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Political Representation

Communities, Ideas and Institutions in Europe (c. 1200–c. 1690)

Edited by

Mario Damen
Jelle Haemers
Alastair J. Mann

BRILL

LEIDEN | BOSTON

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CHAPTER 8

The Nobility in the Estates of the Late Medieval Duchy of Brabant

Mario Damen

The Estates of Brabant in the late Middle Ages form an excellent case study for fundamental research on political representation. The Duchy of Brabant was a core territory in the heart of the Low Countries, a densely populated and highly urbanized agglomerate of principalities in which political representation had developed from the thirteenth century onwards.[1] The Estates of Brabant, defined as an institutionalized platform of deliberation, date from the last decade of the thirteenth century. The then Duke of Brabant, John I (r. 1267–94), issued privileges to the seven major cities of Brabant, the owners of lordships, and the clergy, in exchange for the grant of an extraordinary subsidy. In these charters, the duke seems to acknowledge (or even confirm) the three orders in Brabant as separate representative groups, even if at that time they did not, of course, form coherent political unities but consisted of individuals or entities tied together by common interest and social status.[2] The Estates then grew into a mature institution thanks to the practice of regular meetings: more than 1600 sessions were recorded between 1356 and 1430.[3] This gave rise to both a powerful political elite and a sophisticated political discourse on representation and governance; the Estates of Brabant eventually developed a constitutional tradition that was completely lacking in, for example, the neighbouring counties of Holland, Flanders and Hainaut.[4]

1 Ria Van Bragt, *De blijde inkomst van de hertogen van Brabant: Johanna en Wenceslas (3 januari 1356): een inleidende studie en tekstuitgave* (Leuven, 1956); Willi Nikolay, *Die Ausbildung der ständischen Verfassung in Geldern und Brabant während des 13. und 14. Jahrhunderts: ein Beitrag zur Entstehung und Konsolidierung mittelalterlicher Territorien im Nordwesten* (Bonn, 1985); Jos van der Straeten, *Het Charter en de Raad van Kortenberg* I–II (Brussels, 1952).

2 Raymond Van Uytven, "Standenprivileges en -beden in Brabant onder Jan I (1290–1293)", *Revue belge de philologie et d'histoire* 44 (1966), pp. 413–56 (at pp. 434–35).

3 André Uyttebrouck, *Le gouvernement du duché de Brabant au Bas Moyen Âge (1355–1430)* (Brussels, 1975), pp. 773–909.

4 Wim Blockmans and Raymond Van Uytven, "Constitutions and their Application in the Netherlands during the Middle Ages", *Revue belge de philologie et d'histoire* 47 (1969), pp. 399–424. I was not able to integrate the results of the PhD thesis of Valerie Vrancken,

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In the 1960s, the Belgian historian Jean Stengers asserted that the cities were the most important component of the Estates, since they embodied the land.[5] In 1975, André Uyttebrouck confirmed this view and concluded that the cities were the most active participants in the meetings of the Estates; in the period 1355–1430 they attended about 75 per cent of all sessions. Not very surprisingly, the four "capitals", Leuven, Brussels, 's-Hertogenbosch and Antwerp, were the most frequently represented.[6] Until now, research on the Estates of Brabant has been based primarily on the city accounts of Leuven and Malines, so it does not perhaps represent the full picture.[7]

This article will not question the role of the cities within the Estates, but focus on the neglected second estate: the nobility. Within the Estates of Brabant, as in those of Hainaut, the estates of the clergy and the nobility were important political players, together with the so-called "third estate": the delegates of the cities.[8] Although clerics and nobles were also present in the Estates of Flanders and Holland, their role was far less significant.[9] Nevertheless, it is important to distinguish between the political strategies of the clergy, the nobility, and the cities, and (within the third estate) even between the four capitals on the one hand, and the smaller cities on the other. The Estates should not be viewed as a homogeneous institution, but rather as a conglomerate of interest groups.[10]

"'Van den goeden regimente.' Constitutionele teksten en hertogelijk bestuur in vijftiendeeeuws Brabant", defended on 28 March 2017 at the KU Leuven, after the completion of this paper.

5 Jean Stengers, "Philippe le Hardi et les États de Brabant", in *Hommage au professeur Paul Bonenfant (1899–1965). Études d'histoire médiévale dédiées à sa mémoire par les anciens élèves de son séminaire à l'Université Libre de Bruxelles*, ed. Georges Despy, Maurice A. Arnould, Mina Martens (Brussels, 1965), pp. 383–408 (at p. 408).

6 Uyttebrouck, *Le gouvernement*, pp. 447–59.

7 Ibid., pp. 429–32; Piet Avonds, *Brabant tijdens de regering van Hertog Jan III (1313–1356). Land en Instellingen* (Brussels, 1991), p. 198.

8 Beatrijs Augustyn, "Staten van Brabant", in *De gewestelijke en lokale overheidsinstellingen in Brabant en Mechelen* I. Algemeen Rijksarchief en Rijksarchief in de Provinciën. Studia 82, ed. Raymond Van Uytven et al. (Brussels 2000), pp. 97–132 (at pp. 98–103). On the Estates of Hainaut, see the paper of Marie van Eeckenrode in this volume.

9 Raymond Van Uytven, "Wereldlijke overheid en reguliere geestelijkheid in Brabant tijdens de late middeleeuwen", in *Bronnen voor de religieuze geschiedenis van België* (Leuven 1968), pp. 48–134 (at pp. 82–90); Wim Blockmans, *De volksvertegenwoordiging in Vlaanderen in de overgang van middeleeuwen naar nieuwe tijden (1484–1506)* (Brussels, 1978), pp. 161–62; H. Kokken, *Steden en Staten. Dagvaarten van steden en Staten van Holland onder Maria van Bourgondië en het eerste regentschap van Maximiliaan van Oostenrijk* (The Hague, 1991), p. 24.

