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The Notions of Honor and Adultery in the Fifteenth-Century Burgundian Netherlands

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THE ANTHROPOLOGIST Julian Pitt-Rivers described “honor” in 1965 as a universal concept, common to diverse individuals, societies, and civilizations.¹ Honor may well be a universal concept: it is fundamentally colored by typical cultures, periods, social, and gender groups. David Gilmore discovered that fascinating similarities in the concept of honor could be found in various societies that border on the Mediterranean.² For him it is clear that in that world honor is a male attribute: the reputation of men before their peers depends largely upon the sexual behavior of the women in their family.³ But this anthropological thesis has, at least for early modern Spain, been disputed by the historian Scott K. Taylor, who claims that men’s honor did not depend exclusively upon the sexual reputation of female kin but also revolved around competence in craft or office, credit-worthiness and debt relationships, and performance in the rough-and-tumble rites of male sociability.⁴ Yet the geographical specificity still seems to be a valuable argument. That consideration was the core of Pierre Bourdieu’s study of the notion of honor (the *nif*) in the North-African Kabyle society.⁵ A more recent case is the fascinating thesis of a different culture of honor in the North and the South of the United States by Richard Nisbett and Dov Cohen, who were convinced that the genesis of the typical Southern honor culture should

¹ Pitt-Rivers, “Honour and Social Status,” p. 21.

² Gilmore, *Honor and Shame*, p.16.

³ Gilmore, *Honor and Shame*, pp. 3–4.

⁴ Taylor, *Honor and Violence*.

⁵ Bourdieu, “From the ‘Rules’ of Honour,” pp. 10–15. One of the specific themes is the obligation of family members to defend the honor of each member against all outsiders.

be linked to the presence there of a herding economy.⁶ In conclusion, the key notions seem to be culture, geography, economy, and sociability.

Both the urban and the courtly culture in the Burgundian Netherlands cultivated strong networks with cities and courts abroad that may have been responsible for a typical cosmopolitan society, permissive on ethical issues such as adultery, prostitution, and other forms of illicit sex. This tolerance may have been the background for a specific notion of honor.⁷ Cosmopolitanism was certainly setting the tone in places with many foreign merchants, artists, and members of the fifteenth-century ducal court, patricians of Brussels and Mechelen,⁸ as well as in economic centers such as Bruges, with a large presence of international businessmen and clergymen, mostly male singles, and so the obvious market for local prostitutes.⁹

Dishonor for the Duped Husband

A first fact about adultery in the Burgundian Netherlands is the perception of this action as a source of profound humiliation and extreme dishonor for the duped husband. Contemporaries considered the male victim to be obsessed by the shame of being incapable of exacting aggressive revenge on his spouse's lover. If vengeance took the form of homicide, for which the perpetrator could be sentenced to death, or to perpetual banishment, the uncontrollable outburst of anger, the so called *chaude colle*, was often used as a successful argument to introduce a pardon application at the administration of the duke of Burgundy for "honor killing," in line with the tradition at the French royal court.¹⁰ *Chaude colle* may often have been more a ritualized and codified cliché than a tool of clever defense lawyers. A workable cliché, however, easily becomes a social reality. Princes, public opinion, and court judges of the fifteenth century in the Low Countries, as in France, exhibited an unmistakable understanding and clear empathy for the violent behavior of the duped individual.¹¹ Sympathy for the perpetrator was conditioned, however, by at least four variables for the weightiness of dishonor and the potential granting of pardon. I illustrate the thesis by quoting from four letters of remission.

The first consideration that could ease significantly the request of the duped husband for pardon was the fact that the adultery could be qualified as a public scandal. One such case is that of Jacot Barcueille in July 1455:

⁶ Nisbett and Cohen, *Culture of Honor*, pp. 5–9, 82–93.

⁷ Vertovec and Cohen, *Conceiving Cosmopolitanism*, pp. 1–14, 211–17.

⁸ On Mechelen as a "cosmopolitan" place in the fifteenth century, see Prevenier, "Mechelen circa 1500."

⁹ On the density of prostitution in Bruges in the fifteenth century (1 girl per 312 inhabitants, or 1 per 78 adult males), see Dupont, *Maagdenvverleidsters*, pp. 84–87.

¹⁰ Davis, *Fiction in the Archives*, pp. 36–76, esp. p. 37; Gauvard, "De grâce spécial," pp. 448–56, 705–52.

¹¹ A similar clemency for aggression by dishonored husbands was present in the region of Toulouse: Otis-Cour, "De jure novo," pp. 357–59.

[It is said that] the supplicant forbade the forenamed Estevenin from frequenting his house . . . and also from approaching his wife; . . . coming back home at night, he found the forenamed Estevenin . . . in his house, with his wife . . . and found out that they slept with each other . . . so that the forenamed supplicant was seized by rage and assaulted the forenamed Estevenin, and injured him with a knife, so thoroughly that Estevenin died. Estevenin was a man of bad conduct, who boasted about [his success with] women . . . he bragged many times that he had had sexual intercourse with the wife of the supplicant [Jacot].¹²

Dishonesty was much stronger if a close friend of the husband committed the adultery, because then a second infraction, treason, came on the table. A letter of pardon of 1438 tells us that Ywain Voet and his friend Jean were like “brothers” to each other, often eating and drinking together. But Jean took profit of the unconcern and the naiveté of his friend by having sexual intercourse with his spouse over four years. In the end, Jean abducted the woman, taking most of Ywain’s moveable property with them. In great anger Ywain killed his friend, fled Flanders, asked and got pardon.¹³ The remission letter contrasted the honesty of Ywain and his candor toward his friend with the dishonesty of Jean.¹⁴

A third reason for clemency in the pardon procedure was the additional shame caused by the birth of an illegitimate child. In 1438 Jehanette, wife of Pierre Monié of Cuiseaux, had a huge number of adulterous affairs, “day and night, in various suspicious situations, with people of doubtful reputation.” By one of them, the knight Estienne Raton, she conceived a female bastard. Jehanette continued

¹² AdN, B 1686, fols. 39v–40r: “ledit suppliant, le lundi es festes de Pentecouste dairenierement passé, estoit retourné de dehors ladite ville de Mortan de nuyt en son hostel, bien tard, il trouva ledit Estevenin, qui estoit en sondit hostel avec sadite femme. Et oy qu’ilz se acorderent ensemble de coucher l’ung avec l’autre, tellement que ledit suppliant, estant moult desplaisant, de chaude colle couru sus audit Estevenin, et le navra tellement d’ung costel en son visage que icellui Estevenin dechus la mesme nuyt et termina vie par mort. . . . Estevenin estoit vanteur de femmes, et homme de dissolue et mauvaie vie et gouvernement, et qu’il s’estoit par plusieurs fois vanté en divers lieux qu’il avoit eu habilitacion charnelle avec la femme d’icellui suppliant.”

