everyday matters; certainly not less so than princely agents in non-seigneurial communities were. This inclusivity of local offices remained an integral part of Guelders's polycentric political system until well into the early modern era. During the seventeenth and eighteenth centuries, no less than 45 per cent of male heads of household in the seigneuries of Bommelerwaard had taken up a local office at one time during their lifetime. And, by this later period, even a small landholding was sufficient to be eligible for office.<sup>70</sup>

One could even hypothesise that the contractual relationship between lord and subjects made the governance over non-daily affairs more effective in seigneuries than in non-seigneurial villages. A good example is criminal justice. The infrequent need for criminal prosecutions within a single seigneurie – serious crimes were no everyday occurrence – might suggest that ducal officers in charge of a wider area also had more relevant experience in this regard. Yet ducal agents were not as versed in local custom as were officers sourced from the villages themselves. Take the example of the non-seigneurial villages of Brummen, Oosterbeek, Rheden and Velp in the shire of Veluwezoom. In an apparently inclusive legal ritual, each village had to send their own representatives

whenever the ducal bailiff (*richter*) executed criminals from any of these communities.

Indeed, the delegates from Oosterbeek were literal 'stake-holders', charged with keeping in place the wooden poles of the gallows.<sup>71</sup> However, the bailiff faced practical difficulties in getting the villages to participate. Because he was unfamiliar with the idiosyncrasies of local custom, the villagers were able to evade their duties and stall the legal process.<sup>72</sup> Although lords did not necessarily have superior knowledge of the relevant customs either, their local representatives – who had a smaller area of jurisdiction than the princely bailiff – did. So, when the Habsburg administration requested information about the details of criminal litigation in the seigneuries of Guelders in 1569, the most detailed testimonies came from local alderman and other seigneurial officers.<sup>73</sup>

#### **IV. The seigneurie from the perspective of princely and urban administrations**

Localised authority in seigneuries has an understandable appeal from the perspectives of lords and ladies who derived their authority from it. To some extent, the same applies to the bottom-up perspective of countryfolk; in Guelders, but probably throughout the Low Countries, as Netherlandish village communities had their own voice in local politics from around 1300.<sup>74</sup> But what of princely administrations: were they simply incapable of centralisation or were there perhaps specific benefits to a polycentric system? Earlier interpretations of state formation in Guelders can best be summed up by the statement that 'a tendency to centralization was doomed to fail'.<sup>75</sup> However, the idea that centralisation was a key ambition of princely governments is a questionable assumption. In fact, a polycentric system that included seigneuries had advantages in its own right to the prince and his officials. A common problem of pre-modern states was that they lacked the administrative clout to govern without the cooperation of local powerbrokers and

organisations (e.g. parish priests, guilds).<sup>76</sup> Outsourcing certain aspects of governance to the seigneurie may have offered a practical solution to this problem, because lords and their officers had the 'boots on the ground' that the prince (and, to some extent, his officers) lacked. Beyond this practical consideration, the princes of Guelders may simply have considered the seigneurie a legitimate basis of power.

In fact, the prince of Guelders will have had to accept the legitimacy of the seigneurial system, because he was a lord himself and derived his own authority from the same ideological basis.<sup>77</sup> Nonetheless, the princes of Guelders were able to legitimate their superior position by explicitly presenting themselves as *primus inter pares*, the 'prince' or 'first among all other lords' of Guelders. This self-fashioning can be clearly observed in the feudal records produced during the reign of Duke Charles of Burgundy (1473-1477). As part of his take-over in Guelders, the Burgundian duke ordered an overview of the financial potential of his various fief-holders.<sup>78</sup> In the draft version of this ledger, the duke's title originally read 'highly revered lord' but the words have been crossed out and replaced by 'very high and very powerful *prince*' (my emphasis). The latter title was also kept in the final version.<sup>79</sup> The example exposes the deliberate self-fashioning of this 'prince' of Guelders in relation to the lords of his duchy.

When the princes of Guelders did interfere in the seigneurial framework, the usual effect was not a corrosion of seigneurial authority but rather its consolidation. But then, the seigneurie could provide practical advantages to the state beyond the benefits of legitimacy. Duke Charles of Egmont (1492-1538), for one, appears to have consciously exploited the military and financial assets of Guelders's seigneurial system. Continuously faced with external threats to his reign, this duke rewarded loyal supporters with high lordships or expanded the purviews of their existing jurisdictions. This may have helped to redirect the

proliferous seigneurial warfare that marked his reign to serve the duke's interests.<sup>80</sup> A clear example of Duke Charles of Egmont's seigneurial policy was the lordship of Zoelen in the shire of Neder-Betuwe. Because Lord Willem van Rossem had 'stood by, aided and served [Duke Charles] until the very end', in 1506, the duke awarded him 'the parish of Zoelen with high lordship, where he and his forefathers had held day-to-day lordship'.<sup>81</sup> By outsourcing seigneurial justice to his allies in this way, the duke concomitantly sub-contracted loyal lords to maintain the military strongholds that most high lordships possessed. Through the so-called 'law of opening' (*ius aperturae*), meanwhile, these lords could be forced to open their castle to princely troops, should the need arise. In any case, even the high lordships of Guelders were obliged to answer the princes' military summonses (*clockenslach ind dijenst*).<sup>82</sup>

The financial component of this strategy was straightforward: the burden of maintaining (seigneurial) fortifications fell to the lord. This alleviated the state's costs of military upkeep, while simultaneously saving on the expenses of local criminal litigation.<sup>83</sup> Take the example of the castle of Roozendaal in the Quarter of Arnhem. Duke Charles of Egmont first granted this castle with high justice to his officer Gerrit van Scherpenzeel in 1516; again, as a reward 'for repeated loyal service'. Now, Van Scherpenzeel was entitled to Roozendaal's seigneurial revenues, but also had the responsibility to rebuild the decrepit stronghold. When Gerrit died in 1536, Duke Charles allowed Van Scherpenzeel's son Willem to inherit the lordship on two conditions. The first was that the fief could only stay within the family through Van Scherpenzeel's direct descendants (*in linea descendenti*). This might have ensured its swift return to the dukes of Guelders, were it not for the fecundity of the Van Scherpenzeel family.<sup>84</sup> But another precondition was that the prince gained control of the castle of Coldenhove (*Kaldenhoeve*) in return. This was a stronghold that Willem had



previously bought from none other than the duke himself, and that he had 'thoroughly improved' in the meantime.<sup>85</sup> In a similar vein, the duke enfeoffed another member of the Van Scherpenzeel family with the toponymic Scherpenzeel estate in 1522, 'to improve the fief', which in this case meant to turn its burnt-down forest into proper sowing land.<sup>86</sup> This policy with regards to seigneurial fortifications and lands thereby served the duke's financial as well as his military interests.