10 Jan Dhondt, "'Ordres' ou 'puissances': l'exemple des états de Flandre", *Annales. Économies, Sociétés, Civilisations* 5 (1950), pp. 289–305 (at pp. 292–93, 303–5); Michel Hébert, *Parlementer. Assemblées représentatives et échange politique en Europe occidentale à la fin du Moyen Âge* (Paris, 2014), pp. 247–74; Robert Stein, *De hertog en zijn Staten. De eenwording*

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Nobles are interesting since they held various positions at the one time, which made them multifaceted players in the political arena. They could have a position within the prince's household and simultaneously occupy an office within the princely administration at a "national", regional or local level, or even in the city administration. What is more, many Brabantine nobles lived in cities; others, who had their main residence in the countryside, had themselves registered as "foreign citizens" (*bourgeois forrains*) because of the associated fiscal and legal advantages.[11] In other words, in Brabant, as in the county of Flanders,[12] the separation between the third and the second estate was not as clear-cut as these labels might seem to suggest.[13] Furthermore, some members of the nobility were highly mobile and did not restrict their activities to one principality. In the border areas between Brabant, Holland, Flanders and Hainaut, especially, we find relatively many noblemen who owned lordships in combination with smaller (money) fiefs in two or even three principalities. This "multiple vassalage" implied not only that they could act as courtiers or councillors in the service of different princes but also that they could belong to the second estate of different principalities.[14]

Despite the important political position of the nobility in assemblies of estates, the role of this group has scarcely been studied for most European countries in general,[15] and for the Low Countries in particular.[16] In this sense, this

van de Bourgondische Nederlanden (Hilversum, 2014), pp. 61–67, 78–85; John Watts, *The Making of Polities. Europe, 1300–1500* (Cambridge, 2009), pp. 424–25.

11 Philippe Godding, "La bourgeoisie foraine de Bruxelles du XIVe au XVIe siècle", *Cahiers Bruxellois* 7 (1962) pp. 1–64 (at pp. 36–41).

12 Wim Blockmans, "Flemings on the Move. A Profile of Representatives, 1384–1506", in *Secretum scriptorum. Liber alumnorum Walter Prevenier*, ed. Wim Blockmans, Marc Boone and Thérèse de Hemptinne (Leuven, Apeldoorn 1999) pp. 307–26 (at p. 325).

13 On the other hand, the overlap between the families who delivered the prelates in the first estate and the noble families in the second estate seems to be less evident. See the biographical details of the prelates in Mario Damen, "Prelaten, edelen en steden. De samenstelling van de Staten van Brabant in de vijftiende eeuw", *Handelingen van de Koninklijke Commissie voor Geschiedenis* 182 (2016), pp. 5–274.

14 See the excellent analysis by Godfried Croenen, "Regions, Principalities and Regional Identity in the Low Countries: The Case of the Nobility", in *Regions and Landscapes. Reality and Imagination in Late Medieval and Early Modern Europe*, ed. Peter Ainsworth and Tom Scott (Bern, 2000), pp. 139–53 (at pp. 148–53).

15 For France, see Neithard Bulst, *Die französischen Generalstände von 1468 und 1484: prosopographische Untersuchungen zu den Delegierten* (Sigmaringen, 1992). For England, see John S. Roskell, "The Social Composition of the Commons in a Fifteenth Century Parliament", *Historical Research* 24 (1951), pp. 152–72; Roskell, "The Problem of the Attendance of the Lords in Medieval Parliaments", *Historical Research* 29 (1956), pp. 153–204.

16 For Flanders, see Blockmans, "Flemings on the Move", pp. 307–26 and Blockmans, "La représentation de la noblesse en Flandre aux XVe siècle", in *Guerre, pouvoir et noblesse au Moyen Âge. Mélanges en l'honneur de Philippe Contamine*, ed. Jacques Paviot and Jacques

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article aims to fill a lacuna in the research on political representation. Moreover, an analysis of the people who were summoned to participate in meetings of the Estates can help us define the character of the nobility in Brabant. Participation in the meetings of the Estates constitutes a specific and clear criterion for the contemporary perception of nobility.[17]

This paper analyses the composition of the second estate and its political role in the first three decades of the fifteenth century. This is the period in which Brabant gradually became integrated into the Burgundian composite state: indirectly in 1406, through a collateral branch of the dukes of Burgundy, and directly in 1430.[18] In 1430, the Estates of Brabant officially chose Philip the Good (r. 1430–67) from among no fewer than seven pretenders to the ducal throne. The preceding years, from 1406, were characterized by several political crises in which the Estates played a crucial role; eventually, in 1420–21, they took over the government of the duchy. In the first part of this paper, an analysis of a convocation list of the Estates of Brabant from around 1406 sheds light on the composition of the second estate. This overview is then compared with the attendance at five important meetings of the Estates in the first quarter of the fifteenth century. Both the social and geographical characteristics of the nobles who attended the meetings will be analysed, with a view to explaining the dominant position within the Estates of the most frequent attendees.

1 Convocation and Representation

Convocation lists were administrative documents used by the ducal chancery to summon the members of the Estates. The convocation list of 1406 is the first time the members of the three estates of Brabant were listed together. However,

Verger (Paris, 2000), pp. 91–99. For Holland, see Antheun Janse, "De Tweede Stand in laatmiddeleeuws Holland", in *Bourgondië voorbij: de Nederlanden 1250–1650. Liber alumnorum Wim Blockmans*, ed. Mario Damen and Louis Sicking (Hilversum, 2010), pp. 159–175.

17 Mario Damen and Antheun Janse, "Adel in meervoud. Methodologische beschouwingen over comparatief adelsonderzoek in de Bourgondische Nederlanden", *Bijdragen en mededelingen betreffende de geschiedenis der Nederlanden*, 123 (2008), pp. 517–40 (at pp. 529–30). For a similar approach to the English nobility, see Kenneth Bruce McFarlane, *The Nobility of Later Medieval England* (London, 1973) pp. 142–44, 172–74, and the comments by Chris Given-Wilson, *The English Nobility in the Late Middle Ages* (New York, 1987), pp. 56–57.

18 Henri Laurent and Fritz Quicke, *Les origines de l'état Bourguignon: l'accession de la maison de Bourgogne aux duchés de Brabant et de Limbourg* (*1383–1407*) (Brussels, 1939); Robert Stein, *Politiek en historiografie. Het ontstaansmilieu van Brabantse kronieken in de eerste helft van de vijftiende eeuw* (Leuven, 1994), pp. 167–206.

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from around the middle of the fourteenth century the main cities of Brabant used similar lists to convene the knights for joint meetings of the second and third estates.[19] This administrative custom was copied by the ducal chancellery. One document that is very interesting in this respect is the convocation list of the knighthood of Brabant composed on 27 August 1356 on behalf of the count of Flanders, who had invaded the duchy.[20] The count expected of the Brabantine nobles that they would do homage and swear fealty to their new lord because of the fiefs they held in Brabant.[21] In form and function this list, containing the names of 158 knights ordered geographically according to the districts where they lived, can be considered a direct predecessor of the convocation list of 1406.