¹³ AdN B 1682, fols. 34r–v (edited in Petit-Dutaillis, *Documents nouveaux*, pp. 14–15): “Yeulvain Voet, chevaucheur de notre escuierie, aiant amour, congnoissance et grant affinité a ung appelé maistre Jehan, lors messaigier dudit Neufport, et auquel ledit suppliant se confioit moult, et estoient souvent buvans et mengans ensemble, et avec lui avoit compaignie fraternelle comme a son frere. . . . Pendant laquelle societe et comunicacion ledit maistre Jehan, meu de mauvaie et dampnable volente, et duquel ledit suppliant ne se doubtoit en riens, . . . se acointa de la femme dudit suppliant, tellement qu’il en fist sa volente. Et non content de ce, mais en acroissant le blasme et honte dudit suppliant, environ a IIII ans, esleva et emmena sadicte femme, et avec elle emporta plusieurs de ses biens meubles.”

¹⁴ AdN B 1682, fols. 34r–v: “esmeu de couraige, lui souvenant et remembrant de la bonne amour et fraternelle compaignye . . . la grant desloialté, honte, blasme, dommaige et deshonneur que maistre Jehan, en rendant mal pour bien, faicte lui avait.”

her “reprehensible and damaging life,” and “the adulteries got worse the longer they went on, in Lyon, from city to city, as far as Avignon. . . . Some of Pierre Monié’s friends were so displeased by the great dishonor he suffered from the bad conduct of his spouse that they spied on her and killed her.” When after some time both Jehanette and these friends had died, some enemies of Monié filed a complaint against him with the bailiff of Châlons for murder. Expecting a death sentence, Monié requested and obtained pardon from Duke Philip the Good on grounds of the dishonor, shame, and blame that the late Jehanette had caused.¹⁵

A fourth consideration explaining the toleration of murder or homicide when committed out of passion is the additional use of verbal violence at the expense of the duped husband and the presence of gossip by neighbors in the village or the urban parish. These actions of the local community turned the adultery case into a more global social drama. Pierre de Scelewe, a poor innkeeper of Langemark, became aware in 1458 of the frequent sexual intercourse of his neighbor Christian Le Cloot with Pierre’s wife. The public scandal was enhanced since Le Cloot had publicly and painfully insulted Scelewe in his own inn, by calling him impotent. The weight of “public rumor,” “several reports by various persons,” and his own “true presumptions” became unbearable for Scelewe, and he killed the lover. The double humiliation, and consequently the damage to reputation, was mentioned in the letter of grace: first, the doubt about his virility, and secondly, the fact that Le Cloot had laughed loudly when his friends warned him of violence from Scelewe if he did not stop his adulterous behavior. At the end of the remission letter one sentence refers to the dialectical interaction between rumors and perception: “Because of the rumors the supplicant absorbed in his imagination that the adultery of his wife was real.”¹⁶

¹⁵ AdN B 1682, fols. 11v–12v: “Jehanette, fille de feu Jehan Boudot, seduite et temptee de l’ennemi, depuis ledit mariaige consommé, commensa a converser jour et nuit en divers et suspectz lieux, avec gens de mauvaise vie et conversacion, en adulterant avec eulx, et telement qu’elle eut une fille bastarde de messire Estienne Raton, chevalier. . . . ladite Jehanette, en continuant sa mauvaise et dampnable vye et adulier de mal en pis, s’en ala a Lion, et de la de bonne ville en bonne ville, jusques en Avignon, ou elle persevera tousjours . . . aucuns amis et bien vueillant dudit suppliant, qui estoient desplaisans du grant deshonneur qu’il souffroit pour le petit gouvernement de ladite femme, l’espierent, et en ladite bergerie tuerent icelle femme . . . ledit suppliant a des hayneux qui se sont vantez de lui porter mal et de deposer a sa charge . . . eu regard au grant deshonneur, honte, vitupere et blasmé que ladite feue Jehanette par sa mauvaise et detestable vye lui faisoit, . . . remettons et pardonnons.”

¹⁶ AdN B 1688, fol. 3v (edited in Petit-Dutaillis, *Documents nouveaux*, pp. 23–25): “poursuivoit sa femme pour avoir compaignie charnelle avec elle, et que la renommee et fame commune estoit en ladicte parroisse que congneue l’avoit charnellement et que, aux semblans et manieres que ledit Christian tenoit vers sa femme, il prinst en son ymagination et courage que vray estoit. . . . avoient pluseurs foiz blasmé et dit que mal faisoit de suivre la femme, et que mal lui en vendroit, mais toujours [Christian le Cloot] s’en mocquoit, disant que il congnoissoit bien ledit suppliant, et que riens ne lui mefferoit.”

