

BRILL'S STUDIES
IN
INTELLECTUAL HISTORY

General Editor

A.J. VANDERJAGT, University of Groningen

Editorial Board

M. COLISH, Oberlin College
J.I. ISRAEL, University College, London
J.D. NORTH, University of Groningen
R.H. POPKIN, Washington University, St. Louis-UCLA

VOLUME 123



EDUCATION AND LEARNING IN
THE NETHERLANDS, 1400-1600

Essays in Honour of Hilde de Ridder-Symoens

EDITED BY

KOEN GOUDRIAAN, JAAP VAN MOOLENBROEK
AND AD TERVOORT



BRILL
LEIDEN · BOSTON
2004

EDUCATION OR CONNECTIONS? LEARNED OFFICIALS
IN THE COUNCIL OF HOLLAND AND ZEELAND IN THE
FIFTEENTH CENTURY

Mario Damen

The Burgundian Dukes Philip the Good and Charles the Bold went to great efforts to establish more political unity in the principalities they had united in a personal union. They were quite successful in creating central (or supra-regional) institutions that had jurisdiction over all or several of their principalities, such as the Great Council and the Parliament of Mechelen. Not only did the Dukes try to create a stronger administrative unity at a supra-regional level (above the principalities), but also at a regional level. In the principalities that formed the Burgundian personal union, there were institutions with administrative, legal and financial tasks: the regional Councils, Chanceries and *Chambres des comptes*. Apart from the *Chambre des comptes*, these institutions were not created, but were based on already existing court-institutions. The Burgundian Dukes reformed them and reduced or enlarged their territorial jurisdiction.

In recent historical research, little attention has been paid to these regional institutions and to the officials who were part of them. It was the aim of a Flemish-Dutch research project to fill this gap. The project aimed to determine the role of the regional officials in the process of integrating the principalities of Flanders, Brabant and Holland-Zeeland into the Burgundian personal union. Wim Blockmans, Marc Boone and Hilde de Ridder-Symoens were the leaders of this project. Hilde de Ridder-Symoens showed her interest in these institutions already at an early stage; in 1981 she wrote an extensively documented article on the studies and careers of the personnel of the Council of Brabant in the period 1430-1600.¹ Recently, Jan Dumolyn and I completed our dissertations on the regional institutions and officials of Flanders and Holland-Zeeland respectively, in which we presented statistics on the presence of academically trained

¹ De Ridder-Symoens, 'Milieu social'.

men in the regional institutions in the Burgundian period.² It appears that the level of education of the three Councils did not vary very much; whereas forty per cent of the officials in the Councils of Flanders and Brabant were university-trained, in Holland-Zeeland the percentage was only slightly lower: one third of the officials had probably attended university. This is remarkable because the Councils of Flanders and Brabant were said to function on a more or less professional level since 1386 and 1404 respectively, whereas the first reformations of the Council of Holland only started from 1428 onwards. It is possible to argue that in this respect Holland was catching up with Flanders and Brabant in the fifteenth century.

In this article I will explain why a relative large number of university-trained officials showed up in the Council of Holland and Zeeland.³ Furthermore, I will try to find out what the influence of the academically trained was on the daily practice of the Council. Finally, I will demonstrate that a university education alone was not sufficient to obtain a seat in the highest administrative and judicial institution of Holland and Zeeland.

The first question we have to answer is what importance these educated officials had for ambitious princes in later medieval Europe. With their expanding territories it was no longer possible for princes to rule their countries only with the help of their extended family and some noble warriors. They needed more educated men to maintain internal peace and civil order. Moreover, princes wanted to apply one kind of law to their territories and tried to control all kinds of private and local legal authorities. New legal techniques such as reformation, appeal and evocation were introduced to extend and centralize the administration of justice. These new techniques were mainly based on principles from Roman and canon law. Thus, the men who were familiar with these principles became of increased importance to the prince. The Burgundian Dukes followed this strategy. On the one hand, they tried to extend the competence of the regional courts of the principalities like the Council of Holland and Zeeland. On the other hand, they created possibilities to appeal

² Dumolyn, 'Het hogere personeel', chapter 6.1; Damen, *Staat van dienst*, 198-213.