The convocation list of 1406 records the names of the men that could (or should) be summoned for a meeting of the Estates. Since the lists gave the exact names and titles of the noble participants, they were quickly out of date. This is doubtless the reason so few lists have survived.[22] However, these lists are important documents since they show whom contemporaries considered their political "representatives". With this term I do not imply that there was any kind of democratic election process involved in the selection of these

19 See, for example, the convocation list of Brussels from 1350, containing the names of 54 knights, listed in Pieter Gorissen, *Het Parlement en de Raad van Kortenberg* (Leuven, 1956), pp. 90–92.

20 Jan van Boendale, *De Brabantsche yeesten, of Rymkronyk van Braband*, vol. 2, ed. J.F. Willems (Brussels, 1843), p. 506–10. See also Gorissen, *Het Parlement*, pp. 39–41.

21 Van Boendale, *De Brabantsche yeesten*, vol. 2, p. 508.

22 An edition of four fifteenth-century convocation lists for the Estates of Brabant is published in Damen, "Prelaten", pp. 68–165. A summons list for a meeting of the Estates General was edited by Wim Blockmans, "De samenstelling van de Staten van de Bourgondische landsheerlijkheden omstreeks 1464", *Standen en landen* 47 (1968), pp. 57–112. Furthermore, there is a convocation list for the Estates of Artois: Charles Hirschauer, *Les États d'Artois de leurs origines à l'occupation française, 1340–1640* (Paris, 1923), p. 40, and there are comparable lists for the Estates of the prince-bishopric of Utrecht and Overijssel (1430–1440): Bram van den Hoven van Genderen, *Het Kapittel-Generaal en de Staten van het Nedersticht in de 15e eeuw*, Stichtse historische reeks, 13 (Zutphen, 1987); J. Mooijweer, "'In Overissell hatt die Ritterschaft grosse Prominenz,' De Ridderschap(pen) van Overijssel van 1424 tot 1622", in *De Ridderschap van Overijssel: le métier du Noble*, ed. Albertus Jans. Mensema, Jos Mooijweer and Jean Cornelis Streng (Zwolle, 2000), pp. 11–48 (at pp. 17–21, I thank Conrad Gietman for this reference). In southern European countries some contemporary convocation lists are preserved: a list of the cities of the Papal *Patrimonium Tusciae* of 1298 and of the cities of Friuli of 1309 seems to be the oldest, along with some fifteenth-century lists from Valencia, Portugal and the Dauphiné. See Hébert, *Parlementer*, p. 189, and for Valencia, José Trench Odena and Vicent Pons Alós, "La nobleza valenciana a través de las convocatorias a Cortes (siglos XV–XVI)", in *Les Corts a Catalunya. Actes del Congrés d'Historia Institucional 28, 29 i 30 d'abril de 1988* (Barcelona, 1991), pp. 368–83.

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men.[23] What is more, in the case of the summons list of 1406, probably all living nobles at that time were registered.

The convocation list of 1406 has come down to us by way of a seventeenth-century copy, which is nevertheless reliable.[24] The making of the list was definitely closely connected with the inauguration in that year of a new duke, Anthony of Burgundy (r. 1406–15), second son of Philip the Bold, duke of Burgundy and count of Flanders (r. 1384–1404). The old Duchess Joan (r. 1355–1406) had died without leaving an heir. In the 1380s, Philip the Bold had already laid the foundations for the Burgundian takeover of the duchy. The creation of a "pro-Burgundian party" among the nobility and urban elites of the duchy was one of the key elements of this policy.[25] After the death of the duchess, the three estates gathered together in Leuven to inaugurate Anthony as their new duke.[26]

In order to be inaugurated, the new duke had to acknowledge the *Blijde Inkomst* (literally "Joyous Entry"), which was in fact a charter in the form of a contract between the prince and the Estates of Brabant, granted for the first time in 1356 by Joan and her husband Wenceslas of Luxembourg (r. 1355–83).[27] The Estates would only recognize the new prince if he promised to preserve the Brabantine *res publica* as formulated in the *Blijde Inkomst*. He had to promise, for example, to procure good justice for his citizens, not to alienate any part of the territory, and not to start a war without their consent.[28] Thus for this first meeting it was important that the entire duchy was represented, and it seems therefore logical that a new convocation list was drawn up for this occasion.

The names on the summons list were written neither in alphabetical order, nor in the order of the three estates. Instead, the list was drawn up in accordance with the territorial subdivision of the duchy into six districts, to facilitate the practical summoning of the members of the Estates (see Fig. 8.1).

23 See the essay of Peter Hoppenbrouwers in this volume on the problems concerned with the use of terms like "representative institution" and "representatives" in a medieval context.

24 Brussels, Bibliothèque Royale de Belgique (BRB), Ms. II 1669 fols. 234r–242r and a second copy in The Hague, Hoge Raad van Adel, Archief van de familie Van Slingelandt (AVF), inv. no. 1406 fols. 329r–337v. A partial edition, with many errors, was made by Philippe de l'Espinoy, *Prelats, barons, chevaliers, escviers, viles, franchises et officiers principaulx de ceste illustre Duché de Brabant, distincte par offices, recuillie hors des vieulx registres, lettres & cartelaines des monasteres & viles des l'an 1300 & la enuiron* (Gent 1628). For a new edition see Damen, "Prelaten", pp. 69–132.

25 Laurent and Quicke, *Les origines*, pp. 74–89.

26 Jan van Boendale, *De Brabantsche yeesten, of Rymkronyk van Braband*, vol. 3, ed. J.H. Bormans (Brussels, 1869), p. 3.