Although in most pardon letters the seducing lover got all the blame for the seduction, rather than the spouse,¹⁷ the last sentence of the last remission letter shows that the female side of adultery was also a source of dishonor. In 1413 the bailiff of Beveren delivered Eleinne, wife of Jacques Martin, the formal document written by the aldermen of the village of Kieldrecht, in Flanders, by which she was banished from Kieldrecht for one year, because she had an adulterous relationship with Clais Lammyn. The aldermen considered her action as scandalous and dishonoring, defining it as a “repudiation” of the husband, and as “behaving unworthily to stay in her domicile.” At the same time the bailiff restored the husband to honor, at the request of “several good people,” who were convinced that the spouse would come back to him.¹⁸

The Honor of the Family

As soon as we turn to the connection between various forms of illicit sex and family honor, we enter a different world. Adultery can be a dishonor for the husband, but also for the rest of the family. This is more specifically the case if the adultery happened at the initiative of the spouse and resulted in an adulterous child. Then the shame and disgrace were not limited to the wife and the husband, but also concerned the other, legitimate children and the extended family. A fictional text, the *Ménagier de Paris*, written around 1393, gives the exemplum of a woman confessing in her dying hour to her husband that one of her three children is not his. But before she can specify which one, the husband interrupts and asks her not to reveal the child’s identity, because he wants to continue to love all his children with equal intensity. The story reveals the love of a father for a child who is not his biological offspring. But the text also insisted that one other argument was on the table here: the care of the father to protect the dying mother and the rest of the family against vile and continuous rumors in the neighborhood about the misconduct of the mother.¹⁹ That is why the *Ménagier* suggested a strategic discretion on adultery both by the cuckolded husband and the adulterous spouse.²⁰ The

¹⁷ Otis-Cour, “*De jure novo*,” pp. 359 and 371: in twenty-seven of thirty cases of crimes of passion the lover is the victim.

¹⁸ AgR, Chambre des Comptes, 6886 (account of the bailiff of Beveren): “de Eleinne, femme Jacque Martins, laquelle estoit banni par la loy de Kieldrecht ung an, en aiant title de non estre digne en la ville pour ce qu’elle demoura en le maisme ville avec ung nommé Clais Lammyn, en deboutant son mari. Lui rendu la ville, a la priere de pluseurs bones gens, veu qu’elle s’en garderoit doresenavant.”

¹⁹ Pichon, *Le ménagier*, pp. 177–85: “Jamais plus ne le dictes, ne nommez à moy ne à autre lequel c’est de vos enfans, car je les vueil aimer autant l’un que l’autre si également que en vostre vie ne après vostre mort vous ne soiez blasmée, car en vostre blasme aroie-je honte, et vos enfans mesmes et autres par eulx, c’est assavoir nos parens, en recevroient vilain et perpétuel reprouche. Si vous en taisiez.”

²⁰ Otis-Cour, “*De jure novo*,” p. 354n29.

Ménagier's anecdote may be fiction, but it probably reflects contemporary perceptions of honor faithfully.

Indeed, “reality is often stranger than fiction.” In Ghent in 1450 Pieter de Wilde had been in a legal marriage for years with Lysbette Scheerms and took care, as any father would, of the “material support” of their two children, providing clothing, shoes, and school tuition. Suddenly Lysbette contacted the local priest, confessed, and swore that both her children were the result of her adulterous adventures with two different biological fathers, a Franciscan friar and Berthelmeus Valke, burgher of Ghent. Pieter de Wilde did not know anything about this adultery, and said that “he supported the children as if he were the father.” Since there was no doubt about the adultery between Berthelmeus and Lysbette, and Lysbette swore that her lover was the father, the aldermen of Ghent decided that Berthelmeus should pay Pieter a fine of three pounds groat in addition to the costs of clothes, shoes, and school tuition.²¹ The customs and laws of the city allowed the child, as soon as it reached the adult age of eighteen (or, in some cases, twenty-one), to choose the biological or the social father as his legal father. It is clear that illegitimate children could belong to the family of the biological father, although not living with him and his household, in Flanders²² as well as in Italy.²³ In 1422 the aldermen of Bruges entrusted Pieter Menin, the biological father of the bastard children he fathered on a single mother, with their support, “as a good father ought to do,” although the children lived with their mother.²⁴ It is clear that the Ghent and the Bruges aldermen considered the protection of bastards, widows, and orphans as a core responsibility.²⁵ In the fifteenth century they also exerted considerable effort to force runaway husbands to provide support to their spouses in difficult conditions such as divorce or separation “in bed and board.”²⁶

In the early middle ages the honor of the family was a more “dramatic” issue: “honor killings” by kin of the adulterous spouse who had brought dishonor on the family did happen in those days. But from the Carolingian period on, the church strongly opposed using female adultery as an argument justifying her offended husband in repudiating her and remarrying. This rejection by the church was explicitly confirmed in many juridical texts of twelfth-century canon law on

²¹ Stadsarchief Gent, series 301, section 41, vol. 1, fols. 8r–v: text of trial before the aldermen of Ghent, September 10, 1450.

²² Carlier, *Kinderen van de minne?*, pp. 221–62.

²³ Kuehn, “Honor and Conflict.”

²⁴ Stadsarchief Brugge, section 208, O.L.V. Zestendeel, reg. 3, fol. 215 (March 13, 1422): “in also varren als hij zijner voorseide kinderen doet ende houdt ghelijc een goed vadere sculdich es van doene.”

²⁵ Danneel, *Weduwen en wezen*, pp. 23–130, 423–24.

²⁶ Vander Linden, “Vorzienicheit van goede.”

the indissolubility of marriage. The ecclesiastical discourse on adultery and other sexual transgressions contrasted with the views of the secular public authorities, which continued to favor the “patriarchal” discourse and the option of repudiation of the adulterous spouse, with the interests of the well-to-do families and their patrimonies in their minds.²⁷

This very specific background explains why the use of the argument of family (dis-) honor was in many circumstances fundamentally window dressing for material, rather than ethical, motives. The fifteenth-century public discourses on family honor do not express a moral statement. The ordinance of Duke Philip of Burgundy in 1438 against rape, abduction, and seduction of women in Flanders has not a single word on the honor or on the moral and physical identity of the raped young women, but a long discourse on the risks for upper-class family patrimonies of abductions and unwanted marriages.²⁸ In some specific dramatic conditions, however, altruistic arguments emerged, with a genuine concern for the family honor. In 1480 Jacob de Pottere was found guilty, essentially on the basis of rumors, of raping several girls. He was put to the rack, tortured, and after “confessing” was sentenced to death. That happened after many attempts by members of his family to prevent worse. Jacob’s parents paid for twenty-six days of prison time in order to give the bailiff a chance to delay the judgment, hoping to obtain pardon in the meantime. The action was not effective, probably because this family was not influential enough, did not pay enough, or did not use the right technique.²⁹ Pottere was hanged, and this was followed by a second, ecclesiastical sanction: the impossibility “of burying the corpse of Jacobus de Pottere in sacred ground publicly, after he had been condemned to death by lay judges for his indecent conduct.” Thus his family had to pay a second time, twelve pounds now, to the ecclesiastical court to get its permission to bury him in consecrated ground.³⁰ The two actions can be explained by family solidarity and parental love, but also by the risk of a long-standing double shame: for the alleged rape and for a humiliating burial.³¹

²⁷ Otis-Cour, “*De jure novo*,” pp. 349–52.