Of course, this does not mean that certain princes of Guelders did not aspire to centralisation and greater control over their territory. Especially the Burgundian (1473-1477) and Habsburg (1543-1581) reigns were marked by efforts to streamline the political institutional framework of Guelders. But these foreign administrations consistently recognised the need to take the duchy's seigneuries as a starting point. What is more, their attempts to partially reform the seigneurial framework were mostly unsuccessful. The princely perspective was marked by a tension in this regard: on the surface, the seigneurie was a recognisable institution of governance, but underneath this basic familiarity hid distinctly heterogeneous local customs that required the involvement of those in the know. Thus, Charles of Burgundy's feudal overview of 1473 served both to gauge the military and fiscal potential of Guelders, but also to understand the duchy's governmental structure. As the duke's officers converted the fiefs' local taxes from diverse levies in kind into a single currency, so, too, did they translate the seigneurial terminology from Middle-Dutch into French. In practice, however, the seigneuries of Guelders were by no means uniform units of governance, and the princes knew it. This is exemplified by the Habsburg rulers' attempt to integrate the criminal justice system of their Netherlandish principalities in 1569. Recognising the importance of seigneurial governance in Guelders, the ducal administrators first ordered an overview of the duchy's lordships with high (i.e. criminal) justice. But they

subsequently used this overview to request information about the finer details of local criminal procedure from the relevant parties *in situ*: that is, the lords and their officers.<sup>87</sup> The Habsburg administration notably failed to merge these various customs into the same institutional mould of their other territories. In fact, local aversion to this top-down standardisation attempt would be one of the reasons why the northern provinces – including the greater part of Guelders – sought independence from the Habsburg Low Countries in the 1580s.<sup>88</sup>

This notwithstanding, the seigneuries of Guelders may have indirectly contributed to the integration of the principality's legal system; namely, through the codification of local legal custom. Only a handful of these legal codes have survived for Guelders. The seigneurial legislations that remain, however, were clearly modelled on similar laws designed by the princely government at the shire level.<sup>89</sup> Despite their juridical independence, therefore, seigneuries could function as a basis for legal integration, since their inhabitants were more or less subject to the same laws as their countrymen who were answerable to the duke's reeves. Moreover, much like their ducal equivalents at the shire level, these proto-constitutional documents (called *Landbrieven*) were a product of negotiations between the lord and his subjects. Because of this, they contributed to a consensual basis of local governance (these were the documents that stipulated among other things that offices within the lordship could only be filled by local residents).<sup>90</sup>

The broader implication is that in terms of legislature as well, the seigneurie can be seen as a conduit of governance between the prince and the local community – perhaps even as a mouthpiece for the state. Guelders was not altogether exceptional in this regard: in the county of Holland, for example, local village courts had also come to form an integrated legal framework by the sixteenth century, despite the pronounced

decentralisation of the Dutch political system.<sup>91</sup> In Guelders, a criminal case of 1570 suggests that, by that time, even legally independent lordships were already integrated into an overarching – if *ad hoc* – legal framework. In October of that year, a man living in the seigneurial jurisdiction of Waardenburg stole two pigs off a dyke in the lordship of Dalem. The lady of Waardenburg had the culprit captured, but her agents subsequently transported him to the ducal Court in Arnhem, and it was there that he was prosecuted. The lord of Dalem – whose seigneurie incidentally had its own *Landbrief* – remained uninvolved in the entire affair. This case suggests that by the later sixteenth century at least, the independence of seigneurial law courts in Guelders was perhaps more discursive than practical. At the same time, the episode emphasises how seigneuries possessed the local clout that the princely administration often lacked. Thus, the seigneuries and princely institutions of this Netherlandish region formed a more or less harmonious system, similar to the integration of aristocratic and royal power previous studies have unveiled for different regions in the British Isles.<sup>92</sup>

It is worth pausing for a second here and consider how Guelders's sub-regional disparity in the spread of seigneuries affected this legal integration (**Table 1**). In a sense, the smaller number of seigneurial courts in the Quarter of Arnhem could have facilitated a more uniform legal framework in this area than in lordship-dense Nijmegen. Juridical authority over Arnhem's countryside was chiefly divided between the ducal seneschal (*drost*) of Veluwe and the bailiff (*richter*) of Veluwezoom. The rural and urban judiciaries in this Quarter also had recourse to a total of only three appellate courts; respectively, in the cities of Arnhem and Zutphen, and at the central ducal court of Engelandersholt. This degree of legal centralisation coincided with the dukes' preference for permanent residence in the Quarter's capital city of Arnhem from the second half of the fifteenth century onwards.<sup>93</sup> In

the Quarter of Nijmegen, by contrast, such judicial ties were more diverse. For one thing, the more numerous shires each had their own ducal reeve who passed sentence in a separate tribunal. For another, Nijmegen's seigneurial law courts were entangled with various appellate courts. In some lordships, such as Ressen in the shire of Over-Betuwe, the court of appeals even lay outside Guelders altogether.<sup>94</sup> These juridical offshoots potentially made for a 'leakier' state in the Quarter of Nijmegen. From what we have seen, however, the evidence can also be interpreted in the opposite way: through copying state legislation, the lordships in the Quarter of Nijmegen potentially formed a basis for the area's integration into the duchy's political system. At the same time, the bailiff of Veluwezoom apparently encountered problems in the administration of criminal justice because he had to juggle the local customs of various localities all at once (see above).

This ambiguity also applies to the role of seigneuries in the principality's fiscal integration. A recent study has shown that late medieval Guelders differed from other regions in the Low Countries in the organisation of its tax system. Where these other Netherlandish principalities (Brabant, Holland, Luxembourg) left the apportioning of fiscal duties up to the regional authorities (towns, shires), the tax burdens of the people of Guelders – based on individual wealth – were recorded at a central level.<sup>95</sup> This could mean that the subregional differences in seigneurial landscape had little impact on Guelders's fiscal integration. That said, the actual procedure of tax collection still fell to the prince's regional officers, who may have faced more practical obstacles to executing their tasks in a region with a marked seigneurial presence, such as the Quarter of Nijmegen, than in areas where princely authority was more absolute. On the whole, however, the fiscal contribution of the Quarter of Nijmegen does not appear to have suffered from the relative abundance of seigneurial jurisdictions in this subregion. In 1570, a duchy-wide tax acceded to the

government of King Philip II generated more revenue in the Nijmegen area than in the Quarter of Arnhem (respectively £179,924 and £125,222 Flemish groats). To be sure, the fiscal contribution of Nijmegen's lordships was lower than that of its non-seigneurial villages and towns (40 per cent), even though seigneurial communities slightly outweighed other communities in their number (**Table 3**). But this picture is sloped by the greater population numbers and concentrations of wealth in certain towns and larger non-seigneurial villages. As we have seen, lordships such as Poederoijen only counted around 200 people at this time, and this is reflected in their smaller contributions (£568 1s 3d Flemish groats over 4 years).<sup>96</sup> Furthermore, the way in which this 'central' fiscal record is structured, suggests that lords and seigneurial officers took up the task of local tax collection in their seigneuries: localities that shared the same lord were recorded in a single entry – even when they did not border on each other, such as Oyen and Dieden.<sup>97</sup> This implies that the levying of taxes was effectively outsourced to seigneurial governments as well.

[insert Table 3 here]

In a similar vein, seigneuries may have benefited the political integration of Guelders. Part of the reason for this is that lordships with high justice were represented by their lords at the Estates assemblies. Much like the prince and seigneurial communities, the cities and towns therefore recognised the political legitimacy of the seigneurie. As a consequence, these rural localities were drawn into duchy-wide politics by proxy, even if they did not have a direct voice. So they acquired a formal political status alongside the towns of Guelders, which had to take their position into consideration. The high lordships of Guelders could thereby operate on a similar footing to the smaller towns – not counting

those exceptional seigneuries that were actual towns, like Batenburg and Gendt.<sup>98</sup> Villages without a lord lacked this kind of representation. The non-seigneurial countryside was certainly not without political influence, as its noble fief-holders were eligible for membership of the Estate of the Knighthood. But the latter were not nominal intermediaries for a local community. In other words, they did not operate on the same contractual basis as their seigneurial fellows who were identified by their lordship at the assemblies. What is more, through the intercession of lords, seigneurial jurisdictions inside the territorial bounds of Guelders but without feudal ties to the prince were nonetheless represented at the Estates meetings. This becomes more significant when one realises that around half of the high lordships in the Quarter of Nijmegen were either fiefs of neighbouring princes or were juridically independent allods. Through their seigneurial status, the interests of these legally ambivalent localities were still looked after at the Estates assemblies.<sup>99</sup> Put the other way around, their seigneurial status drew these places into the framework of Guelders's state.