27 Ibid., pp. 4–6; Uyttebrouck, *Le gouvernement*, p. 477; Van Bragt, *De blijde inkomst*, pp. 6–8.

28 Van Bragt, *De blijde inkomst*, pp. 20–35; Stein, *Politiek*, pp. 249–50.

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FIGURE 8.1 The Duchy of Brabant and its six administrative districts in the fifteenth century.
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These six districts were manageable for messengers since they had to deliver all the letters of convocation within a short period of time. Messengers had fixed routes through these districts, passing cities, abbeys and noble residences. If the list had been organized by estate, it would have been necessary to establish to whom every messenger should deliver his notifications every time a summons was issued.[29]

The list shows that whereas in the case of the third estate the invitation was addressed to the administrative bodies of the towns, the members of the first and second estate received a personal invitation. The very few convocation letters that have survived confirm this distinction. For example, a convocation letter to the banneret Engelbert van Nassau, lord of Breda (†1442), dated June 1426, reads as follows:

> We [Duke John IV of Brabant MD] summon, ask, and kindly request you to come, within eight days in the evening from now, to us and the others of the three estates of our land of Brabant in our town of Brussels, in order to solve the dispute between our town of Antwerp, on the one hand, and our loyal councillor and *drost* of Brabant, Jan van Glimes, lord of Bergen op Zoom, on the other.[30]

The convocation letter has a clear structure: an authority that makes the summons, a characterization of the meeting and its date and place, a command and instructions.[31] Since the period of eight days is mentioned in two other convocation letters to Engelbert,[32] it seems that a meeting had to be announced at least a week in advance. Although the Duchy of Brabant was relatively small, a week of preparation seems to be very reasonable for this kind of political travelling. In the letters to Engelbert van Nassau, no sanction is mentioned in the case of absence, although at the end of the letter there is an exhortation: "Therefore, do not default".[33] The letter raises the question of whether a noble represented more than himself at the meetings of the Estates. In this particular case, Engelbert's "representation" could be extended to the people who were living in his lordships. Still, the members of the third estate

29 For a similar practice in the county of Holland, see Janse, "De Tweede Stand", pp. 168, 170.

30 The Hague, Nationaal Archief, Nassause Domeinraad tot 1580 (ND), inv. no. 1482 (dated 14 June 1426). Published in Damen, "Prelaten", pp. 169–70.

31 Hébert, *Parlementer*, p. 82.

32 ND inv. no. 1490 (dated 13 May 1427 and 22 October 1429). Published in Damen, "Prelaten", p. 171.

33 *Des en wilt nyet laten*. Ibid. On similar mandatory phrases in the convocation letters for the nobles of Valencia, see Trench Odena and Pons Alós, "La nobleza", pp. 372–73.

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probably had a stronger representative consciousness than those of the ecclesiastical and noble estate.[34]

2 The Nobility as the Second Estate

Who formed the second estate, and how were these nobles ordered in the convocation lists? Given the nature of the Estates, it is not very remarkable that for every district the men to be summoned were classified according to the traditional hierarchy of the three orders: the clergy, the nobility and finally the cities and freedoms—places that had received certain privileges from a local lord or the duke, but with fewer inhabitants and less economic potential than cities.[35] This hierarchy was also reflected at the meetings of the Estates. Evidence from the second half of the fifteenth century concerning the meetings of the Estates General indicates that the clergy of Brabant sat in the most prestigious position, at the right hand of the prince (if he was present), and the clergy of Flanders at his left. Behind them, on both sides, were seated the nobles; and the deputies of the cities sat in front of the prince, with those of Brabant at the front.[36]

The convocation list of 1406 does not mention the terms *adel* (nobility, *noblesse*) or *edelen* (nobles). It distinguishes the hierarchy on the basis of the military titles banneret (*baron*), knight (*miles*) and squire (*armiger*). The list refers to 19 bannerets, 124 knights, and no fewer than 372 squires. Even compared to the kingdoms of France and England, these figures are impressive. For France, Charles Taylor counted 300 barons to be summoned for assemblies in the first quarter of the fourteenth century, and this figure should be doubled if we include "other nobles and noble bannerets", whose names were not known to the king's central administration. In the same period, the king summoned between 50 and 80 nobles in Normandy.[37] The number of knights of the shire

34 Peter Hoppenbrouwers, "Middeleeuwse medezeggenschap. Een stand van zaken over standen en Staten", in *Uit diverse bronnen gelicht. Opstellen aangeboden aan Hans Smit ter gelegenheid van zijn vijfenzestigste verjaardag*, ed. Eef Dijkhof and Michel van Gent (The Hague, 2007), pp. 133–59 (at pp. 141–45). See also the essay of Peter Hoppenbrouwers in this volume.

35 Van Uytven, "Het gewicht van de goede steden", p. 118.

36 Robert Wellens, "Le droit de préséance dans les assemblées des États Généraux des Pays-Bas au XVe siècle", *Standen en landen* 47 (1968), pp. 113–47 (at p. 129), also cited by Hébert, *Parlementer*, p. 316.

37 Charles H. Taylor, "The Composition of Baronial Assemblies in France, 1315–1320", *Speculum* 29 (1954), pp. 433–59 (at pp. 435–36, 451–53); Alfred Coville, *Les États de Normandie: leurs origines et leur développement au XIVe siècle* (Paris, 1894), pp. 157, 342.

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to be summoned in the late medieval English Parliament was 74. On the other hand, the average number of lay lords—i.e. dukes, earls and barons—summoned by Richard II (r. 1377–99) to the 25 sessions of Parliament was 55.[38]

The bannerets, in Dutch *baanrotsen*, played a prominent political and military role in the duchy. They derived their prestige from their lordships, which were held in fief from the duke of Brabant and mostly included high jurisdiction, the right to adjudicate in serious crimes, from which they derived part of their income. They were entitled to lead a company—mainly consisting of their officers and subfiefholders—both on the battlefield and at tournaments, and their banners, square panels of cloth featuring their coats of arms, symbolized this leadership.[39] In the list of 1406, a banneret is not indicated by his name but by the words *dominus de* ("the lord of") followed by the name of his lordship.[40] It was thus a symbol of high status that these men were only named by their lordship; it implied that mentioning their knightly status was not even necessary. What is more: some of these bannerets had never even received the accolade. They had the rank of *écuyer banneret*, that is a banneret who had remained an esquire and, by consequence, was not knighted.[41] For these bannerets, the accolade supposed a hierarchical relationship with the person who conferred knighthood upon them. In the centre and south of the duchy these high-ranking nobles were more or less evenly distributed, with three bannerets in every district. In the north, however, Antwerp stands out with six bannerets, whereas 's-Hertogenbosch only has one banneret (see Table 8.1).