²⁸ AdN B 1682, fols. 7r–v (edited in Gheldolf, *Coutumes*, 1:623–25): “remédier à ce que les facteurs et coupables de telz énormes cas et crimes soient pugniz capitalment, ou mis hors loy . . . les violences de pucelles et autres femmes . . . par convoitise d’avoir leurs chevances, dont mauk et inconvéniens irréparables se sont ensuivis.”

²⁹ AgR Chambre des Comptes, 14461, fol. 41v (account of the bailiff of Waas, May–July 1480): “pour ce que ledit bailli fist ung peu de delay a lui fere justice en esperant de obtenir grace, ce que faire ne se povoit.”

³⁰ Vleeschouwers–Van Melkebeek, *Compotus sigilliferi*, 2:1128, no. 15610: “pro gratia sepeliendi in terra sancta cadaver Jacobi de Pottere publice per laicales justiciarios propter sua demerita morte puniti, solutum: 12 lb.”

³¹ Vleeschouwers–Van Melkebeek, “Het parochiale leven,” p. 50.

Honor in Professional Life

If we turn from families to the public sphere of professional life, we find more critical discourses on the dishonoring effects of adultery and illicit sex. In the few surviving fifteenth-century judgments promulgated by the guild deans of Ghent, honor was a crucial element when the behavior of one of the guild's members was being judged.³² Various connotations of the notion of honor were used in guild regulations. First and foremost was the concept of honor stemming from professional pride, including control of quantity and quality of production. Secondly, honor involved showing respect for the authority of the guild deans: a text of 1426 prohibited the use of "ungracious words" about the guild's ordinances, which were considered "an assault against (the honor of) the whole community of the deans."³³ Thirdly, honor in strictly personal affairs was demanded. Sexual behavior and the family life of guild members were closely scrutinized. In 1402 the dean of the Ghent fruit sellers forbade a young woman, who was the concubine and also the professional employee of a fruit seller, to bring fruit onto the marketplace. In 1448 the dean of the wine weighers in Ghent hesitated to allow the matriculation in the craft of a master's son, because rumors held that he was the fruit of an adulterous adventure of his mother; the dean only agreed to a temporary membership, pending the verdict about his legitimate birth of the episcopal court of Tournai. In 1450 the dean of the grocers opposed the reception in the guild of Beatrice de Wilde, even though she was the daughter of a grocer, because she cohabited with a certain Christophe Vanden Hove, against the will of her extended family. Beatrice appealed to the general board of the small businesses. They displayed more tolerance and accepted the young woman, on condition, however, that she correct her situation by a formal marriage. In 1457 Jacob de Paermentier was pardoned by the duke of Burgundy after he had been banished by the aldermen of Bruges for publicly insulting the deans of the crafts of the city, as they were gathered on the Burg square in order to render a public report of their policy.³⁴

In fact, this professional pride was a crucial component of the collective identity of a city, the body politic to which a majority of the people referred when defining their position in society. All citizens enjoyed the so-called freedoms, but that implied collective responsibility, a strong sense of rights and duties, and hence a strong drive to model the behavior of city-dwellers, obliging them to reflect in their private life the honor of the collectivity. This was expressed through a common responsibility for the well-being of the community: paying taxes, serving in

³² Boone, "Les gens de métier."

³³ Stadsarchief Gent, series 156, section 1, fol. 79r: "quade woorden . . . dat zouden de dekene ghe-meenlic nemen als up haren persoen ghedaen."

³⁴ AdN B 1687, fol. 19r.

the city's militia, and exemplifying an honorable way of life. The latter implied close control by public authorities and intervention even in the private matters of citizens.

Collective Systems of Public Social Control

Apart from control by the guild structures, other collective systems of public social control of honorable conduct were operative. The most important was that by the parish priest and the local synod of honorable burghers that worked as a watchdog and a moral commission. All kinds of "immoral" behavior, from concubinage to adultery, from clandestine marriages to insulting a cleric, were denounced to the local priest by convinced moralists and shocked citizens, but also by jealous or rancorous neighbors.³⁵ The accusations were subsequently brought to the ecclesiastical court in Tournai or Cambrai.³⁶ Until the fourteenth century the episcopal courts assessed in most cases spiritual penances, such as excommunication, but thereafter the sanctions became fiscal. These fines were adjusted to the social status of the sinners.

Apart from this ecclesiastical defamation system, the aldermen of Ghent in 1423 established a public office where burghers could present their complaints, called *vérités générales*, comparable to the Onestà that had functioned in Florence since 1378.³⁷ We should not forget that local priests also acted *motu proprio* to safeguard the principles of canon law and protect the sacraments, especially marriage, which was a fundamental cornerstone of the church and of civil society. This ecclesiastical system had also a civil effect: it helped to prevent the marriage of a respected citizen with a morally or socially unreliable individual, with a criminal or a jobless person, and finally it prevented breaches in social order and political stability.

