

Jesse Hollestelle (Ghent University)

*Non-revolutionary abolition of the feudal system? A sketch of an alternative trajectory*

With the annexation of Flanders by the French Republic all seigneurial privileges were abolished in 1795. This abolition of seigneuries is traditionally understood as a momentous watershed in public order management in village societies because in Flanders, just as elsewhere, seigneurial administrations were entitled to more or less act independently in the administration of criminal justice within their domain. In contrast to other parts of Europe, it was not even possible in Flanders to appeal the criminal sentence of a seigneurial court with a higher court.

This paper will confront this narrative of revolutionary change by arguing that a tendency towards centralization of criminal justice had set in at least fifty years before the death of the seigneurial regime. The drivers for change were the castellanies – the mid-level political institutions governing the sub-provinces of Flanders – in collaboration with seigneuries. Critical scrutiny of ordinances issued by the central government and the paper trail of negotiations between lords and castellanies suggest that lords themselves were also actively seeking major reforms in the judicial system, not in the least to avoid the considerable costs entailed by public order management in the face of problems with vagrancy. The implications of the Flemish case for ongoing discussions about justice and state formation in Ancien Regime Europe will be teased out with a comparative discussion of similar research for eighteenth-century France.

---

*This text is an abstract of the paper to be presented by the author at the Posthumus Conference 2023. Please do not cite without prior permission by the author.*