As we have seen, in 1406 the number of knights to be summoned was 124. Brabant seems to occupy a middle position compared with other principalities. A summons list of the knighthood of Flanders of 1362–63 features 157 knights.[42] In the county of Holland, however, only 40 knights can be detected

38 John S. Roskell, *The Commons in the Parliament of 1422* (Manchester, 1954), pp. 39–42; Keith E. Fildes, "The Baronage in the Reign of Richard II, 1377–1399", unpublished PhD thesis, University of Sheffield, 2009, pp. 55–56.

39 On this special category, see Mario Damen, "Heren met banieren. De baanrotsen van Brabant in de vijftiende eeuw", in *Bourgondië voorbij. De Nederlanden 1250–1650. Liber alumnorum Wim Blockmans*, ed. Mario Damen and Louis Sicking (Hilversum, 2010), pp. 139–59 (at pp. 144–47); Uyttebrouck, *Le gouvernement*, pp. 438–41. Furthermore, on bannerets, see David Crouch, *Tournament* (London, 2005), pp. 75–76; Werner Paravicini, "Soziale Schichtung und soziale Mobilität am Hof der Herzöge von Burgund", in *Francia* 5 (1977), pp. 133–35; Antheun Janse, *Ridderschap in Holland. Portret van een adellijke elite in de Late Middeleeuwen* (Hilversum, 2001), pp. 83–86.

40 Paravicini, "Soziale Schichtung", p. 378.

41 Ibid., p. 376.

42 See Frederik Buylaert et. al., "De adel ingelijst. 'Adelslijsten' voor het graafschap Vlaanderen in de veertiende en vijftiende eeuw", *Handelingen van de Koninklijke Commissie*

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TABLE 8.1 Number of nobles to be summoned in the Estates of Brabant around 1406.[a]

District	Bannerets	Knights	Squires	*Totals*
Leuven	3	8	22	*33*
Brussels	3	44	23	*70*
Tienen	3	13	102	*118*
's-Hertogenbosch	1	9	96	*106*
Antwerp	6	16	49	*71*
Walloon Brabant	3	34	80	*117*
Total	*19*	*124*	*372*	*515*

a Based on BRB, Ms. II 1669 fols. 234r–242r and the edition in Damen, "Prelaten".

around 1405.[43] Of course, these figures must be viewed in the context of the overall population, but this does not explain the marked difference between Holland on the one hand and Flanders and Brabant on the other.

When we take into account the geographical distribution of the knights within the Duchy (Table 8.1), it emerges that the central district of Brussels had the highest number of knights living within its boundaries (44), followed by the southern district of Walloon Brabant (34). In the district of 's-Hertogenbosch in the north, by contrast, only nine knights could be summoned.[44] Where the squires are concerned, the situation is the reverse: the districts of Tienen and 's-Hertogenbosch feature the highest numbers, whereas Brussels and Leuven have relatively few squires. Squires were members of noble families who had not (or not yet) been knighted. Sometimes this denoted young men who did not have the age or the experience to become a knight. More often, however, these nobles did not possess enough wealth and property to maintain a noble lifestyle.[45] Clearly, the profile of the nobles in the districts differed greatly.

This becomes even more evident when we take this analysis a step further by analysing the urban background of the nobles (Table 8.2). The second estate of Brabant had a noticeably urban "profile". In 1406, at least 39 knights, over 30 per cent, had occupied an office in the town administration at some point in

voor Geschiedenis 173 (2007), pp. 47–188 (at pp. 116–22), where 157 nobles have the prefix of *messire*, which indicates a knightly title. This is a minimum, since other nobles are only mentioned with the title of their lordship (*le seigneur de*….) so it is quite possible that there were knights among this category too.

43 Janse, *Ridderschap*, pp. 105–6, 440–48.

44 Damen, "Prelaten", pp. 16–17.

45 Janse, *Ridderschap*, pp. 87–90.

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TABLE 8.2 Number of nobles to be summoned in the Estates of Brabant around 1406 with an urban office.[a]

District	Bannerets	Knights		Squires	
			% of total number		% of total number
Leuven	0	4	50%	10	45%
Brussels	0	23	52%	5	22%
Tienen	0	1	8%	25	25%
's-Hertogenbosch	0	4	44%	24	25%
Antwerp	0	7	44%	6	12%
Walloon Brabant	0	0	0%	2	3%
Total	*0*	*39*	*31%*	*72*	*19%*

a Based on BRB, Ms. II 1669 fols. 234r–242r and the edition in Damen, "Prelaten", pp. 69–132.

their career: as alderman, burgomaster or as receiver, for instance. These urban knights and squires could represent their town in the third estate as well. The highest echelon of the nobility, the bannerets, had a completely different profile: not one of them can be clearly connected to a city. Most of them belonged to the older noble families of Brabant or one of the neighbouring principalities. They owned extensive feudal estates and often played an important role in the ducal household and council.

Again, a marked difference existed between the districts. Whereas in the four districts that included the major cities almost half of the knights can be characterized as "urban", the reverse is true in the more rural areas of Tienen and Walloon Brabant (Table 8.2). Similar figures, although less pronounced, can be produced for the squires. It shows, however, that in the cities of Brabant the knightly title was a matter of status and distinction. Most of these urban knights were not great landowners, although some of them succeeded in obtaining a lordship, preferably with a castle.[46]

All this indicates that we should avoid drawing a sharp dividing line between the second and third estates. In Brabant, as well as in Flanders, nobles could play a double role, both in the second and the third estate.[47] This phenomenon

46 Mario Damen, "The Knighthood in and around Late Medieval Brussels", *Journal of Medieval History* 43 (2017), pp. 255–84.

47 Blockmans, "De samenstelling", p. 73; Frederik Buylaert, "Edelen in de Vlaamse stedelijke samenleving . Een kwantitatieve benadering van de elite van het laatmiddeleeuwse en

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was not restricted to the highly urbanized Low Countries, but can also be discerned in Languedoc, Provence and Castile. The *procuradores*, for example, the deputies of the cities in the Cortes of Castile, increasingly originated from the lesser nobility; in late fifteenth-century Madrid they even had to demonstrate their "noble credentials" to be elected.[48]

3 The Nobility in the Estates

The question is, did all these nobles attend the meetings of the Estates? A report from some Burgundian envoys who were present at a meeting of the Estates in Brussels in April 1397 does not sound very positive:

> de XIV ou XVII prélas qu'il y a en Brabant n'avoit que VI prélas, et des bannières n'y avoit que le seigneur de Wesemale et le seigneur de Rotseler, qui sont tous deux du conseil de ma dicte dame, et tres petite quantité d'autre chevalerie, et des villes n'avoit que leurs députés.[49]
>
> Translation: Of the 14 or 17 prelates in Brabant only six were present, and of the bannerets only the lords of Wezemaal and Rotselaar were there, both of them of my Lady's [Joan of Brabant MD] Council, and very few other knights; of the cities, there were only their deputies.