The Extreme Dishonor of Sodomy

One type of illicit sex was the subject of extreme disapproval and dishonor: sodomy. There was no more effective way for an individual to lose honor and life and dishonor his family than to be involved in the "sin and enormity of sodomy." There was no more radical means of destroying a person's reputation and honor than the accusation of sodomy. Cynical and perfidious games with

³⁵ A lot of rumors were probably false, such as the case of a man accused of sodomy in the castellany of Ghent in 1469–70: AgR, Chambre des Comptes, 14159, fol. 2v: "certains tesmoings qui savoyent a parler du dit Jehan et de son dit fait; il fu mis a torture et examinacion, neantmoins riens ne confessa."

³⁶ Lambrecht, *De parochiale synode*, pp. 11–17.

³⁷ Chojnacki, *Women and Men*, pp. 29–32.

this argument were used for interpersonal family conflicts. In 1473 Jehanne Sey, who “entertained an immense hatred” for her husband, tried to bring about his condemnation to death by accusing him falsely of sodomy; instead, the aldermen of Bruges sentenced her to humiliating exposure on the wheel for two days for bringing a false accusation.³⁸

Also in 1473 Katerine van der Leene in Bruges accused her husband, the merchant Jean van de Leene, of sodomy, for which the penalty was burning at the stake.³⁹ Jean was imprisoned, but the aldermen of Bruges must have had doubts regarding the fairness of the accusation. They subjected the spouse to a rigid interrogation, in which the woman weakened the charges and admitted that her claim was caused by hate, that she had spoken these words “in the heat of anger because of the harmful words that her aforesaid husband was hurling daily at her, as common report holds.” The husband had, indeed, proclaimed in the past that his wife should be burned at the stake. We should note the perspicacity of the Bruges bailiff as he exposed the cruel games of both partners, aiming to kill each other’s social honor: “through malice and great hatred and envy . . . and to destroy the spouse totally.”⁴⁰

That statement included two connotations of “killing,” physical and moral. It is certainly true that accusations before the courts, based on the concept of honor, were often more tactical discourse or fraud than reality. Scott K. Taylor found similar attitudes in Spain’s Golden Age: he concluded that appealing to honor was a rhetorical strategy and that insults, gestures, and violence were all part of a varied repertoire that allowed both men and women to decide how to dispute issues of truth and reputation. It was not a rigid noble code that led inexorably to violence, but instead a flexible rhetorical instrument employed by everyday men and women.⁴¹

³⁸ AgR, Chambre des Comptes, 13780, fol. 20r: “accusa son dit mary du pechié de sodomie pour ce qu’elle l’avoit en grant hayne, cuidant par ce faire prendre par justice deshonestement la vie de son dit mary.”

³⁹ Boone, “State Power”; in Italy sodomy was likewise called the “abominable vice”: Chojnacki, *Women and Men*, p. 33.

⁴⁰ AgR, Chambre des Comptes, 13780, fol. 40r: “elle soupçonnoit son mari du peché et enorme cas de sodomie . . . proclame qu’il étoit digne . . . d’estre brulez a une estaque. . . Et apres qu’elle estoit tout au long oye pardevant la justice, a l’encontre de son dit mary, sur les dites parolles et charges elle se refebly desdites charges, confessant que tout ce de quoy elle avoit chergé son dit mary, elle avoit dit par grand courouch, non pensant ne sachant le grant mal qui estoit es dis parolles, et a l’occasion qu’elle ne pooit vivre en paix avec lui, et que lui meismes avoit paravant dit qu’elle estoit digne d’estre brulee a une estaque . . . qu’elle avoit dit les dites parolles a chaut sang, a l’occasion des injurieuses parolles que ledit son mary usoit journelement sur elle, comme la commune renommee estoit . . . par malice et grande hayne et envye qu’elle avoit et portoit sur le dit son mary, et pour destruire totalement son dit mari.”

⁴¹ Taylor, *Honor and Violence*.

Perception and Repression of Adultery by Civil and Ecclesiastical Authorities

A second, very different, perception of medieval adultery was also widespread in medieval works of fiction. From Chaucer to Boccaccio, from the fourteenth-century Flemish farces in theater to the frivolous fifteenth-century stories of Duke Philip the Good's *Cent nouvelles nouvelles*, duped husbands are systematically represented as naive and pitiable dunces who are duped by their adulterous spouses and their intelligent and clever lovers. The general irony of fiction had a perfect counterpart in real life of the fifteenth-century Netherlands.

The medieval church condemned adultery as a form of illicit sex, because it betrayed the marriage vows and entailed the risk of illegitimate children.⁴² Urban authorities such as those of Aardenburg in the fourteenth century, Ghent at the end of the fifteenth century, and Ypres in the sixteenth century were considering adultery as a source of social disorder that should be punished by imprisonment or banishment.⁴³ The mainstream lifestyle of all social classes in the fifteenth-century Low Countries, however, shows that adulterous sex was considered as a rather trivial behavior, more a source of ironic remarks than of scandal.⁴⁴ So many ordinary citizens, villagers, and even parish priests committed concubinage, adultery, fornication, and other illicit sex that it did not cause significant dishonor. At worst, if they were denounced to the competent ecclesiastical courts, they were forced to pay a small fine, adjusted to the social status of the sinner, to the episcopal "official" for this "minor" offense, so small that it did not prevent them from repeating the action as soon as possible.

The fine for a *defloratio*, with or without pregnancy, varied between twelve and twenty-five days' wages of an unskilled worker. Restricted but suggestive research on the prosecution of sexual offenses in ten villages of the Deinze area of Flanders between 1446 and 1481 reveals an average of 5.2 cases a year. Even more revealing is the demographic comparison: the percentage of inhabitants accused and convicted of sexual offenses varied from village to village in this area, between 1.6 to 7.1 percent annually, so that in some villages up to 40 percent of the population had a chance to come in touch with the episcopal court at least once in a lifetime.⁴⁵ The

⁴² Brundage, "Sex and Canon Law," p. 42.

⁴³ Aardenburg penalized adultery with a fine of ten pounds and one year of banishment (Vorsterman van Oyen, *Rechtsbronnen der stad Aardenburg*, art. 121, p. 110). Ghent decreed in 1491 that adultery was punishable by two weeks' imprisonment on water and bread (Gheldolf, *Coutumes*, 1:672, no. 1). Ypres in 1535 penalized with banishment any man who did not repudiate his adulterous wife (Gilliodts-van Severen, *Coutume*, no. 1, p. 489).