³ The officials of the other regional institutions, the Chancery and the *Chambre des comptes* are not taken into consideration. See for these officials and their level of education: Damen, 'Serviteurs professionnels' and id., *Staat van dienst*, 198-213.

verdicts of local and regional courts to the supra-regional Great Council.⁴ Apart from this, the Burgundian Dukes appeared to have a strong interest in classical learning. They paid attention not only to concepts such as the *bien publique* and sovereignty, but, according to Aijo Vanderjagt, the idea of "justice as the foundation of civil society and of concord between the estates and reigning princes" strongly appealed to them. The men who could carry out their ideas and ideals had studied classical authors at university.⁵

Still, we should bear in mind the specific political situation in Holland. The political strife between *Hoeken* and *Kabeljauwen* continued throughout the Burgundian period. Philip the Good himself had used the conflict to come to power in the counties with the help of the *Kabeljauw* cities and nobles. Even after 1436, when Jacqueline of Bavaria, his principal political opponent and leader of the *Hoeken*, died, the parties did not disappear. Only their goal changed: no longer were they for or against the new prince, but they tried to obtain as much influence as possible in the different administrative strata. During the reign of Philip the Good, the *Kabeljauw* political elites were quite unassailable, but their position changed under Charles the Bold. By paying large sums of money to the Duke, *Hoeken* or *Kabeljauwen* could maintain or obtain power in the benches of aldermen. The Prince, personified by his commissioners (mainly members of the Council) who annually renewed the town governments, played both parties off against each other in a very effective way. As the benches of aldermen were not always impartial in their verdicts, there was a strong need for an independent court of appeal such as the Council. But sometimes even this higher court did not function; the States complained in 1445 that the presence of party supporters in the chamber of the Council influenced the outcome of the legal proceedings. It is, therefore, understandable that the number of appeals to the supra-regional Great Council was relatively high in comparison with the other principalities of the Burgundian personal union.⁶ In other words, not only the prince but also the subjects

⁴ Blockmans, *Geschiedenis*, 203-214; Padova-Schioppa, 'Conclusions'; Cauchies and De Schepper, 'Justitie', 160-162; Van Rompacy, *Grote Raad*, 35-36, 469-470.

⁵ Vanderjagt, 'Classical Learning', 276.

⁶ Jansma, *Raad*, 93-94, 154; Van Rompacy, *Grote Raad*, 70, 310; Blockmans, 'Hierarchisering', 271, 276.

benefited from well-functioning impartial courts of justice equipped with competent men.

The level of education

When we look at the universities where the officials studied, it is striking that the most popular universities were Louvain and Cologne. In general these universities were most popular with students from the Netherlands; they were not too far away from home and they could speak their own language. It is uncertain whether all officials studied law at university. Probably most of them only completed an education in the liberal arts. Sometimes the matriculation lists of the universities or the title the officials bore indicate an education at a higher level. At least ten officials completed a doctorate in law.

The level of education differed per office. I could trace none of the governors or stadtholders in the matriculation registers. They contain the name of Johannes de Lannoy who matriculated in 1431 in Cologne but Lannoy here probably refers to the place of origin and not to the family of the same name. Already in 1980, Hilde de Ridder-Symoens questioned the academic education of Stadtholder Jean de Lannoy.⁷ This is confirmed by Jean de Lannoy himself who wrote in a letter to his son that he felt handicapped because of the lack of a good education. He stated that he did not even dare to open his mouth during the sessions of the Council after the "clers éloquens légistes et ystoriciens" had spoken.⁸ Although this seems to be a case of literary modesty—how else could Lannoy have maintained his position as head of the Council of Holland for almost fifteen years?—we may trust the general content of this outpouring.

In contrast to the stadtholders and the financially orientated receiver-general, the two presidents and all four solicitors-generals had an academic background. Both presidents in the Burgundian period were doctors of law. The office of president was not yet an established office as was the case in the Council of Flanders. In 1445, Philip the Good appointed a president, Goeswijn de Wilde, instead of a

⁷ *Matricula*, ed. Reusens, I, 345 nr. 2. De Ridder-Symoens, 'Adel en universiteiten', 426, n. 71, this in contrast to De Lannoy and Dansaert, *Jean*, 17.