## **V. Conclusion: seeing like a seigneurie?**

This article has suggested that the persistence of seigneurial governance was not necessarily counterproductive to state formation in the late medieval Low Countries and, by extension, in the principalities of the German Empire more generally. This conclusion is borne out by empirical evidence for the Netherlandish principality of Guelders. The analysis has expressly departed from the still dominant narrative of a progressive centralisation of state power and the requisite decline of 'private' courts of justice by the end of the middle ages. The evidence has shown that, far from declining, the number of seigneuries and their associated tribunals remained constant in Guelders between 1325 and 1570. These jurisdictions were

ruled by seigneurial families with a degree of long-term dynastic continuity similar to other European regions where seigneurial institutions remained ingrained in the political system (e.g. the Basse-Auvergne in France). What is more, the number of lordships charged with criminal justice – which supposedly undercut the state's monopoly on licit violence – actually increased between the end of the fifteenth and the middle of the sixteenth century.

Contrary to the centralisation thesis, I have argued that this persistence of seigneurial justice was not so much a consequence of elite resistance or a failure on the part of the state to siphon off the power of regional elites. Rather, it was an effect of active collaboration between the princely administration and the lords of Guelders, based on a shared interest in the legitimisation and facilitation of governance. So, the foreign Duke Charles the Bold explicitly positioned himself as the 'principal' lord (*prinche*) of Guelders as a means to legitimate his authority when he became duke of Guelders in 1473. Likewise, Duke Charles of Egmont (1492-1538) pursued a veritable policy of expanding seigneurial jurisdictions in the early 1500s because this served the practical interests (financial, military) of the state. The lords themselves, meanwhile, derived exalted social status from exercising justice in their own seigneurial courts. This seigneurial status also granted them access to duchy-wide politics through participation at the assemblies of the Three Estates. To the inhabitants of Guelders, seigneurial governance enabled a direct involvement in local politics; partly through their contractual relationship with the lord, based on the contemporary ideology of Good Lordship; partly because of the familiarity of seigneurial institutions, buildings, and personnel; and ultimately because political offices were within reach even of local landowners with a mere medium-sized holding (and pointedly not to outsiders). This bottom-up consent to seigneurial governance fed back positively into the legitimacy of the overarching political system, thereby benefiting the state.

The findings of this study therefore tie in closely with a growing body of scholarship that emphasises the mutualistic relationship and institutional integration of medieval state administrations and their elites. Firstly, the Netherlandish case of Guelders is reminiscent of the enduring juridical, military, and political relevance of seigneurial institutions in the late medieval Basse-Auvergne as demonstrated by Pierre Charbonnier in the 1980s and 1990s. Secondly, the seigneurial system of Guelders between 1325 and 1570 bears close resemblance to that of Scotland in the high middle ages. As Alice Taylor has recently argued, in the kingdom of Scots, 'the institutions of royal government developed with and alongside the jurisdictional power that kings expected aristocrats to exercise in their own lands'.<sup>100</sup> This is very similar to Guelders's stability of seigneurial governance alongside the evolving princely institutions.

Scotland and Guelders show a further parallel in the sense that their political developments have largely been explained in connection with the influence of external governmental structures: what is called 'Anglicization' in the Scottish case, or 'Burgundisation' (*Bourgondisering*) in the case of Guelders.<sup>101</sup> This confrontation between external and internal systems of governance recalls parts of the analysis in James C. Scott's 1998 book *Seeing like a State*. According to Scott, the pitfall of *modern* states lies in their attempt to forcefully make local societies 'legible'; that is to say, to superimpose standardised grids (e.g. of taxation, military conscription) throughout their territories. Scott considers these schemes of the modern state doomed to failure because they ignore the fundamental localised 'knowledge that can only come from practical experience'.<sup>102</sup> As we have seen, certain princely administrations of late medieval Guelders also tried to standardise the diverse local practices in their principality. Most prominently, Charles the Bold attempted to streamline Guelders's feudal administration in the late fifteenth century,



while his Habsburg followers strove for a homogenous criminal system during their reign (1543-1581). In keeping with Scott's thesis, however, these pre-modern efforts of the state were ultimately ineffective.<sup>103</sup>

This is where the seigneurie fulfilled a pivotal role in the operation of principalities as late medieval versions of states. As I have argued, the seigneurie functioned like an interface between the top-down perspective of the princely administration and the bottom-up viewpoint of local communities. Virtually a pan-European institution, the seigneurie was superficially familiar (or legible) to late medieval princely administrations. So, notwithstanding some minor attempts at standardisation, the princes of Guelders predominantly followed the path of least resistance and outsourced governmental tasks to the level of the seigneurie. This level of governance was both familiar and legitimate, or legible, in the eyes of local populations. Equally important, the lord and his locally sourced officers were perhaps in a better position to understand (or 'read') the specific circumstances and customs of these local societies than princely agents with a wider geographic remit. By outsourcing aspects of governance to the seigneurie, the late medieval state of Guelders thus avoided the 'modern mistake' of ignoring the fundamental expertise of the local populace. As suggested by a recent study, this inclusivity of seignorial politics only increased in Guelders during the seventeenth and eighteenth centuries.<sup>104</sup>

To be clear, I by no means wish to suggest that late medieval lordship and its associated institutions were somehow 'right', or even efficient, forms of government.<sup>105</sup> I have merely entertained the notion that seignorial institutions of governance may have been 'optimal' under the specific historic circumstances in which they persisted for the better part of two-and-a-half centuries: a consequence of the convergence of interests between, and practical restrictions of, the most important political stakeholders. Together,

the princes, seigneuries, non-seigneurial localities, and towns of late medieval Guelders formed a political system that shows clear signs of institutional integration between the early fourteenth and later sixteenth century. Insofar as we can label this form of government a state, it was certainly a different kind of state than envisioned by the disciples of Max Weber.

Thus, as historians re-examine pre-modern states with an eye to this kind of historical particularism, the 'ideal type' state based on centralisation and the monopoly of force increasingly turns out to be atypical. It might therefore be fruitful for future studies of pre-modern state formation to start from a default hypothesis based on the interrelation of state and elite power, rather than one based on opposition between centralisation and 'private' forms of power. Although long-term quantifications of seigneurial power may not always be possible, it is certainly feasible to broaden the analytical viewpoint as I have tried to do here, viewing governance as much through the eyes of lords and seigneurial communities as from the top-down perspective of the ruling administration.