Interestingly, the envoys clearly distinguish between the different components of the second estate, and they note the overlap with the ducal council. What is more, at the meeting, *messire* Jan van Oppem, a councillor and steward of the household, acted as spokesman for the Duchess. At the same time, in his capacity as a knight living in Brussels, he was a member of the second estate.[50] The abbot of St Bernard's, a Cistercian abbey near Antwerp, acted as the

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vroegmoderne Brugge", *Tijdschrift voor sociale en economische geschiedenis* 4 (2007), pp. 29–56 (at pp. 45–46). For Holland, where this was not the case, see Janse, "De Tweede Stand", pp. 173–75.

48 Hébert, *Parlementer*, pp. 250–52; Juan Manuel Carretero Zamora, "Cortes, representación politica y pacto fiscal (1498–1518)", in *La sociedad política a fines del siglo XV en los reinos Ibéricos y en Europa*, ed. Vincent Challet and Jean-Philippe Genet (Valladolid, 2007), pp. 129–44 (at p. 135 and n. 21). See on the *procuradores* also the essay of María Asenjo-González in this volume.

49 Jean Froissart, *Oeuvres; publiées avec les variantes des divers manuscrits*, vol. 16 (1397–1400), ed. J.M.B.C. Kervyn de Lettenhove (Brussels, 1872), pp. 265–66. See on the nobles Damen, "Prelaten", nos. [6] and [7].

50 He is mentioned in the list of 1406. See Damen, "Prelaten", no. [83].

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spokesman of all three estates. All in all, the envoys were not much impressed by the number of members in attendance.

To determine exactly which nobles participated in the assemblies, we can analyse the subscriptions of charters issued after meetings of the Estates during five critical political moments in the first quarter of the fifteenth century.[51] These charters do not furnish a picture of a typical assembly; on the contrary, most of them concern extraordinary events. For 1406, the inauguration year of Duke Anthony, we do not even have a charter and we have to rely on a narrative source.[52] However, the subscription figures do give an indication of the potential turnout of the second estate at the assemblies.

For practical reasons it seems impossible that all 515 nobles, as listed in the convocation list of 1406, would show up for a meeting. The city halls of Brabant, the regular meeting places of the Estates, were big but not large enough to house this multitude. What is more, probably not all nobles will have been invited for the assemblies.[53] On the other hand, for the five important political occasions considered here, where political support of the nobles was essential, the invitation policy must have been generous.[54]

The total number of noble attendees of the five meetings under discussion ranged from 27 to 95 (Table 8.3). These figures might seem to be relatively low. Still, the turnout can be considered high, if we bear in mind that all these nobles, unlike the members of the third estate, had to pay for their travel and lodging themselves. In this sense, the relatively small geographical scale of the Duchy (c. 9,800 km^2)[55] benefited not only the frequency of the meetings, but also the turnout of the members.[56] The nobility, or at least a substantial part of this social category, certainly did not lack interest in the politics of the Duchy and wanted to be involved actively in the decisions of the Estates.

When we have a closer look at the three layers within the second estate, there is a noticeable difference from the convocation lists. The witnesses mentioned in the charters are not strictly ordered in three different categories of

51 These are more reliable than the municipal accounts, though these sometimes record gifts of wine for the nobles who attended meetings of the Estates.

52 Willem Boonen, *Geschiedenis van Leuven, geschreven in de jaren 1593 en 1594*, ed. Gérard E. Van Even (Leuven, 1880), p. 46.

53 Hébert, *Parlementer*, p. 164.

54 For the French case on this point, see Taylor, "Composition", p. 437.

55 Stein, *De hertog*, p. 20.

56 David Stasavage, *States of Credit. Size, Power, and the Development of European Polities* (Princeton, 2011) pp. 51–53. This point was already noted in 1978 by Wim Blockmans, "A Typology of Representative Institutions in Late Medieval Europe", *Journal of Medieval History* 4 (1978), pp. 189–215.

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TABLE 8.3 Nobles attending meetings of the Estates of Brabant per category.

	Bannerets	Knights	Squires	Unknown	*Total*
1406[a]	9	31	7	5	52
1415[b]	14	40	29		83
1420 (a)[c]	7	16	4		27
1420 (b)[d]	8	29	21		58
1422[e]	14	48	35		97

a 18 December 1406, inauguration of Duke Anthony in Leuven: Leuven, Museum van der Kelen-Martens, Handschriften inv. no. 40 fol. 65r–v; Boonen, *Geschiedenis*, p. 46.

b 14 November 1415, Union of the Estates in Brussels: BRB, Ms. II 1669 fols. 304r–305v and J.B. Ansems, *Den luyster ende glorie van het hertoghdom van Brabant* (Brussels, 1699), pp. 17–19.

c 15 August 1420, correction of the councillors of Duke John IV in Leuven: Brussels, Algemeen Rijksarchief (AR), Diverse Handschriften inv. no. 1484 fol. 47r–v (I thank Robert Stein for the transcription of this document); Uyttebrouck, *Le gouvernement*, p. 507.

d 28 November 1420, election of Philip of Saint-Pol as regent in Brussels: Leuven, Stadsarchief inv. no. 1342 (see fig. 2); AR, Rekenkamer inv. no. 131 fol. 144r–v; BRB, Ms. II 1669 fol. 306r–v.

e 12 May 1422, Charter of the "New Government": AR, Rekenkamer inv. no. 10 fols. 162v–163v (I thank Robert Stein for the transcription of this document); AVF, inv. no. 1407 fol. 236v.

the second estate, as was the case in some fourteenth-century lists.[57] Nevertheless, most of the bannerets are mentioned among the first 20 names on the list. The hierarchy is strictly observed, at least in the sense that the nobles are always mentioned in the same order. However, several knights and squires are placed in between the bannerets. Further down the lists of witnesses, knights and squires are alternated consecutively. Clearly the knightly title, which was the criterion for the structuring of the convocation list, was not the main principle for the order of the witness lists.