⁸ De Lannoy and Dansaert, *Jean*, 120.

new governor. This appointment of a legally trained president (De Wilde probably studied at Bologna), together with a clerk of the court aimed to establish a more professional institution. The Duke, however, did not anticipate the resentment caused in certain sectors of society by president Goeswijn de Wilde. His successor had to be a man of distinction who could replace the Prince in all respects. That is why in 1448 Philip the Good appointed a stadtholder, an officer who would play a crucial role in the counties for years to come.⁹

In 1474 a president was appointed again, although the new officer only acted in absence of Stadtholder Lodewijk van Gruuthuse. The new president, Jan van Halewijn, had already been a member of the Council of Holland since 1463. Van Halewijn had had a good academic education. In 1433 he appears in the enrolment registers of Louvain. We do not know where Jan van Halewijn studied afterwards, but in 1467 he is called a "doctoer in beyden rechten" (doctor of Roman and canon law).¹⁰

In contrast to the attorney-general, the solicitor-general was always an academically trained official. Two of the four solicitors are even classified as *doctor legum* and obtained their titles at Italian universities.¹¹ Whereas the first attorney-general was appointed in 1434, it was not until 1463 that the first solicitor-general made his entry in the Council of Holland. His most important task was to plead the cases which the attorney-general brought before the Council. Moreover, he had to take care of the production of all documents needed for the trials. Finally, he had to look after the interests of poor persons without receiving any fee. He was also allowed to act as a solicitor for private persons.¹² In the instruction for the Council of 1480 it is stated that one should seek the help of private solicitors who were said to be "learned men". Again there is a sharp contrast with the private attorneys who are classified as "unlearned persons".¹³ It

⁹ On these offices: Damen, *Staat van dienst*, 50-65.

¹⁰ Archiefdienst Kennemerland, Haarlem, Kloosterarchieven (St.-Jan), inv. nr. 203.

¹¹ Adriaan Lotthinsz and Bartout van Assendelft. Both obtained their degree in law at Padua and Ferrara respectively; Tervoort, *Jher italicum*, II, 5 and 21-22. See also Damen, *Staat van dienst*, 97-104. See the instruction of 1462 (article nr. 4) for the tasks of the solicitor-general: Cau, *Groot-plaats-boeck*, III, 631-643.

¹² The instruction of 1480 can be found in the Universiteitsbibliotheek Amsterdam, passage in incunabel nr. 14 (see Da Costa (ed.), *Catalogus*, nr. 803). I thank

was not until 1520 that all attorneys-generals had an academic education.¹⁴

The councillors

Nearly a third of all councillors visited one or more universities. This figure is relatively low in comparison with the Councils of Brabant and Flanders. In Brabant the percentage of university-trained councillors was already forty per cent in the second quarter of the fifteenth century and rose to a hundred per cent in the third quarter of the sixteenth century. Already at the beginning of the fifteenth century, professional lawyers obtained the majority in the Council of Flanders, whereas in the sixteenth century a law-degree became an explicit condition to hold a position as councillor.¹⁵ Holland made up its arrears in the Burgundian period. Although there was only one salaried councillor with an academic education in 1428, nearly all appointed councillors after 1500 had the title of master, an indication (but no more than that) of a study at a university.¹⁶

The question is whether those academically educated councillors were appointed only because of their expertise or whether there were other reasons. Jan van Montfoort for example was originally destined for an ecclesiastical career and it was only by coincidence that he became one of the most important councillors of Jacqueline of Bavaria. That is why Jan was the only academic to be a member of the Council of 1428 that was constituted after the Treaty of Delft of 1428 between Philip the Good and Jacqueline of Bavaria.¹⁷ The treaty states, among other things, that the nine councillors had to

be "goede reckelicke mannen, genegen tot pays ende tot vrede" (in French: "bonnes gens et notables et affectez au bien du paix"); after three years of civil war it is logical that the new councillors had to be good, righteous and peace-loving men.¹⁸

However, the number of academics in the Council rose constantly in the fifteenth century. There are two clear caesuras, coinciding with two important reformations of the institution, that is in 1445 and in 1462. In 1445 the two Flemish masters Hendrik Utenhove and Lodewijk van der Eycke were accompanied by two doctors of Roman Law, Goeswijn de Wilde as president and Gillis van Wissenkerke as councillor. Both had obtained their degree in Bologna.¹⁹ It was not until 1463 that a majority of the councillors (five out of eight) had attended university. One year later the number of academically educated even increased to six. One could argue that this was a consequence of the Instruction for the Council of 1462. In article 1 of this document it is stated that the councillors should be "notabele mannen, wel besocht ende geexperimenteert in saecken van justitie". Now, their qualities as peacekeepers were not stressed but the fact that they should be men of distinction, experienced in legal matters.²⁰ So the prince and the States, on whose demands the instruction had been based, firstly valued experience, whereas they did not mention the required level of education.