## Tables and Figures

Table 1

*Quantitative survey of seigneuries in Guelders (14<sup>th</sup>-16<sup>th</sup> century)*

Shire	c. 1325	c. 1475	c. 1540	c. 1570	N <sup>o</sup> of parishes (>1520) <sup>a</sup>
Quarter of Nijmegen					
Bommelerwaard	4 (3) <sup>b</sup>	12 (4)	11 (4)	11 (4)	15
Imperial Nijmegen	4 (1)	8 (5)	8 (5)	8 (6)	14
Meuse & Waal	6 (1 ½)	9 (3)	8 (4)	9 (6)	20
Neder-Betuwe	5 (2)	8 (4)	7 (5)	7 (4)	17
Over-Betuwe	9 (2)	10 (9)	12 (12)	12 (12)	27
Tielerwaard	4 (0)	11 (1)	10 (2)	9 (2)	23
<i>Quarter total</i>	<i>32 (9 ⅓)</i>	<i>58 (28)</i>	<i>56 (32)</i>	<i>56 (34)</i>	<i>116</i>
Quarter of Arnhem					
Veluwe	3 (0)	4 (0)	4 (0)	4 (0)	32
Veluwezoom	2 (1)	3 (1)	5 (3)	5 (3)	11
<i>Quarter total</i>	<i>5 (1)</i>	<i>7 (1)</i>	<i>9 (3)</i>	<i>9 (3)</i>	<i>43</i>

<sup>a</sup>These figures do not include the urban parishes. Based on: M. G. Spiertz & R. W. A. Megens, *Gids voor de studie van reformatie en katholieke herleving in Gelderland 1520-1620* (Utrecht, 1986).

<sup>b</sup>The first number in each column denotes the total number of seigneuries in the shire, the second number (between brackets) signifies which of that number were lordships with high (criminal) justice.

Sources: GA 0002, Nos. 1A, 2B, 4D, 12, 14G, 16, 22, 102, 115, 116; 0124, Nos. 983/14, 2280, 4346, 4923/49; 0243, Nos. 947, 1918; 0379, No. 557; 0632, No. 170; 0609, No. 744; 0583, No. 77; 0397, No. 3; 0375, No. 2;

0392, No. 8; 0426, No. 1; 0525, No. 160; 0522, Nos. 81, 193; 0383, No. 61; 0430, Nos. 107, 141; 0520, No. 288/11; 0382, Nos. 1, 2, 70; 0533, No. 3; 0370, Nos. 100, 6002; 0012, Nos. 368, 591, 2198; 0510, No. 104; 1172, Nos. 619, 620, 622A, 685/A, 1052; 0390, Nos. 2, 12; 0376, No. 38; 0448, No. 1; 0396, No. 5; 0447, No. 200; 's-Hertogenbosch, Brabants Historisch Informatie Centrum 286, No. 468; AHB 0214, Nos. 270, 474, 510, 1113, 3286, 4948, 5668, 5770, 6112; The Hague, Nationaal Archief 3.19.11, Nos. 2.1, 2.2; 3.19.02, Nos. 93, 102; 3.01.01, No. 69; Utrecht, Utrechts Archief 1240, Nos. 10, 12, 17; 85-1, No. 376; RDO\_OA, No. 1446.0; 218-1, No. 560; P. N. van Doorninck and J. S. van Veen eds., *Acten betreffende Gelre en Zutphen, 1107-1415* (Haarlem, 1908); van Doorninck, *Het oudste leenactenboek*; D. Graswinckel, 'Hulhuizen', *BM Gelre*, **27** (1927), 1-29, Appendices; Th. Ilgen ed., *Quellen zur inneren Geschichte der rhenischen Territorien: Herzogtum Kleve*, 2 Vols. (Bonn, 1921-1925); Theod. Jos. Lacomblet ed., *Urkundenbuch für die Geschichte des Niederrheins, etc.*, Vols. 3-4 (Düsseldorf, 1853-1858); Nijhoff, *Gedenkwaardigheden*, Vols. 1-6; Sloet and van Veen, *Register op de Leenaktenboeken, Het Kwartier van Arnhem; Het Kwartier van Nymegen*.

Table 2.a

*Evolution of seigneurial families (Quarters of Nijmegen and Arnhem)*

	c. 1325	c. 1475	c. 1540	c. 1570
N° of identified families	31	34	32	33
N° of seigneuries	38	47	58	65
Average n° of seigneuries/family	1.23	1.38	1.81	1.97

Sources: see Table 1.

Table 2.b

*Dynastic continuity of seigneurial families (Quarters of Nijmegen and Arnhem)*

<i>Poll moments</i>	1325-1475	1475-1540	1540-1570
	(n = 28)	(n = 49)	(n = 51)
Dynastic continuity	21%	47%	71%
With high justice	17%	45%	67%
Without high justice	30%	48%	75%
<i>Long term</i>	1325-1475	1475-1570	1325-1570
	(n = 28)	(n = 52)	(n = 30)
Dynastic continuity	21%	44%	10%
With high justice	17%	46%	5%
Without high justice	30%	42%	25%

n = number of lordships with known seigneurial families for both sample years

Sources: see Table 1.

Table 3

*Fiscal contributions of localities (urban and rural) in 1570**Based on four-year totals (raised in £ of 40 Flemish groats)*

Quarter of Nijmegen <sup>a</sup>	Seigneurial localities <sup>b</sup>	Non-seigneurial localities	Seigneurial contribution	Non-seigneurial contribution
<b>Total: £179,924</b>				
Bommelerwaard	12	6	44%	56%
Imperial Nijmegen	19	11	57%	43%
Neder-Betuwe	7	12	15%	85%
Over-Betuwe	14	14	29%	71%
Tielerwaard	12	15	46%	54%
	64 (52%)	58 (48%)	40%	60%
Quarter of Arnhem				
<b>Total: £125,222</b>				
Veluwe <sup>c</sup>	4 (18%)	18 (82%)	7%	93%

<sup>a</sup> The shire of Meuse & Waal is not listed separately in the source.<sup>b</sup> These are the localities as distinguished in the source.<sup>c</sup> The source does not distinguish between different shires for the Quarter of Arnhem.

Source: GA, Handschriften Rijksarchief in Gelderland, No. 409 ('*Verclaringhe van de taxe oft quoten der Steden, Heerlickheyden, Dorpen und Ampten des Furstendoms Gelre und Graeffschap Zutphen...*').



**Figure 1 Guelders and its seigneuries, 1325-1570 (Quarters of Arnhem and Nijmegen)**

Sources: see Table 1. Map by Hans Blomme, Ghent University.

<sup>1</sup> Max Weber, 'Politics as a vocation', in Max Weber, David Owen and Tracy B. Strong eds., Rodney Livingstone (trans.), *The vocation lectures* (Indianapolis, 2004), 32-94, there: 38. For an overview, see: Susan Reynolds, 'The Historiography of the Medieval State', in M. Bentley ed., *Companion to Historiography* (London & New York, 1997; 2006 edition), 109-29.

<sup>2</sup> At this point, some historians opt for a more careful terminology and refer to 'polities' rather than 'states', most prominently: John Watts, *The making of polities: Europe, 1300-1500* (Cambridge, 2009). Although this is justifiable, I favour the term 'state', primarily because this common vocabulary facilitates comparisons with other regions and time periods. See: Rees Davies, 'The medieval state: the tyranny of a concept?', *Journal of Historical Sociology* 16, 2 (2003), 280-300; Susan Reynolds, 'There were states in medieval Europe. A response to Rees Davies', *Journal of Historical Sociology* 16, 4 (2003), 550-55.

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<sup>3</sup> Jeremy Black, *Kings, nobles & commoners. States and societies in early modern Europe. A revisionist history* (London & New York, 2004), 19.

<sup>4</sup> Hillay Zmora, *Monarchy, aristocracy and the state in Europe, 1300-1800* (London & New York, 2001), esp. 37-54; Justine Firnhaber-Baker, 'Seigneurial war and royal power in later medieval Southern France', *Past & Present* **208**, 1 (2010), 37-76, there: 75-6. The seminal study on the importance of war and taxes in state making is: Charles Tilly, *Coercion, capital, and European states, A.D. 990-1990* (Cambridge Mass. & Oxford, 1990).