⁴⁴ Nicholas, *Domestic Life*, p. 168, mentions the general acceptance of concubinage in fourteenth-century Flanders.

⁴⁵ Prevenier, Huys, and Dupont, "Misdaad en straf," pp. 238–40.

variety of levels can be ascribed to different levels of efficiency or willingness of the local priest to bring the cases to court. In the accounts of the official of the bishop of Tournai for the year 1474–75 no fewer than 227 moral transgressions in the towns and villages of this bishopric were entered, all providing no more than small financial sanctions. And that is only the tip of the iceberg. Most “sinners” probably escaped punishment entirely.

A second explanation for the high level of tolerance and candor toward adultery and all other illicit sex, at least in the absence of violence, might be the presence of an impressively frivolous role model in the upper classes of Burgundian society. The members of the court and the urban elites attached no stigma to extra-marital sex. The frivolous sexual behavior of the ducal family, high-level noblemen, bishops, and patricians is a symptom of an open-minded attitude on ethical issues, such as adultery and bastardy, in the fifteenth-century Low Countries, which have been rightly called “a bastard-prone subsociety.”⁴⁶ In Bruges 9 percent of all registered successions of minor children concerned bastards. The elites attached no moral condemnation to entertaining mistresses or producing bastard children. It was part of a snobbish way of life that rather conferred high status instead of dishonorable reputation. Duke Philip the Good was proud of his twenty-six bastards and thirty-three mistresses. So was John of Burgundy, bishop of Cambrai, illegitimate son of John the Fearless and Agnes de Croy, imitating his natural brother by boasting twenty-two illegitimate children of his own. Jean de Heinsberg, bishop of Liège, was even more productive, with sixty-five bastards, but he barely outdid Duke John II of Clèves, who had sixty-three.⁴⁷ Their social status was never in danger. Their social game involved total immunity and invulnerability. Producing illegitimate offspring was a statement of the nearly total social control of the powerful. They were not afraid at all of the few critical voices. One lonely Breton Carmelite was courageous enough in 1428 to criticize the adulterous and frivolous behavior of the dukes and the Flemish clerics.⁴⁸ Apart from him, only foreign visitors, such as the Czech Leo von Rozmital in 1465–67⁴⁹ and the Spaniard Pero Tafur in 1438,⁵⁰ were scandalized by the respect shown toward ducal bastards at the court of Burgundy.

A third reason for the lack of an effective repression by the church, aside from the financial sanctions that had replaced the spiritual penalties, is that many of the clergy, who were responsible for enforcing the transgressions of the moral boundaries, lacked the slightest moral authority because of their own

⁴⁶ Carlier, *Kinderen*, pp. 91–133, esp. pp. 129–33.

⁴⁷ Bergé, “Les bâtards”; Carlier, *Kinderen*, pp. 251–54.

⁴⁸ Prevenier and Blockmans, *Burgundian Netherlands*, p. 149.

⁴⁹ Letts, *Travels*, pp. 4, 39–40.

⁵⁰ Letts, *Bruges*, p. 202.

irresponsible behavior. Year after year numerous parish priests appear in the accounts of the bishops for the same sexual actions as their parishioners, from concubinage to visits to brothels.⁵¹ In 61 of the 157 villages (38.8 percent) of the bishopric of Tournai (1474–75) in which the episcopal notary mentioned moral transgressions, the local parish priest was involved.⁵² In theory, clergymen had no access to sexual activities. The celibacy rule, decreed by Pope Nicholas II in 1059 and firmly established by the First Lateran Council in 1123, was considered an impracticable behavior by many clergymen.

One can understand why parish priests had no desire to denounce adultery cases in their parish to their bishop if they themselves were involved in concubinage.⁵³ The bishop too did not want to impose a harsher sanction than a fine. He preferred a symbolic warning, keeping the priest in charge of his parish. In 1480, the parish priest of Tielt, Vincent Andries, was accused of no less than four misdeeds. First, he had encouraged several women to oppose a marriage in his parish, so that he could then share a part of the fines with them. Second, he had blessed a marriage without calling the banns for the third time. Third, he had questionable contacts with a married woman and had stolen a substantial part of her husband's property. Fourth, he had sexual congress with a nun in the local hospital. All of these scandalous activities were conducted publicly, which left the ecclesiastical court no choice other than to intervene.⁵⁴

But as long as the dissolute behavior of the clergymen remained discreet, they could expect considerable tolerance from the bishop. In many cases a sinning priest also got a compassionate reaction and sympathy from his parishioners. In 1444, the parish priest of the village of Blankenberge, Symoen de Grispeere, had been accused of misconduct at the ecclesiastical court, but Joos van Halewijn, the local lord of Uutkerke, mediated successfully with the episcopal judge by using the argument that the priest was an honorable man, "of good repute and well loved by his parishioners." Yet the nobleman ended his plea by saying, "I trust that the deed is neither as serious nor horrible as what you have been told." This language suggests some disquieting underlying reality, for the lord succeeded in convincing the local dignitaries to withdraw their complaint.⁵⁵ Another aspect of this

⁵¹ In 1461–62 a priest gave hospitality in his house to several prostitutes, which certainly caused a scandal (account of the episcopal court of Tournai: AdN, 14.G.93, fol. 75r). In January 1480 Andries Neut, priest of St. Michael in Ghent, had sex with a nun in a public bordello, which means that it was a public scandal, making repression by an ecclesiastical court unavoidable (account of the episcopal court of Tournai: AdN, 14.G.98, fol. 85v).

⁵² AdN 14.G.96.

⁵³ Vleeschouwers–Van Melkebeek, "Het parochiale leven," pp. 38–39, 46–47, 54–56.

⁵⁴ Vleeschouwers–Van Melkebeek, "Het parochiale leven," pp. 51, 53.