Of course a councillor could have both a good education and much experience. The best insurance, however, for an appointment to the highest court of Holland and Zeeland was to belong to the right network. Charles of Charolais (the later Charles the Bold) played an influential role in the reformation of the Council of 1463. In that year, officials who were closely linked to the heir apparent were appointed to strategic positions in the regional institutions. The new Stadtholder Lodewijk van Gruuthuse for instance had been in Charles' service as a councillor-chamberlain since 1460. Probably he had a say in the appointment of his fellow-townsmen from Bruges, master Jan van Halewijn, with whom he had made a diplomatic trip to Scotland a few years before. Moreover, Jan had been a councillor-

¹⁸ Van Micris, *Groot Charterboek*, IV, 917; Archives Départementales du Nord, Lille, Serie B (hereafter ADN B), inv. nr. 299.

¹⁹ See their biographies in Damen, *Staat van dienst*, 497-498.

²⁰ Cau, *Groot placet-boeck*, III, 631.

Robert Stein for the transcription. Article 127: "Item, dit is van den advocaten aldair geordineert, die notable clercken zijn, om dat bij middele van den voirs. procureurs, die puerleyke ende ongeleerde persoenen zijn (. . .)." Article 128: "Item, het zij zoe dat die partien omme der meerder sekerheyt van hoiren saken eenen geleerden man ende advocaat hebben willen ende nemen om hoire zaken bij hem gespeijdt te wordte." See on this Le Bailly, *Rechts voor de Raad*, 175-176.

¹⁴ See the list of masters from that year onwards in *Memorialen*, ed. De Blécourt and Meijers, iv-lvi.

¹⁵ Brabant: Godding, *Conseil*, 79-83 and De Ridder-Symoens, 'Milieu', 284-285.

Flanders: Dumolyn, 'Conseillers' and Van Peteghem, 'Raad', 139.

¹⁶ *Memorialen*, ed. De Blécourt and Meijers, xiv-iii.

¹⁷ See on the Montfoort family Van der Linden, *De Burggraven van Montfoort* and Damen, *Staat van dienst*, 176-181.

requestmaster of Charolais since 1460.²¹ Although his appointment could be explained on the basis of these connections, it has to be taken into account that Van Halewijn had had a good academic education. In 1433 he appears in the matriculation lists of Louvain. In that year he did his *determinatio*, the test for admission to the exam of *baccalarius* in the Faculty of Arts. One month later Jan Petitpas did the same test.²² Probably they became friends and later on their lives crossed again. Just like Van Halewijn, Petitpas appears as a councillor-requestmaster of Charles of Charolais in 1460, and he would also be appointed to the Council of Holland in 1463.²³

In 1477 the number of university-trained councillors fell to three. It was a consequence of the political crisis of that year. Duchess Mary of Burgundy granted the States the so-called Great Privilege in that year, which did not permit the appointment of 'foreign' officials in Holland and Zeeland. This meant that the stadtholder and the foreign councillors, who were all academics, had to abandon The Hague. Moreover, in the Great Privilege it was stated that six of the eight councillors should be native "notabele clercken off costumiers". This meant that apart from the academically educated councillors, there was a place for councillors who were familiar with customary law. The Great Privileges of other principalities like Flanders and Brabant included similar stipulations. In 1477 the States generally tried to decentralize the administration of justice and put customary law to the foreground. The central court of justice, the Parliament of Mechelen, was abolished and new legal procedures such as reformation and evocation were put under restrictions.²⁴ The influence of the States, in which the cities dominated, was reflected in the composition of the Council. It is understandable that the former pensionary of Amsterdam, master Jacob Ruysch, could remain in office. The secretary of Dordrecht, Cornelis de Jonge, joined him on the Council. Moreover, the solicitor of the cities of Leiden and Haarlem, master Bartout van Assendelft, was appointed solicitor-

²¹ ADN B inv. nr. 2040, f. 140r, 154v, 155r and inv. nr. 2045, f. 142v.

²² *Matricule*, ed. Reusens, I, 166 nrs. 16 and 33.

²³ See for more names and references my chapter on the network of Charles of Charolais in *Staat van dienst*, 311-333, especially 324-325.