<sup>5</sup> Davies, 'The medieval state', 295; Peter Coss, *The aristocracy in England and Tuscany, 1000-1250* (Oxford, 2019), 422.

<sup>6</sup> Chris Wickham, 'Defining the seigneurie since the War', in M. Bourin and P. Martínez Sopena eds., *Pour une anthropologie du prélèvement seigneurial dans les campagnes médiévales (XIe- XIVe siècles). Réalités et représentations paysannes. Colloque tenu a Medina del Campo du 31 mai au 3 juin 2000* (Paris, 2004), 43-50, there: 44-5; Timothy Reuter, 'Forms of lordship in German historiography', in *ibid.*, 51-61.

<sup>7</sup> Weber, 'Politics as a vocation', 38; Otto Brunner, *Land und Herrschaft. Grundfragen der territorialen Verfassungsgeschichte Österreichs im Mittelalter* (Baden-bei-Wien, 1939); Davies, 'The medieval state'.

<sup>8</sup> Quoted from: Steven Gunn, David Grummet and Hans Cools, *War, state and society in England and the Netherlands, 1477-1559* (Oxford, 2007), 163. See also: Robert Stein, *Magnanimous dukes and rising states. The unification of the Burgundian Netherlands, 1380-1480* (Oxford, 2017), esp. 260.

<sup>9</sup> See especially: Pierre Charbonnier, *Une autre France. La seigneurie rurale en Basse-Auvergne du XIVe au XVIe siècle* (Clermont-Ferrand, 1982); *id.*, 'La crise de la seigneurie à la fin du Moyen Âge vue de "l'autre France"', in *Seigneurs et seigneuries au Moyen Âge. 117e Congrès national des sociétés historiques et scientifiques, 1992, Clermont-Ferrand* (Paris, 1993), 111-122.

<sup>10</sup> Justine Firnhaber-Baker, *Violence and the state in Languedoc, 1250-1400* (Cambridge, 2014), 7, 10, 180-4; Zoe Schneider, *The King's Bench. Bailiwick magistrates and local governance in Normandy, 1670-1740* (Woodbridge, 2008), 5-7. See also: Alice Taylor, 'Formalising aristocratic power in royal *acta* in late twelfth- and early thirteenth-century France and Scotland', *Transactions of the Royal Historical Society* **28** (2018), 33-64, there: 59-64.



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<sup>11</sup> Alice Taylor, *The shape of the state in medieval Scotland, 1124-1290* (Oxford, 2016), 454.

<sup>12</sup> Timothy Reuter, 'Modern mentalities and medieval polities', in Timothy Reuter and Janet L. Jensen ed., *Medieval polities and modern mentalities* (Cambridge, 2006), 3-18, there: 14-5.

<sup>13</sup> Susan Reynolds, 'The Historiography of the Medieval State', 115-7, 120-2.

<sup>14</sup> See the opposing views on the development of a 'state' of the Burgundian Netherlands in two recent monographs on the topic: Élodie Lecuppre-Desjardin, *Le royaume inachevé des ducs de Bourgogne* (Paris, 2016); Stein, *Magnanimous dukes and rising states*.

<sup>15</sup> Rees Davies and Brendan, *Lords and lordship in the British Isles in the Late Middle Ages* (Oxford, 2009), 179-82.

<sup>16</sup> Bas van Bavel, *Manors and markets. Economy and society in the Low Countries, 500-1600* (Oxford, 2010), 120-2; Erik Thoen, 'Rechten en plichten van plattelanders als instrumenten van machtspolitieke strijd tussen adel, stedelijke burgerij en grafelijk gezag in het laat-Middeleeuwse Vlaanderen. Buitenpoorterij en mortemain-rechten ten persoonlijke titel in de kasselrijen van Aalst en Oudenaarde vooral toegepast op de periode rond 1400', in *Handelingen Van Het 13de Internationaal Colloquium Spa*, (1986), 469-90, there: 474-80, 489-90.

<sup>17</sup> Some of these materials have been published during the nineteenth- and early twentieth centuries. The main archival collections can be found at the *Gelders Archief* (subsequently GA) in the Dutch city of Arnhem.

<sup>18</sup> I am currently preparing a co-authored article with relevant specialists on the principalities of Brabant, Flanders, Holland, and Zeeland, to address this comparative dimension.

<sup>19</sup> A recent general history of 'the Netherlands' mentions Guelders only once: Wim Blockmans, *Metropolen aan de Noordzee. De geschiedenis van Nederland, 1100-1560* (Hilversum, 2010; 2nd edition, 2012), 470. Some studies exclude Guelders on the grounds of its 'peripheral' position: Stein, *Magnanimous dukes and rising states*, 7-14.

<sup>20</sup> Aart Noordzij, 'The wars of the lord of Bronkhorst. Territory, lordship, and the proliferation of violence in fourteenth-century Guelders', *The Medieval Low Countries* 1 (2014), 61-93, there: 91-3; Rémi van Schaïk, 'Taxation, public finances and the state-making process in the late Middle Ages. The case of the duchy of Guelders', *Journal of Medieval History* 19 (1993), 251-71, there: 266-71; Matthias Böck, *Herzöge und Konflikt*.

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*Das spätmittelalterliche Herzogtum Geldern im Spannungsfeld von Dynastie, ständischen Kräften und territorialer Konkurrenz (1339-1543)* (Geldern, 2013), 1.

<sup>21</sup> For a similar approach: Alice Taylor, *The shape of the state in medieval Scotland, 1124-1290* (Oxford, 2016), 12-20.

<sup>22</sup> Van Bavel, *Manors and markets*, 76-80, 90-2.

<sup>23</sup> There were in fact some losses (e.g. of the shire of Duffelt in the early fifteenth century) and temporary acquisitions (e.g. the land of Cuijk, between 1400 and 1473). To keep the 'territorial' variable as constant as possible, these areas have been left out of the analysis: Noordzij, *Gelre*, 106-8, 112, 130-1; Böck, *Herzöge und Konflikt*, 273-6, 318-24.

<sup>24</sup> Noordzij, *Gelre*, 50-2.

<sup>25</sup> Aafje Groustra-Werdekker, 'Bourgondisering van het hertogdom Gelre vóór het Tractaat van Venlo, 1473-1543', *Publications du Centre Européen d'Etudes Bourguignonnes* **36** (1996), 89-103; Henny Denessen, 'Bestuurlijke vernieuwing in het hertogdom Gelre. De leenstadhouders van Karel de Stoute (1473-1477)', *Bijdragen en Mededelingen Gelre* **107** (2016), 59-76.

<sup>26</sup> For instance, an overview of the *Ridderschap* of Nijmegen in 1570 identifies several of its members as holding lordships (Balgoy, Hernen, Ressen, Doornik, Loenen, Hemmen, Meinserswijk, Doddendaal, Poederloijen): Arnhem, Gelders Archief (subsequently GA), *Hof van Gelre en Zutphen*, No. 1592, f. 117r-120r; Nijsten, *Het hof van Gelre*, 31-3, Appendices I-V.

<sup>27</sup> Van Schaïk, 'Taxation, public finances and the state-making process', 259-62; Gerard Nijsten, *Het hof van Gelre. Cultuur ten tijde van de hertogen uit het Gulikse en Egmondse huis (1371-1473)* (Kampen, 1992; 2nd edition, 1993), 65-6; Jaap Ligthart, 'Involvement of the Guelders Estates in the alienation of ducal domains (1423-1473)', in Jaco Zuijderduijn and Dries Raeymaekers eds., *Publieke financiën in de Lage Landen (1300-1800)* (Maastricht, 2015), 49-68; *id.*, 'Verpanding van domeingoederen in het Kwartier van Arnhem door Arnold van Gelre (1423-1473)', *Bijdragen en Mededelingen Gelre* **105** (2013), 51-80; Schaïk, 'Taxation', 266-71; Jan Kuys, *De ambtman in het Kwartier van Nijmegen (ca. 1250-1543)* (Nijmegen, 1987), 1-6.