Evidently there was another ordering principle. Those with comital titles are always mentioned first; they had a higher feudal rank than simple "lords". Engelbert, count of Nassau (and lord of the Brabantine lordship of Breda), is one of the six nobles who were present at all five assemblies. In 1406 and in 1420 (twice), he is the first nobleman on the list. At the other two meetings Pierre de Luxembourg, count of Conversano (and lord of Enghien) and Louis de Harcourt, the then bishop of Rouen (but at the same time lord of Aarschot), preceded Engelbert.[58] So three non-native Brabantine nobles, who

57 Mario Damen, "Convocatie en representatie. De Staten van Brabant in de late middeleeuwen", *Noordbrabants Historisch Jaarboek* 29 (2012), pp. 28–45 (at p. 41).

58 See on them Damen, "Prelaten", nos. [5], [360] and [442].

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had acquired important Brabantine lordships through marriage or inheritance, took the lead.

This brings up another crucial question. Who exactly was summoned in the second estate: the knights or the ducal fiefholders? In other words, *les hommes ou les terres?*, as Michel Hébert puts it.[59] It is striking that of the 83 nobles present in 1415, for example, 64 (i.e. 77 per cent) are identified not only by their name but also by their lordship.[60] The other lists confirm this arrangement according to the possession and importance of the lordships the nobles held; on average around 60 per cent of the nobles are referred to by their lordship.[61] These figures indicate a shift from military to seigniorial titles as an ordering principle for the second estate. It does not mean, however, that the knightly title as such became less important in the course of the fifteenth century. Moreover, under Burgundian rule the *écuyers bannerets* were almost forced to accept the condition of knighthood, as they would otherwise be excluded from important offices in the household and membership of the prestigious knightly order of the Golden Fleece.[62]

Nevertheless, there is a resemblance to the convocation lists in the form of geographical clustering. In the witness list of 1422 (see Fig. 8.2), for example, three groups of six nobles from Walloon Brabant are placed together. Another group of ten knights from Brussels and six knights and squires from 's-Hertogenbosch are also mentioned one after another. It is possible they simply sat together at the assembly and thus followed one another when it came to drawing up the list (or sealing the charter).

The lists of witnesses show that in terms of absolute numbers the knights formed the majority within the second estate (Table 8.3). Although the squires were also numerous, they were outnumbered by the bannerets at the two meetings with relatively few attendees. However, the picture changes when we relate the bannerets, knights and squires present to the total numbers of the convocation list of 1406. For want of better figures, we assume here that the number of the different categories of nobles in the 1406 list remained constant in the first quarter of the fifteenth century. In that case, the bannerets move into the position of the most prominent attendees of the meetings, with

59 Hébert, *Parlementer*, pp. 165–69. See also Nikolay, *Ausbildung*, pp. 143–45.

60 Paul de Win, "De adel in het hertogdom Brabant in de vijftiende eeuw. Een terreinverkenning", *Tijdschrift voor geschiedenis* 93 (1980), pp. 391–409 (at p. 409).

61 In the two lists of 1420, 59 per cent and 64 per cent of the nobles are named with their lordships, and in 1422 a similar figure (62 per cent) can be calculated.

62 Raymond Van Uytven, "Vorst, adel en steden: een driehoeksverhouding in Brabant van de twaalfde tot de zestiende eeuw", *Bijdragen tot de geschiedenis* 59 (1976), pp. 93–122 (at pp. 111–12).

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FIGURE 8.2 Charter of the Nieuw Regiment ("New Government") with the attached seals of the present prelates, noblemen and towns.
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a turnout of between 36 and 74 per cent. The knights represent only 5 to 11 per cent of their category, and the figures for the squires are even lower.

When we subdivide the attendees of the 1406 meeting according to geographical origin (Table 8.4), the dominance of Leuven, Brussels and Antwerp becomes evident: these three districts account for almost 60 per cent of the attendees. This seems to confirm the hypothesis that not only did the cities dominate the Estates, but even within the second estate, the urban element was the most important factor.

However, this picture changes completely when we analyse the attendees of the Joyous Entry of the new Duke John IV (r. 1415–27) in Leuven in 1415. Almost half of the 83 noble attendants originated from two predominantly rural districts: Tienen and Walloon Brabant. An analysis of the attendance at meetings in 1420 and 1422 gives the same results. Another feature is that only a small number of nobles from the most northern district, 's-Hertogenbosch, attended the meetings. One explanation for this is obvious. The convocation list of 1406 showed that Tienen and Walloon Brabant were the two districts with

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TABLE 8.4 Number of nobles attending meetings of the Estates of Brabant.

District	1406	1415	1420-I	1420-II	1422
Leuven	12	10	6	13	15
Brussels	13	11	4	9	15
Antwerp	8	15	3	6	17
's-Hertogenbosch	0	7	2	5	10
Tienen	11	19	9	13	13
Walloon Brabant	5	21	3	12	27
(unknown)	3				
Total	*52*	*83*	*27*	*58*	*97*

the highest number of nobles summoned. So statistically, the turnout seems to match the convocation list. However, the high position of 's-Hertogenbosch on the convocation list—third place—is not reflected in the turnout. The explanation is that 's-Hertogenbosch was situated relatively far from Brussels and Leuven, the regular meeting places of the Estates, and certainly a good deal further away than Tienen or Nivelles, for example (see Fig. 8.1). A second explanation might be that the more rural districts of Tienen and Walloon Brabant were home to relatively more important landowners and possessors of lordships. Since the inhabitants of the lordships paid a substantial part of the subsidies (*aides*),[63] it is understandable that their lords wanted to have a say in the meetings of the Estates. In this sense, we might even say that the second estate did exercise its representative function, which was to represent the interests of their lordships in the countryside.

When we focus on the individual level, six nobles attended all five meetings, five of them bannerets.[64] A further 14 attended the four meetings between 1415 and 1422.[65] So a nucleus of 20 very active noblemen attended most of the

63 A. Moureaux-Van Neck, "Un aspect de l'histoire financière du Brabant au Moyen Âge. Les aides accordées aux ducs entre 1356 et 1430", *Annales de la société archéologique de Bruxelles* 51 (1966), pp. 65–94 (at pp. 65–70); The same goes for the clergy, who also paid one third: Van Uytven, "Wereldlijke overheid", pp. 98–106.