²⁴ Jongkees, 'Groot Privilege', 290; id. (ed.), 'Privilege', 219, 221 articles [5], [10], [11]; Blockmans, 'Betekenis', 486; Van Kompae, *Grote Raad*, 132.

general.²⁵ Again it is possible to argue that both their knowledge and skills, and their contacts were decisive to their appointment. In 1480, when Maximilian of Austria took the initiative for a reformation of the Council, the academics regained their majority (six out of eight) in the Council.

Bureaucratization and centralization

The question is whether the increased presence of jurists in the Council had an effect on the way the Council worked. When we look at the way the trials were registered, there are two remarkable dividing-lines. Both in the years 1445-1447 and the years 1463-1467 the number of notes in the registers of the Council increased significantly.²⁶ These years coincide with a rise in the number of academically educated lawyers in the Council. Moreover, there were always two or three lawyers among the four most active members of the Council. The Fleming master Lodewijk van der Eycke—he studied at Cologne—was not only the councillor with the longest term of office (from 1442 to 1477), but he was also the most active councillor.²⁷ On the other hand, there were academically educated councillors who hardly showed up at the Council.²⁸

In the fifteenth century the way in which the Council operated became more and more rational, one could even say bureaucratic. The time which the councillors dedicated to their meetings in the chamber of the Council was particularly regulated. In the instructions of 1462 and 1480, there are several articles on the working schedules per day, week and year. Between Easter and 1 October the councillors had to be present in the chamber from seven to ten o'clock. In autumn and winter they were permitted to start one hour later, but then they had to work until eleven. In the afternoon they probably had to work from three to five, as was usual in the Great

²⁵ See for their career their biographies in Damen, *Staat van dienst*, 443, 467, 489.

²⁶ See table 4.2 in Le Bailly, *Recht voor de Raad*, 123.

²⁷ In the years 1448, 1449, 1452-1455, 1457, 1459 and 1464 his name is mentioned most in the subscriptions where the names of present councillors of the meetings of the Council are listed. In 1460 and 1462 he is 'number two' after master Hendrik van der Mije and master Adriaan Lottinsz, both academics as well. See the figures in appendix III of Damen, *Staat van dienst*.

²⁸ *Ibid.* For example Adolf van der Marck and Jan Petitpas.

Council. The instructions show that every day had to be dedicated to a special task: on Mondays and Wednesdays the pleas were held. On Tuesdays, Thursdays and Saturdays the Council revised the records and reports of the lawsuits. This was called the *visite*. The councillors also dedicated these days to the expedition of all kinds of acts and documents. Sometimes the councillors even worked on Sundays. On the other hand, they had good holidays. The councillors had a summer holiday (from 15 August to 1 September); a Christmas holiday (from 22 December to 3 January) and they had several days off for Easter and Whitsuntide. In the chamber there was a special calendar on which the holy days, when special saints were remembered in Holland, were celebrated. On these days the Council was not obliged to meet.²⁹ Moreover, the councillors were urged not to waste any time during the meetings; article 82 of the instruction of 1462 states that after the general discussion every councillor has to give his opinion without arguing and without repeating what had been said before.³⁰

The question is of course whether these changes can only be ascribed to the academics. Probably due to the rise in the number of lawsuits, the Council had to be more efficient with its time. On the other hand, the prince expected his employees to do what they were paid for. At the beginning of the Burgundian reign, the councillors received yearly salaries, which were relatively high compared to the wages of the members of the Councils of Flanders and Brabant. Philip the Good created attractive conditions of employment in order to promote the stability of the institutions and to create a loyal and serving attitude of the officials. The turning point in this policy was 1447. From that year onwards the salaries were reduced. Pay cuts and a switch to a system of daily wages (in 1463 implemented by Charles of Charolais) had as a consequence that the salaries at the end of the Burgundian period were reduced to the same level as those in the Councils of Brabant and Flanders.³¹ Finally, one should not forget that efficient trials were also what the States wanted. On

²⁹ Le Bailly, *Recht voor de Raad*, 159-168. Cau, *Groot placcaet-boeck*, III, articles 80, 111, 112.

³⁰ Cau, *Groot placcaet-boeck*, III, article 82: "Ende na dat die mairie gedebatteert wesen sal ende dat men opinien vraecht, eick sal sijn opinie seggen sonder in argumenten te treden ende sonder te verhalen tgunst dat dander geseyt sal hebben, op dat men daer mede geen tijdt en verliese".