<sup>28</sup> On banneret-lordships in the Low Countries: Henny Denessen, 'De Gelderse bannerheren in de vijftiende eeuw', *Virtus - Journal of Nobility Studies* **20** (2013), 11-36, there: 33-4; A. Johanna Maris, 'De lijst van bannerheerlijkheden en andere hoge heerlijkheden in Gelre en Zutphen van 1569', *Bijdragen & Mededelingen*

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*Gelre* **68** (1974-1975), 143-59, there: 144-5; Mario Damen, 'Heren met banieren. De baanrotsen van Brabant in de vijftiende eeuw', in Mario Damen and Louis Sicking eds., *Bourgondië voorbij. De Nederlanden 1250-1650. Liber alumnorum Wim Blockmans* (Hilversum, 2010), 139-58, there: 145-8; Frederik Buylaert, *Eeuwen van ambitie. De adel in laatmiddeleeuws Vlaanderen* (Brussels, 2010), 66; Antheun Janse, *Ridderschap in Holland. Portret van een adellijke elite in de Late Middeleeuwen* (Hilversum, 2001), 152-5.

<sup>29</sup> Kuys, *De ambtman*, 199-204; GA, Hof van Gelre en Zutphen, No. 4346, e.g. f. 54r-56v (1569). A rare practical example of a lord transferring a murder case to the ducal court occurred in the lordship of Ewijk in 1421: GA, Graven en hertogen van Gelre, graven van Zutphen, No. 3540, f. 6v-7v.

<sup>30</sup> Because of this, day-to-day lordships were arguably an extension of princely command: Jan Kuys, 'Dagelijkse heerlijkheden in de Bommeler- en Tielerwaard tot omstreeks het midden van de zeventiende eeuw', *Bijdragen en Mededelingen Gelre* **70** (1978-1979), 1-35, there: 9-16; Janse, *Ridderschap in Holland*, 146-52. Contrary to what is known for other Netherlandish principalities, I have not found references to seigneuries with 'low' or 'foncière' jurisdiction in the research area, with the possible exception of the 'lordship of the homestead of Maasbommel' ('*le seignourie de la maisure de Maesboemel*'): GA, *Leenkamer van Gelre en Zutphen*, No. 116, f. 5r; *ibid.*, No. 117, f. 5r. See also: W. de Vries, 'Bijdragen tot de geschiedenis van het rechterlijke bestel in Gelderland. I. Het rechterlijke bestel van de stad en vrijheid Maasbommel', *Bijdragen en Mededelingen Gelre* **49** (1947-1949), 39-48.

<sup>31</sup> '[...] myner heer lieve ende getrouwe ondersaten, geheel cleyn van gethale ende nomre wesende, bedraghende in alles jonck ende oudt ombtrint twehondert communicanten [...]': GA, Hof van Gelre en Zutphen, No. 4346, f. 54r.

<sup>32</sup> The population size of seigneurial jurisdictions in Guelders ranged from a few dozen inhabitants in the lordship of Persingen in 1387 to around 500 residents in the three villages comprising the lordship of Ammerzoden in 1382: Remi van Schaik, *Belasting, bevolking en bezit in Gelre en Zutphen (1350-1550)* (Hilversum, 1987), Appendix I, Table 27; Noordzij, *Gelre*, 258.

<sup>33</sup> Kuys, *De ambtman*, 207-30; Hof van Gelre en Zutphen, No. 4944/4, esp. 'Copia C'; Peter Hoppenbrouwers, 'De middeleeuwse oorsprong van de dorpsgemeente in het noorden van het hertogdom Brabant', *Noorbrabants Historisch Jaarboek* **17-18** (2001), 45-90, there: 53-64; *Id.*, 'Op zoek naar de 'kerels'. De

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dorpsgemeente in de dagen van graaf Floris V', in D. de Boer, E. Cordfunke and H. Sarfatij eds., *Wi Florens... De Hollandse graaf Floris V in de samenleving van de dertiende eeuw* (Utrecht 1996), 224-43, there: 225-6.

<sup>34</sup> GA, Hof van Gelre en Zutphen, No. 4930/15; Zijp, 'De rechterlike organisatie', 212; Kuys, *De ambtman*, 289-90.

<sup>35</sup> This becomes especially apparent when consulting a late-sixteenth-century summary of the entire feudal administration of Guelders up until that point, drawn up by the contemporary feudal stadtholders. For an edited version of this summary: J. J. Sloet and J. S. van Veen et al. eds., *Register op de Leenaktenboeken van het vorstendom Gelre en graafschap Zutphen*, 10 vols. (Gouda, 1904-1937).

<sup>36</sup> This marks another difference with Flanders. See: Rik Opsommer, 'Omme dat leengoed es thoochste dinc van der weerelt'. *Het leenrecht in Vlaanderen in de 14de en 15de eeuw* (Brussels, 1995).

<sup>37</sup> P. N. van Doorninck, *Het oudste leenactenboek van Gelre, 1326. Naar het oorspronkelijke handschrift* (Harlem, 1898); Bas van Bavel, *Transitie en continuïteit. De bezitsverhoudingen en de plattelandseconomie in het westelijke gedeelte van het Gelderse rivierengebied, ca. 1300 - ca. 1570* (Hilversum, 1999), 217.

<sup>38</sup> Maris, 'De lijst van bannerheerlijkheden', 148-9; 's-Heerenberg, Archief Huis Bergh (subsequently AHB), Heerlijkheid Homoet, Nos. 5667, 5668. Wherever the princely overviews are silent on a given lordship, I have sought references to that lordship closely before and after the sample year in question, with a margin of error of a decade. I have made exceptions to this rule whenever the records strongly suggest continuity over a longer timeframe (e.g. the seigneurie of Velp; see below).

<sup>39</sup> Nijhoff, *Gedenkwaardigheden*, I, No. 384; Gerard van Hasselt, *Roozendaal als de prachtigste bezitting van de Geldersche graven en hertogen en derzelve hofhouding aldaar, enz. enz., met echte bewyzen bekend gemaakt* (Arnhem, 1808), 436-7, 441-4.

<sup>40</sup> Nijhoff, VI-A, 389-90 (No. 598), 331-2 (No. 500); Gerard van Hasselt, *Geldersch maandwerk voor 't jaar 1807. Eerste deel* (Arnhem, 1807), 116-19; GA, *Huis Zoelen*, No. 200.

<sup>41</sup> Sometimes this meant creating altogether new seigneuries. For example: Tim Soens, *De spade in de dijk? Waterbeheer en rurale samenleving in de Vlaamse kustvlakte (1280-1580)* (Ghent, 2009), 176-77.

<sup>42</sup> Frederik Buylaert, 'The late medieval "crisis of the nobility" reconsidered. The case of Flanders', *Journal of Social History* **45**, 4 (2012), 1117-1134, there: 1124-25.

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<sup>43</sup> Raymond Van Uytven, 'Vorst, adel en steden. Een driehoeksverhouding in Brabant van de twaalfde tot de zestiende eeuw', *Bijdragen Geschiedenis Hertogdom Brabant* **59** (1976), 93-122, there: 110. For Flanders, see: Buylaert, 'The late medieval "crisis of the nobility" reconsidered', 1123. On the concentration of seigneurial estates in the duchy of Burgundy itself: Marie-Thérèse Caron, *La noblesse dans le duché de Bourgogne, 1315-1477* (Lille, 1987), 142.