⁵⁵ Rijksarchief Gent, Fonds Bisdome, B 3295, fol. 22r.

problem is the ease with which the duke of Burgundy legitimized priests who were themselves illegitimate children, a condition that posed several handicaps for their ecclesiastical career. In March 1439 Philip the Good unhesitatingly delivered to Willem de Voghelare, parish priest in the village of Wachtebeke and bastard son of another priest, a letter of legitimation that qualified the priest as “an honorable man,” despite “the defect of his birth.”⁵⁶

We should not forget, however, two forms of hypocrisy embedded in the concept of honor in clerical behavior. First, on what was meant by “public scandal,” in 1454 the town of Breda introduced a fine for priests, but only if they engaged in sexual behavior within a radius of two miles of their own homes.⁵⁷ Secondly, there was a double standard regarding priests’ concubines. They were generally considered prostitutes, although they were not. If we learn about a woman involved in adultery or concubinage with a priest, disapproval was generally reserved for the concubine but did not apply to the priest. In 1459 Anthoine de Bavichove met a young man, Omaer de Vos, who wanted to marry the former concubine of a priest. Anthoine warned him not to marry her, if he wanted to keep his honor.⁵⁸ A similar double standard also existed when no priest was involved. When a woman dishonored her husband by living with a lover, she could be banished from her village, as “not respectable.” But for a parish priest to keep one or more concubines and even visit brothels was not prejudicial for his reputation or his priestly function, and it certainly entailed no risk that he would lose the sympathy of most of his parishioners. Often hypocrisy was involved, such as by calling the concubine a maid or by limiting the scandal of illicit sex to a perimeter of two miles around the parish.

In adultery cases discrimination based on gender lines is much more general than in those involving priests’ concubines. David Nicholas discovered that loss of chastity was a handicap for marriage in fourteenth-century Ghent.⁵⁹ In a play entitled *Mirror of Love*, written in Brussels between 1480 and 1500, the rhetorician Colijn van Rijssele described the impossibility of marriage, because of social distinction, between Dirk de Hollander, the rich son in a merchant’s

⁵⁶ AdN B 1682, fol. 42v: “Guillaume de Voghelare, prestre, cure de Wachtebeke, filz bastart de feu sire Jehan de Voghelare, prestre, et engendré ou corps de feu Catherine sBallius pour lors non mariés, lequel Guillaume est homme honeste, nous ledit deffault de sa nativité abolissons.”

⁵⁷ Bezemer, *Oude rechtsbronnen*, pp. 56–57.

⁵⁸ AdN B 1690, fol. 5v (edited in Champion, *Les cent nouvelles nouvelles*, p. xcii): “Ledit suppliant [Anthoine de Bavichove] trouva en son chemin ung josne compaignon nommé Omaer de Vos, lequel venoit de Therouenne avec une femme que l'en disoit estre concubine d'ung prestre, et pource qu'il entendit que icellui Omaer avoit entencion de prandre en mariage icelle femme, il eut pitié de lui et pour garder son honneur et eviter cette alliance le fit monter derriere lui et en lui blamant icelle aliance, l'amena en la maison d'une sienne tante.”

⁵⁹ Nicholas, *Domestic Life*, p. 65.

family of Middelburg, and Katherine s'Heermertens, a poor seamstress in that city, although they were madly in love. One friend of the young woman proposed that she drop the idea of marriage and be satisfied by becoming the mistress of the rich businessman. Katherine vigorously rejected the suggestion, because she (and not the man) would lose her honor and any hope for a future marriage by this. For wealthy ladies the price of adultery was not dishonor. If they lost virginity by such an affair, they still had their patrimonies to offer.⁶⁰

Four Crucial Components of the Concept of Honor

In concluding this summary, we should recognize that the corpus of violations of individual and collective honor reveals a typical paradox in the perceptions, judgments, and sanctions of adultery and other forms of illicit sex: in some cases contemporaries show tolerance, in others rigidity. This variety of perceptions does not mean that the notion of "honor" was meaningless in the "promiscuous" fifteenth century. But it is a concept different from ours, a box filled with different components. We can distinguish at least four conditions and four contexts.

The dominant attitude is an overwhelming clemency toward adultery as part of a social game, which can be linked to the cosmopolitan conditions of the Low Countries. The tolerance for bastards was not limited to the Court of Burgundy and the social elites. For most citizens no shame was attached to admitting an illegitimate child to their family and their neighborhood. Because of this open-mindedness there was no reason for the biological father not to provide moral and material care publicly to his illegitimate children. Negative reactions only appeared if the father gave more affection and patrimony to the bastards than to his legitimate offspring, as was the case with Arnold van den Boembeke in 1458.⁶¹

The opposite discourse, inflexible hostility toward adultery, was present in the ideological framework of the guild authorities and can be decoded as a deep concern for the "honor" of the guild at large. Guild masters considered concubinage by guild members an assault on the reputation of the global guild's community. Reliability was a key notion and a strategy for the credibility of the profession, for the confidence in the high quality of the luxury they produced. In the ideology of their economic universe the ruthless laws of commercial competition and respectability never allowed an unfair price, never a fake product. In that logic blameless professional and also moral conduct by guild members was crucial. Throughout the period the distinction between natural and legal birth

⁶⁰ Immink, *De Spiegel*, verses 1402–3, 2774, 4911–12.

⁶¹ AgR, Chartes du sceau de l'audience, no. 455: "icelui Arnould aians plus d'amour et affection a iceulx deux enfans illegitimes qu'auxdit autres ses vrais hoirs et heritiers"; more comments in Carlier, *Kinderen*, p. 234.

of guild members' children was a matter of great concern. The guild authorities are clearly convinced that private morality had a direct impact on the collective honor of the group. The underlying philosophy was the interdependence of social respectability and the global credibility of the guild as a production unit and an export business.