³¹ On the development of the wages of the officials, *Staat van dienst*, 217-231.

the one hand, subjects indirectly paid for the Council via subsidies and, on the other hand, they were the people who used its services.

But there are more than 'administrative' changes to be observed. Philippe Godding showed that the procedure followed by the Council of Brabant in the fifteenth century was increasingly based on the principles of Roman and canon law. Marie-Charlotte Le Bailly, who investigated the legal practice of the Council of Holland and Zeeland, comes to the same conclusions. It is significant that for example the procedures of appeal and of default of appearance were styled in accordance with the procedures of the supreme courts of France and the Burgundian lands, the Parliament of Paris and the Great Council. These procedures were established in the instruction for the Council of 1462.³² This can be explained by the fact that some academically educated councillors, like the already mentioned Flemings Utenhove, Van der Eycke, Halewijn and Petipas, were active both on a central level as members of the Great Council, and on a regional level as members of the Council of Holland and Zeeland. They had to ensure that the administration of justice by the Council of Holland and Zeeland would support the interests of the prince and that the legal procedures of the Council were geared to those of the Great Council.

Not only the procedures but also the judgements of the Council changed. We observe, for example, how the attitude of the Council towards *lese majesty* changed. Insults of officials of the Council were increasingly considered to be a form of *lese majesty* and concepts of Roman law were applied to these cases. Again the years 1445 and 1463 are clear dividing-lines.³³

Mobility

Who then were the academics who made their professional careers in The Hague? It is striking that one third of them were born outside Holland or Zeeland. Already from the beginning of the reign of Philip the Good in Holland and Zeeland 'foreigners' had been appointed, not only in the Council but also in the *Chambre des comptes*

³² Godding, *Conseil*, 469-470; Le Bailly, *Recht voor de Raad*, 155-156; Le Bailly, *Bekekenis*, 93-94, 98-100.

³³ Le Bailly, 'Un cas particulier', 106 and 109 n. 48.

and in the Chancery. They were of crucial importance to the prince for three reasons: namely, their bilingualism (French and Dutch), expertise and reliability. The foreign officials were supposed to guarantee an effective monitoring of the regional administrative machinery, and act as a liaison for the prince and the supra-regional institutions. In general the foreign presidents and councillors stationed in The Hague were academically trained and had experience in the jurisdiction of the Great Council.

It is likely that at the beginning of the Burgundian period, the prince had few native university graduates at his disposal. Those who had an academic title generally aspired to an ecclesiastical career, and the chapters of Utrecht offered most opportunities for this. The foundation of the University of Louvain in 1425 proved to be of crucial importance: now there was a university in a Dutch speaking area that, moreover, was nearer than Cologne for students from Holland and Zeeland. As a result, there were more options open to the prince for choosing academically trained natives than before.³⁴ Only after 1477, however, did native university graduates take over at the helm of the Council.

Increasingly nobles realized that an academic education was important were they to maintain their privileged positions in the institutions.³⁵ Stadtholders Guillaume de Lalaing and Jean de Lannoy, both nobles from the French-speaking parts of Hainault and Flanders respectively, wanted their children to be instructed by a learned man so that they could write and speak Latin, French and Dutch. Afterwards they sent their children to Latin schools in Louvain, Cologne or Paris.³⁶ The names of these cities indicate that a university education was the next logical step. Still, it is remarkable that the nobles of Holland and Zeeland were quite reserved when it came to visiting a university. Judging from the libraries of the councillors Jan van Egmond (†1451) and Frank van Borselen (†1470), they were educated men who read books on astronomy and history.³⁷ But we look in vain for the names of these leading noble families in the fifteenth century matriculation lists of the European universities. The

³⁴ Damen, 'Serviteurs' and Millet and Moraw, 'Clerics', 174, 178.

³⁵ De Ridder-Symoens, 'Adel en universiteiten', 431-432.

³⁶ Naber, 'Bourgondische edelen', 250-251; Beaune (ed.), 'Livre des faits', 1210; Dansaert and De Lannoy, *Jean de Lannoy*, 319.

³⁷ Nijsten, *Hof*, 178-182, 422-423; Jansen, 'Rekening', 116.

Van Wassenaar family is an exception to this rule. Although the councillor Hendrik van Wassenaar did not study himself, he sent his sons Jan (who became a member of the Council just like his father), Filips and Jacob to Orléans in 1444.³⁸ He clearly realized the advantages of a university education.