<sup>44</sup> The lord who possessed most seigneuries at a given time was Willem van den Bergh (c. 1570), and he only held four (Bylandt, Hedel, Millingen, Ochten) – that is, in the research area (he also held the banneret-lordship in the Quarter of Zutphen).

<sup>45</sup> Given the small size of the samples, I have chosen to treat the Quarters of Arnhem and Nijmegen as a single research population. I have primarily considered the persistence of surnames as indicators of familial stability, but in most cases I was able to confirm this through explicit references to transfer by inheritance in the sources.

<sup>46</sup> Charbonnier, *Une autre France*, 475, 997.

<sup>47</sup> Jan Dumolyn, 'Nobles, patricians and officers. The making of a regional political elite in late medieval Flanders', *Journal of Social History* **40**, 2 (2006), 431-452; Frederik Buylaert, 'Lordship, urbanization and social change in late medieval Flanders', *Past & Present* **227** (2015), 31-75. See also: Charbonnier, *Une autre France*, 1148, 1153, 1162-3.

<sup>48</sup> In an overview of 1569, 32 out of the 54 high lordships belonged to the Quarter of Nijmegen: Maris, 'De lijst van bannerheerlijkheden', 146-59.

<sup>49</sup> GA, Huis Doorwerth, No. 60. "Leenboek, 1413-1518", f. 1r, 4v; Van Hasselt, *Roozendaal*, 436-7, 441-4.

<sup>50</sup> Van Bavel, *Manors and markets*, esp. 380-3.

<sup>51</sup> These estimates are based on: Van Schaïk, *Belasting, bevolking en bezit*, Appendix III, Tables 36 and 38.

<sup>52</sup> In this, the seigneuries closely followed the pattern identified for the region's (former) manorial exploitations: Van Bavel, *Manors and markets*, 35-6, 38-40, 79-82; Bernard Slicher van Bath, 'Hoven op de Veluwe', in *Ceres en Clio. Zeven variaties op het thema landbouwgeschiedenis. Geschreven ter gelegenheid van het vijftienvigjarig bestaan van de Studiekring voor de Geschiedenis van de Landbouw* (Wageningen, 1964), 167-204, there: 171-80 (map on p. 173).

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<sup>53</sup> Gunn, Grummet and Cools, *War, state and society*, 163 (see above).

<sup>54</sup> Buylaert, *Eeuwen van ambitie*, 62-72; Paul De Win, 'De adel in het hertogdom Brabant van de vijftiende eeuw. Een terreinverkenning', *Tijdschrift voor Geschiedenis* **93** (1980), 391-409, there: 392-3. For Guelders, the classic work is still Johanna Maria van Winter, *Ministerialiteit en ridderschap in Gelre en Zutphen* (Arnhem, 1962), but despite the author's erudition and thorough study of the topic, it remains unclear what was the key qualification for nobility.

<sup>55</sup> See also: Caron, *La noblesse dans le duché de Bourgogne*, 118-21.

<sup>56</sup> GA, Hof van Gelre en Zutphen, No. 4916/27; GA, Huizen Waardenburg en Neerijnen, No. 939, fo. 2r.

<sup>57</sup> Peter Hoppenbrouwers 'Malgoverno or Good Lordship? The failing state in the later Middle Ages', in S. Grodziskiego et al., eds., *Vetera novis augere. Studia I prace dedykowane Profesorowi Wacławowi Uruszcakowi* (Krakow, 2010), 321-35.

<sup>58</sup> Dieuwke van der Poel et al., eds., *Het Antwerps Liedboek*, 2 Vols. (Tielt, 2004), II, 264-67. I am grateful to Linde Nuyts for pointing me in the direction of this source.

<sup>59</sup> Jim van der Meulen, 'Corporate collective action and the market cycle in Nieuwkerke, Flanders, 1300-1600', *Social History* **43**, 3 (2018), 375-99, there: 384-6; Sheilagh Ogilvie, *The European guilds. An economic analysis* (Princeton, 2019), 549-51.

<sup>60</sup> Jim van der Meulen, 'Grillige landschappen, grillige heerschappen. De veranderlijke natuur en de ruimtelijke afbakening van heerlijkheden in het Gelderse rivierengebied (15e en 16e eeuw), *Bijdragen en Mededelingen Gelre* **111** (2020), 125-146, there: 138-41.

<sup>61</sup> GA, Hof van Gelre en Zutphen, No. 2020.

<sup>62</sup> GA, Hof van Gelre en Zutphen, No. 4346, f. 54v. Nina Valkeneers and Violet Soen, 'Praet, Bronkhorst en Boetzelaer. Adellijke weduwes in de bres voor het calvinisme tijdens en na de Beeldenstorm (1566-1567)', *Handelingen van de Koninklijke Zuid-Nederlandse Maatschappij voor Taal-, Letterkunde en Geschiedenis* **69** (2015) 265-84, there: 265-72.

<sup>63</sup> Taylor, 'Formalising aristocratic power', 59-64.

<sup>64</sup> Peter Arnade, *Beggars, iconoclasts, and civic patriots. The political culture of the Dutch Revolt* (Ithaca, 2008), 307-9.

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<sup>65</sup> These ties are sometimes referred to as an 'affinity': Christine Carpenter, 'The Beauchamp affinity. A study of bastard feudalism at work', *English Historical Review* **105**, 386 (July 1980), 514-32, there: 514-5, 524.

<sup>66</sup> The coins of Batenburg continued to be minted until at least 1557, when the highest denomination was valued at half a shilling (*stuver*) of Guelders, the lowest at 1/11 of a shilling: Nijhoff, *Gedenkwaardigheden*, II, No. 42 (27 July, 1349); GA, *Brieven uit en aan het Hof*, No. 653 (letters of 30 November 1556; 9 December 1556; 4 March 1557).

<sup>67</sup> P.D. Spies, *Ambt Nederbetuwe. Gerichtssignaat Bank Kesteren, 1559-1566* (self-published, 2019), 245.

<sup>68</sup> J. S. van Veen ed., 'Landrechten van Ammerzoden', *Vereeniging tot uitgave der bronnen van het oude vaderlandsche recht. Verslagen en mededeelingen* **4**, 1-6 (The Hague, 1903), 594-612, there: 599 (5 *morgen* or 4.25 ha); GA, Hof van Gelre en Zutphen, No. 4346, f. 313r ('*ende zijn goet sall weert zijn hondert Phls. Burgh.<sup>e</sup> schilden ende nijet min*').

<sup>69</sup> Noordzij, *Gelre*, 123-4.

<sup>70</sup> Paul Brusse, 'Property, power and participation in local administration in the Dutch delta in the early modern period', *Continuity and Change* **33**, 1 (2018), 59-86, there: 68, 73, 81-3.

<sup>71</sup> '[...] *dat wanneer die richter van Arnhem ind Veluwezoem ennigen misdediger van den leven ther doet brachte, dat alssdan dye van Oesterbeeck altyt den staecken opgericht hebben gehad ind gheijn anderen van den kerspelen in Veluwenzoem gelegen [...]*': GA, Hof van Gelre en Zutphen, No. 4944/4, Copia C.

<sup>72</sup> Think of jury duty in medieval England (or the present, for that matter): James Masschaele, *Jury, state, and society in medieval England* (New York, 2008), 199-210.