Rigidity toward sexual "violence," including abduction, rape, and even seduction, was more strategic and hypocritical than genuine. For the urban patrician upper class safeguarding the family honor may be decoded as the protection of the patrimonies of the well-to-do families. The ducal decree of 1438 was explicitly published at the demand of the aldermen of Ghent, who represented the wealthy families of the city. It aimed to eliminate abduction and seduction as dishonorable ways to gain an advantageous marriage with a wealthier partner. The measure was a perfect combination of the social peace agenda of the prince and the property protection ambition of the social elites. In this analysis of family honor there was no respect for the individual free will of their own daughters, if it involved taking the wild side by following the lover-seducer for an informal or clandestine alliance without parental consent. The girl then lost all her property rights, including her future inheritance, "as if she were dead." Only if the girl left her seducer and was prepared to marry a candidate of her parents' choice could she recover part of her property and future inheritance.⁶² The Burgundian Netherlands presented a coexistence of two powers, central and urban, sometimes in conflict on political and economic matters, but always close for cultural issues and lifestyle. They also had common interests in the maintenance of social peace, a concept that mostly implied social immobility.

The third discourse on adultery as an important offense causing fundamental dishonor appears in the letters of remission of the dukes of Burgundy. In many letters the perpetrator of a passionate murder gets a pardon easily, because adultery and concubinage were considered fundamental offenses against the honor of a duped husband. Even the "progressive" Flemish society was so fundamentally patriarchal that a wife's adultery could be considered a real damage to male identity and a social stigma.⁶³ This disgrace was thought to justify a crime as horrible as killing the spouse's lover and to deserve the indulgence of the courts, at least if there was no clear premeditation.⁶⁴

How should we explain this moralizing discourse, which is totally in contrast with the general social tolerance for adultery? Exaggerating the argument of dishonor of a deceived husband is of course an effective topos in the procedure of

⁶² Gheldolf, *Coutumes*, 1:623–25.

⁶³ Carlier, "Paternity," pp. 239–42.

⁶⁴ Davis, *Fiction in the Archives*, pp. 36–37.

legitimization of pardon and presents the appearance of a meaningless cliché and of a purely rhetorical instrument. I am convinced, however, that these compassionate stories hide an underlying statement that is an instrumental social and political discourse. In absence of pardon the person committing a murder out of passion would be executed, or banished for life, or kept in jail. The grace procedure, on the contrary, brings him back into society. I refer here to a recent publication in which I develop the thesis that in the fifteenth century princely pardon was, at least in a certain number of cases, an instrument of social cohesion for all parties concerned, both for the family of the murder victim and for the perpetrator and his family.⁶⁵

The annulment of guilt was normally the result of a negotiation before the court by which the consent of the aggrieved party was requested and certain compensations awarded to the victims. The “social” advantage of such a settlement was the possibility of social reintegration of the pardoned killer and probably also the recovery of the perpetrator’s family life. I take my strongest argument in favor of the thesis on social cohesion and reconciliation from the numerous signs of concern by the civil authorities in the late medieval Low Countries to ensure a normal family life for children born out of wedlock. It is well known that the dukes of Burgundy not only produced many illegitimate children, but also took all possible initiatives to secure the best possible material conditions for their bastards and their mothers and to favor their careers in political, administrative, and ecclesiastical offices.

Urban authorities also eliminated most of the social handicaps and discriminations of illegitimate children and simultaneously tried to maintain the original family life of the adulterer. In fourteenth-century Ghent bastards’ fathers were expected to take care of them legally and morally.⁶⁶ Such a discourse was very typical for the mid-fifteenth century, when Ghent was confronted with a lot of unwanted pregnancies and unmarried mothers, caused by the actions of certain “golden youth,” the sons of wealthy bourgeois families. In 1451 Gherem Borluut, a member of one well-known Ghent family, deflowered and so dishonored Lysbeth van der Steene, but he could or would not marry her because of the difference in their social ranks. The aldermen forced him to pay a substantial sum for her trouble and for her lying-in, and for the rest of her life an annuity of ten shillings groat, a sum that would be transferred to the bastard should the mother misbehave.⁶⁷ A similar arrangement was imposed in 1435 on Jan de Heere, a married inhabitant of Waasmunster. After siring two illegitimate children on the unmarried Katheline

⁶⁵ The argument of “social cohesion” is also put forward for the area of Toulouse in the fifteenth century: Otis-Cour, “*De jure novo*,” pp. 358, 367; Prevenier, “The Two Faces,” pp. 179–80.

⁶⁶ Nicholas, *Domestic Life*, pp. 163–72.

⁶⁷ Stadsarchief Gent, series 301, section 41, vol. 1, fol. 99r.

Marien Jansdochter, he was forced by the court of the Council of Flanders to buy a house for the mother and to secure an annuity for the children's support in the form of a yearly amount of rye.⁶⁸

It is clear that the Ghent aldermen had a subtle understanding of adultery as a normal human behavior. They preferred compassionate social care and the reconstruction of mainstream family life to rigid morality. We should not forget that, at least within a specific sociocultural context, there has been a long tradition of tolerance and acceptance of adultery all over Europe. In the twelfth century many troubadours, especially Chrétien de Troyes, celebrated courtly love as essentially extramarital⁶⁹ and adultery as true love.⁷⁰ Their romance is seldom married love, but rather *adultère courtois*.⁷¹ I observe here a fascinating parallel to the tolerance on adultery by medieval canonists, such as Baldus de Ubaldis, who allowed women to have extramarital sex if they were afraid of violence from their husbands.⁷² This statement inspired Leah Otis-Cour to conclude that "the late-medieval Church clearly preferred the charity of the New Testament to the rigor of the Old Testament law, which had prescribed stoning of the adulterous wife."⁷³

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⁶⁸ Rijksarchief Gent, Raad van Vlaanderen, no. 7510, fols. 89v–90r.

⁶⁹ Doody, *True Story*, p. 187; Howell, "From Land to Love," p. 229.

⁷⁰ McCracken, *Romance of Adultery*, pp. 18–19, 52, 63, 84, 103–7.

⁷¹ The expression "courtly adultery" was coined by Christiane Marchello-Nizia: see Marchello-Nizia, "Amour courtois," esp. p. 969.

⁷² Brundage, *Law, Sex and Christian Society*, p. 520.

⁷³ Otis-Cour, "De jure novo," pp. 350–52.

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