The nobles we do find in the enrolment registers do not belong to the older lineages but have more humble origins. Gerrit van Assendelft is a good example. He was one of the longest serving members of the Council, from 1453 until his death in 1486, surviving all institutional reformations and political crises. The basis of his education and career was formed at the convent school of Middelburg. He left the abbot 300 Rhenish guilders in his will, although in his view this amount could not compensate for the profit and advantage he obtained from his education. Afterwards he continued his education at the University of Cologne, although we do not know if he obtained a degree. Just like Hendrik van Wassenaar he sent his sons Jan and Klaas to the University of Orléans.³⁹ Orléans was a good choice for ambitious students. It was the university *par excellence* for the study of Roman law. Moreover, being there one could learn French, which was still the administrative language in the supra-regional administration of the Burgundian Netherlands.⁴⁰ Attending the *studium* of Orléans became a tradition in the Van Assendelft family and this policy was fruitful for the careers of its members. In the first half of the sixteenth century Gerrit's grandson and namesake Gerrit van Assendelft, who studied at Orléans as well, became president of the Council for thirty years.⁴¹

Apart from the Assendelft family, we have to mention the families Ruychrock van den Werve and Oom van Wijngaerden here. The ancestors of these families, Jan Ruychrock and Godschalk Oom, were financial experts who started their careers in the surroundings of a powerful noble family (the Van Borselen in the case of Ruychrock)

³⁸ De Ridder-Symoens, Ridderikhoff and Illmer, *Premier livre, II, Biographies*, I, nrs. 3-5. See also the article by Antheun Janse in this volume.

³⁹ Rijksarchief Noord-Holland, Collectie losse aanwinsten, inv. nr. 1003, f. 3v-4r, 7v; *Maatfel*, ed. Keussen, I, 329, nr. 50; De Ridder-Symoens, Ridderikhoff and Illmer, *Premier livre, II Biographies*, I, nrs. 129-130.

⁴⁰ De Ridder-Symoens, 'Studenten uit het bisdom Utrecht', 80.

⁴¹ De Ridder-Symoens, Ridderikhoff and Illmer, *Premier livre, Biographies*, I, nr. 427; *Memorialen*, ed. De Blécourt and Meijers, xxxiv. On his position among the nobility and his *mentalité* Van Nierop, *Van ridders tot regenten*, 92-96.

and a powerful city (Dordrecht in the case of Oom). They switched to the service of the Burgundian Dukes (Ruychrock was a member of the Council, Oom was receiver-general of Holland and Zeeland), became rich and invested their wealth in the acquisition of lands and fiefs. They sent their sons to university (again Orléans appears in their curricula) and they would later follow in their fathers' footsteps, when they became members of the Council of Holland and Zeeland. Filips Ruychrock even rose to be a member of the Great Council. Although these social climbers—the Ruychrocks and Ooms became members of the Knighthood of Holland in the second half of the fifteenth century—are exceptions, we have to bear in mind that lacking a noble tradition, these men chose an effective way to guarantee their new social position, namely an academic education.⁴²

Nevertheless, there were academics who never reached noble status. There were city-dwellers who, thanks to their university education, made a career in the administration of cities and towns. Most cities in the Netherlands frequently made use of the services of academics. The so-called pensionaries represented the cities in lawsuits before the Council or Great Council, and they negotiated on behalf of the city with the representatives of the prince during the diets on new subsidies in exchange for new privileges and more autonomy.⁴³ On these occasions some of them came into contact with men with whom they had studied. They originated from the same milieu, spoke the same idiom, and were on the same wavelength; they only served different interests. But that was about to change. The Burgundian Dukes had a strong preference for these schooled pensionaries when recruiting new officials. A switch from the city's service to the prince's service had advantages for both parties. The prince knew these men personally from the negotiations in the past and could be certain that the new officials were experienced in matters of law. Moreover, they could inform him about the political strategies of the cities and influence the city-administration when important decisions had to be made, for example, concerning the subsidies. A career in the service

⁴² See for the careers of members of the Ruychrock and Oom family Damen, *Staat van dienst*, 479–480, 488. Study at Orléans: De Ridder-Symoens and Illmer, *Premier livre, Biographies*, I, nrs. 61 (Hendrik Oom) and 71 (Filips Ruychrock) and De Ridder-Symoens, 'Studenten uit het bisdom Utrecht', 90–91. The acquisition of fiefs is described by Janse, 'Het leenbezit', 179–180.