<sup>73</sup> GA, Hof van Gelre en Zutphen, No. 4346, f. 37v, 39r-41v, 83r-87v, 275Ar-275Br.

<sup>74</sup> Hoppenbrouwers, 'De middeleeuwse oorsprong van de dorpsgemeente', 53-64; Hoppenbrouwers, 'Op zoek naar de "kerels"', 225-6.

<sup>75</sup> Van Schaïk, 'Taxation, public finances and the state-making process', 267.

<sup>76</sup> Simon Szreter and Keith Breckenridge, 'Editors' introduction. Recognition and registration: The infrastructure of personhood in World History', in Simon Szreter and Keith Breckenridge, eds., *Registration and Recognition. Documenting the person in World History* (Oxford, 2012), 1-38, there: 20-2.

<sup>77</sup> Taylor, 'Formalising aristocratic power', 62; Noordzij, *Gelre*, 50-2.

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- <sup>78</sup> The duke ordered these overviews for all his (Netherlandish) principalities: Antheun Janse, 'Feudal registration and the study of nobility. The Burgundian registers of 1475', in J.-F. Nieuws ed., *Le vassal, le fief et l'écrit. Pratiques d'écriture et enjeux documentaires dans le champ de la féodalité (XIe-XVe s.)* (Louvain-la-Neuve, 2007), 173-88.
- <sup>79</sup> '[...] *tres redoubte seigneur [...] tres hault et tres puissant prince*': GA, Leenkamer van Gelre en Zutphen, No. 117, f. 2r.; *ibid.*, No. 116, f. 1r.
- <sup>80</sup> Noordzij, 'The wars of the lord of Bronkhorst', 91-3.
- <sup>81</sup> '[...] *bij ons totten uijtersten gebleven, bijgestaen in gedient [...] dat kerspel van Soulen mitter hoeger heerlicheit daeraff he ind sijne vuralderen die daegelicxsche heerlicheijt to hebben ind toe te hoeren plegen [...]*': GA, *Huis Soelen*, No. 200 (29 October 1506).
- <sup>82</sup> *ibid.*, No. 200; Klaas Kalkwiek, *De hertog en zijn burchten. Kastelen in de Geldersche geschiedenis tot 1543* (Zaltbommel, 1976), 47-50; Stefan Frankewitz, 'Haus, Burg und Schloss im Spiegel niederrheinländischer Urkunden' in Wim Hupperetz ed., *Middeleeuwse kastelen in Limburg. Verschijningsvormen van het kasteel, zijn adellijke bewoners en hun personeel* (Venlo, 1996), 77-96, there: 96.
- <sup>83</sup> For a similar perseverance of the military relevance of seigneuries: Charbonnier, *Une autre France*, 1144-48.
- <sup>84</sup> GA, Hof van Gelre en Zutphen, No. 651/500 (letter of 4 May 1550).
- <sup>85</sup> Van Hasselt, *Roozendaal*, 436-7, 441-44.
- <sup>86</sup> J. S. Van Veen ed., *Registers op de leenaktenboeken van het vorstendom Gelre en graafschap Zutphen. Het Kwartier van Arnhem* (Gouda, 1917), 118.
- <sup>87</sup> GA, Hof van Gelre en Zutphen, No. 4346; *ibid.*, No. 4348, fos. 1r-4r. See also: Maris, 'De lijst van bannerheerlijkheden'.
- <sup>88</sup> E. Broers, *Geschiedenis van het straf- en schadevergoedingsrecht. Een inleiding* (Apeldoorn and Antwerp, 2012), 127-9.
- <sup>89</sup> Olav Moorman van Kappen, 'Proeven van locale wetgeving door de heren van Ammersoyen in de 15e en 16e eeuw. De Ammersoyense landbrieven van 1471 en 1548', in D. J. G. Buurman ed., *Ammersoyen. Bijdragen tot de geschiedenis van het kasteel, de heerlijkheid en de heren van Ammersoyen* (Zutphen, 1986), 136-59, there: 137.



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<sup>90</sup> Van Veen, 'Landrechten van Ammerzoden', 599. See also above.

<sup>91</sup> Jaco Zuiderduijn, 'On the home court advantage. Participation of locals and non-residents in a village law court in sixteenth-century Holland', *Continuity & Change* **29**, 1 (2014), 19-48, there: 41-2.

<sup>92</sup> Taylor, *The shape of the state*, 453-5; John Hudson, *The formation of English Common Law. Law and society in England from King Alfred to Magna Carta* (Londen and New York, 1996; 2nd edition, 2018), 200-2.

<sup>93</sup> This did not include the separate courts of the day-to-day seigneuries of Hoevelaken and Scherpenzeel: Zijp, 'De rechterlike organisatie', 213-4; Gerard Nijsten and Tanis Guest (trans.), *In the shadow of Burgundy. The court of Guelders in the late Middle Ages* (Cambridge, 2004), 74-6.

<sup>94</sup> Zijp, 'De rechterlike organisatie', 210-12; Theodorus van Riemsdijck, *De hooge bank van het Veluwe landgericht te Engelandersholt* (Utrecht, 1874); Maris, 'De lijst van bannerheerlijkheden', 148-9.

<sup>95</sup> Jaap Ligthart, *Vorst aan de grond. De veranderende financiële functie van het vorstelijke domein in de Nederlanden (1356-1473)* (unpublished PhD-thesis, Leiden University, 2019), esp. chapter 8. I am grateful to Dr. Ligthart for providing me with a copy of his doctoral thesis.

<sup>96</sup> GA, Handschriften Rijksarchief in Gelderland, nr. 409, fo. 10v.

<sup>97</sup> Other examples: Beek, Groesbeek, Heumen, Malden; Bylandt, Millingen, Pannerden: *ibid.*, fos. 1v, 3r, 5r.

<sup>98</sup> On 'seigneurial towns': Th. Bosman, J. Coopmans, B. Jacobs eds., *De heerlijke stad. Achtste Colloquium 'De Brabantse Stad'. Bergen op Zoom, 2 en 3 oktober 1987* (Assen and Maastricht, 1988).

<sup>99</sup> This included the already mentioned seigneurie of Ressen: GA, Hof van Gelre en Zutphen, No. 1592, *Ridderboek anno 1570*, f. 117v. Other examples are the seigneuries of Hemmen (1566), Lienden and Oudewaard (1556), and Loenen (1544, 1574): M. J. van Gent, 'Landdagen en andere landelijke bijeenkomsten van Staten en steden in Gelre en Zutphen 1423-1584', *Resources - Huygens ING*, <http://resources.huygens.knaw.nl/statenstedengelderland> [last accessed 6 March 2020], Nos. 35, 206, 339, 258.

<sup>100</sup> Taylor, *The shape of the state*, 454.

<sup>101</sup> *Ibid.*, 446-7; Groustra-Werdekker, 'Bourgondisering van het hertogdom Gelre', 89.

<sup>102</sup> James C. Scott, *Seeing like a state. How certain schemes to improve the human condition have failed* (New Haven and London, 1998), 18-23, 362, 366-7.

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<sup>103</sup> Scott, *Seeing like a state*, 20. See also Alice Taylor's take on Scott's 'legibility' within the context of medieval political ideology: Taylor, 'Formalising aristocratic power', 62-4.

<sup>104</sup> Brusse, 'Property, power, and participation', 81-3.

<sup>105</sup> On this same issue, but from an economic perspective, see: Sheilagh Ogilvie, 'Whatever is, is right? Economic institutions in pre-industrial Europe', *Economic History Review* **60**, 4 (2007), 649-684.