64 Five bannerets: Engelbert van Nassau, lord of Breda; Jan van Schoonvorst, lord of Cranendonck; Jan IV van Rotselaar, lord of Rotselaar; Jan VII van Wittem, lord of Boutersem; Thomas II van Diest, lord of Diest. One knight: Hendrik van der Bruggen, lord of Heverlee. See Damen, "Prelaten", nos. [8], [115], [117], [360], [604].

65 One banneret: Jan II van Wezemaal. Damen, "Prelaten", no. [573]. Seven knights: Hendrik van Diest, lord of Rivieren (no. [120]); Hendrik II van Wittem, lord of Beersel; Jan van

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meetings and can be characterized as the decision-makers within the second estate. Six of these nobles were bannerets; eight were knights, and six squires. Almost all of them possessed lordships with high jurisdiction, and they were more or less evenly distributed over the duchy. But what is more important is that 16 of these nobles (80 per cent) were councillors and members of the household of the successive dukes of Brabant in the first decades of the fifteenth century. This means they could move relatively freely between the princely institutions and the assembly of the estates. When necessary they collaborated closely with the urban elites, hence establishing close ties between the Estates and the council.

This lack of distinction became apparent in the years 1420–21. When, in 1419, Duke John IV tried to oust the most influential bannerets and replace them with more loyal urban patricians, it is no surprise that they started an uprising against their lord, later with the support of the cities. In May 1421, after the return of the deposed Duke John IV, they dominated the ducal council, which was then more or less constituted by the Estates. What is more, in the charter of May 1422, known as the *Nieuw Regiment* ("New Government", see Fig. 8.2), the Estates not only managed to control the recruitment of new councillors but, even more importantly, stipulated that the duke could not do anything without the consent of his council. Moreover, if the councillors misbehaved, they could be "corrected" by "the nobles and the good cities of Brabant".[66] The cities were well aware of the crucial position of the most important nobles; the duchy simply could not be governed without their support. Their double position in the ducal council and the Estates facilitated this.

However, this situation changed drastically when Philip the Good came to power in 1430. It took him only a year to establish a permanent chamber of the council with four to six salaried members, presided over by the chancellor.[67] Though the Brabantine nobles lost control of the foremost institution of the duchy, they gained influence at the Burgundian court: 26 new posts, eight of them especially for bannerets, were created in Philip the Good's household, all

Huldenberg, lord of Huldenberg (no. [47]); Jan III van Wittem, lord of Wittem; Libert van Meldert, lord of Meldert (no. [122]); Wouter van Winge (no. [130]), Wouter van Kersbeek, lord of Goetsenhoven (no. [86]). Five squires: Hendrik van Rotselaar, lord of Roost (no. [30]); Jan van Schoonhoven, lord of Waanrode; Willem van Sayn, lord of Sint-Agatha-Rode (no. [16]); Jan van Horn, lord of Perwijs; Raas van Graven, lord of Malèves; Raas van Linter, lord of Graven (no. [31]).

66 Uyttebrouck, *Le gouvernement*, pp. 294, 512, 546. Stein, *Politiek*, pp. 196–98.

67 Philippe Godding, *Le Conseil de Brabant sous le règne de Philippe le Bon (1430–1467)* (Brussels, 1999), pp. 89–95.

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of them exclusively destined for Brabantine nobles.[68] The institutional development of the Estates is the flipside of this development. The majority of the nobles could not be embedded in the court or the ducal institutions and had to be accommodated elsewhere. The convocation list of the Estates of Brabant of 1406 reflects the beginning of this institutional change.

4 Conclusion

The existence of administrative documents for the summoning of the Estates reveal a bureaucracy that stimulated political representation or at least helped to organize a systematic dialogue between the prince and his subjects. The convocation list for the Estates of Brabant of 1406 marks a pivotal point in the institutional history of Brabant. On the one hand, it was the end of a phase of institutional development of the Brabantine Estates that had begun in the thirteenth century. The intention was to integrate the entire duchy into the political process. On the other hand, 1406 was the beginning of a new era. For the first time, the members of the three estates are mentioned by name in one document.

However, the convocation list of 1406 provides only an ideal image of the composition of the second estate in Brabant and does not reflect the effective participation or the real influence of the individual members. Five witness lists from the first quarter of the fifteenth century demonstrate that we should be wary of viewing the second estate as a homogeneous power block. There were several networks within the second estate, partly overlapping, each with its own interests and trying to pursue its own political strategies.

First and foremost there is the classic distinction between bannerets, knights and squires, the squires being the largest category in the second estate in numerical terms, but the bannerets the most powerful and influential category. However, the separation between the three categories is more pronounced in the convocation list than in the witness lists. In these latter lists this hierarchy is supplanted by another important feature: the possession of a lordship, preferably one with high jurisdiction. In fact, the territorial lordships reflect the representative character of the second estate better than the military titles do. Thirdly, there is an important geographical dividing line separating the more urban districts from the more rural ones. A fourth, related, point concerns the

68 Werner Paravicini, "Expansion et intégration. La noblesse des Pays-Bas à la cour de Philippe le Bon", *Bijdragen en mededelingen betreffende de geschiedenis der Nederlanden* 95 (1980), pp. 298–314 (at pp. 306–12).

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marked difference in the political profile of the members of the second estate. In the urban districts, evidently more nobles played a role in the political institutions of the cities, whereas others—primarily but not exclusively the landed nobility—occupied other offices within the ducal administration, at a local, regional or national level.

A fifth and final point, which deserves more attention is the division into a wide variety of "parties" and "factions". In the 1380s, a group of influential Brabantine nobles received rent-fiefs from Philip the Bold, thus creating a Burgundian party within the Brabantine state institutions and the second estate.[69] In the 1390s, we see the emergence of the so-called "bastards of Brabant", all of them stemming from illegitimate branches of the ducal house of Brabant.[70] In the 1420s, there are clear links between Brabantine nobles and factional struggles in the neighbouring principalities of Holland and Utrecht. The reconstruction of these networks could help us to understand not only the different interest groups within the Estates, but also the informal structures that influenced the decision-making process.

69 Laurent and Quicke, *Les origines*, pp. 74–89; Stein, *Politiek*, pp. 196–203.
70 Jan van Boendale, *De Brabantsche yeesten*, vol. 2, pp. 707–10.

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