⁴³ De Ridder-Symoens, 'Training and Professionalization', 155.

of the prince also had advantages for the pensionary. He could earn a higher salary and obtain other material advantages such as gifts and fiefs. Moreover, as a princely officer he could reach a higher status. The cities always lost the battle for the most talented pensionaries, although they tried by all means to keep them in their own service. In 1451, the pensionaries of Ghent even had to swear that they would never join the duke's service.⁴⁴

It is not very surprising that Ghent obliged its officials to remain loyal to the town. In the past many pensionaries had switched to the duke's service. Two members of the Council of Holland, Hendrik Utenhove and Lodewijk van der Eycke, had been pensionaries of the city at the beginning of their careers. However, a third pensionary of Gent, who was appointed solicitor-general in 1463, never showed up in The Hague. Hendrik Utenhove was endowed with many gifts and presents in the 1420s, when he was still in Ghent's service. The Duke awarded him with money and silverware for services rendered. In these years he represented Ghent on many occasions at the diets of the Four Members (the States of Flanders) with the Prince. Apparently he not only looked after the interests of his present but also of his future employer. It was to his advantage that both parties trusted him. On several occasions when internal or external problems occurred, the Four Members sent Utenhove to the Duke with the request to return to Flanders. On the other hand, the Duke probably wanted to be informed about the social unrest in Ghent so that he could take measures to avoid escalation. Finally in 1431 Utenhove switched sides and became councillor-request-master in the Great Council. This was not well received by the people of Ghent. On the occasion of an uprising of the weavers in August 1432, he and other (former) members of the city-administration "who loved the prince", had to pay for it. As Utenhove had already fled the town, the crowd plundered his house and destroyed most of its contents. It is understandable that two months later Utenhove willingly accepted his appointment as member of the Council of Holland and Zeeland, in order to be far away from the turbulent political arena in Flanders.⁴⁵

⁴⁴ Preyenier, 'Ambtenaren', 49; Boone, 'Juristes', 111; Rogghé, 'Genise klerken', 120.

⁴⁵ Biographies on Utenhove and Van der Eycke in Damen, *Staat van dienst*, 460, 492. Gifts to Utenhove: ADN B, inv. nr. 1925, f. 72v; inv. nr. 1931, f. 93v; inv.

Conclusion

In the later Middle Ages the academically trained officials provided the leading dynasties of the expanding European states with know-how and knowledge. They helped the princes to expand their power and keep the machinery of their institutions working. Like other medieval princes, the Dukes of Burgundy made particular use of the services of university-educated officials in their councils on a supra-regional and a regional level. We have to admit, however, that the increase of learned officials was not only a planned strategy by the prince. The States, the representatives of the subjects, had a major influence on the institutional reformations of the Council of Holland in 1462-1463 and 1477. We should not forget that the subjects were also interested in a well-functioning and impartial higher court of justice. Moreover, several university-trained officials were nominated to the Council, simply because they belonged to the right network. While in 1462-1463 Charles of Charolais was able to place his trustees, most of them graduates, in several strategic positions in the Council, in 1477 the States themselves managed to push forward their own men, former pensionaries and solicitors of the cities.

Not all of the consequences of a more university-educated Council are clear. There are two significant moments (1445 and 1463) when the rise of university-educated officials coincides with changes in the way the Council operated. The question remains whether these men were the driving force behind these changes or whether they were appointed simply because they were the only ones who could work with the changing procedures.

The councillors who originated from Flanders can be considered to be the most important group among the university-trained councillors. Apart from their academic merits they had other qualities, which made them the duke's favourite agents in his northernmost territories. For them an appointment in Holland implied both geographical and social mobility. This is also the case for native councillors with more humble origins. For them a university degree was

nr. 1933, f. 121r, inv. nr. 1942, f. 91v. Utenhove on clets: Blockmans, *Hemdelingen 1419-1438*, nrs. 189, 293, 246-249, 261, 455. On social unrest and the uprising of the weavers: Lambin (ed.), *Meekwaerdinge gebeurtenissen*, 137 and Boone, *Genf*, 215-220.

the basis of a career. Most of them started in a city as solicitors or as pensionaries and they ended up in the duke's service. In the fifteenth century a university education became increasingly necessary to nobles, to maintain their dominant positions in the administrative institutions.