“For Flaundres is staple, as men tell me, to alle nacyons of Crystiante”

In 1436-37 one of the most remarkable of early English political poems, the *Libelle of Englyshe Polycye*, was written. Convinced that command of the sea was the key to his country’s greatness, the anonymous author expounded an almost mercantilistic policy aimed at ensuring England’s economic supremacy. In his opinion, the most important threat to English commercial interests was to be found in Flanders, on the other side of the Channel. This was not because Flanders was blessed with fertile soil or thriving industries: on the contrary. Apart from “a lytell madere and Flemmyshe cloothe”, he believed that the county itself had little to offer. The secret of Flanders’ success, however, was the role of Bruges, one of its main cities, as a staple market for other regions. This staple function induced merchants from all parts of Europe to bring their goods to the county, giving it the economic edge that England lacked.¹

Bruges’ staple system meant that most merchandise entering Flanders on the Zwin, its waterway giving sea access, had to be transported to and sold in the city. At the end of the thirteenth century Bruges was already acting as a compulsory depot, thanks to the privileges given by the counts of Flanders to foreign merchants and several toll rights enjoyed by Bruges’ citizens. Only in 1323, after various attempts by the counts of Flanders to curtail the city’s staple rights, a more comprehensive privilege was granted, making the staple obligatory and exclusive. Exceptions were made for herring, leather, ash, butter, horses, cattle and all commodities packed in barrels, particularly wine, which could be unloaded in the outport of

Damme. In Hoeke and Monnikerede, merchants were allowed to sell grain, dried fish, skins and everything needed for rigging boats. The charge and discharge of these and other goods which were not subject to the staple were taxed with a droit de congé or oorlof, the collection of which was usually farmed out.²

Most Zwin towns quickly accepted their subordination into the Bruges staple network.³ More resistance was met in Sluis, Bruges’ most important seaport after Damme became inaccessible to large ships. Besides subjecting the town to the staple obligations, the 1323 privilege denied its citizens the right to produce cloth, to engage in money changing and to use a large weight. Sluis was forbidden to erect fortifications and guildsmen were expected to follow the statutes of the Bruges guilds.⁴ These restrictions did not prevent the city from challenging Bruges’ commercial primacy. In 1358 count Louis of Male had to reconfirm the staple privilege and order his officers to respect it.⁵ In 1367 he reprimanded the Sluizenaars for conducting brokerage illegally but allowed them to buy wood for personal use.⁶ Some thirty years and numerous quarrels later Sluis obtained the right to store wood, pitch and tar in order to repair the ships in its harbour. Their promise not to resell these commodities was never kept.⁷

In the fifteenth century Sluis was often supported in its claims by Ghent, Ypres and the Franc of Bruges, keen on reducing Bruges’ economic power. Despite heavy protests by the Brugeois, in 1419 they were able to convince duke Philip the Good to withdraw the staple restrictions on a wide range of goods. Only after Bruges had taken the matter to the Parlement of Paris was the exemption limited to wares produced in Flanders, except cloth, and the condition was added that nothing could be sold to foreigners.⁸ Disputes continued, nevertheless, and were the subject of a final pronouncement on the subject from the duke in Hesdin in 1441. He considerably extended the range of commodities that could be unloaded in Sluis, now including exotic fruits and animals and fresh fish. Bruges, on the other hand, was to install two officers in its outport to watch over the observance of its staple privileges. A

² For the details of the staple system and its changes throughout the fifteenth century, see D. NICHOLAS, Town and Countryside, pp. 118-120. J. VAN HOUTTE, De geschiedenis van Brugge, pp. 195-196.
⁴ L. GILLIODTS-VAN SEVEREN, Inventaire, VI, pp. 531-532.
⁵ T. de LIMBURG STIRUM, Cartulaire de Louis de Male, II, pp. 156-158.
⁷ L. GILLIODTS-VAN SEVEREN, Inventaire, V, pp. 234-236.
A permanent commission was established to settle conflicts concerning the staple,\(^9\) which seem to have been less frequent after this date.

In concert with a policy of juridical subordination,\(^10\) the staple system ensured Bruges’ supremacy over its outports, as well as the supremacy of some Bruggeois over others. The group that benefited most from the staple was the Bruges commercial elite. Their activities as merchants in the wool or cloth trade had enabled them to acquire economic and political power in the city. Hoping to profit from the concentration of international trade in a small number of commercial gateway cities, including Bruges, at the end of the thirteenth century, they had exchanged these occupations in active trade for a more passive role as middlemen (brokers or hostellers). Offering services to the foreign merchant communities that flocked to the city, it was in their interest to continue to attract and monopolise trade flows, something which the staple mechanisms helped them to do.

For thousands of others involved in Bruges trade, both Brugeois and foreigners, the staple privileges imposed numerous annoying restrictions. For them, success on the Bruges market depended to a large extent on how much they could minimize the increase in transaction costs and the diversion of trade which the staple obligations brought along. In this paper, I will be looking at the most direct way in which this could be done: by trying to evade the rules. Those who did ran the risk of being arrested by the water bailiff, the duke’s juridical representative in the harbor of Sluis. His accounts reveal the details of the ‘compositions’ or financial arrangements which the infringers were able to obtain when they had committed only small infringements or could plead extenuating circumstances. In the more serious staple cases, the water bailiff or the Bruges representatives summoned smugglers before the Bruges bench of aldermen, whose verdicts were recorded in the *Civiele Sententien* and the city’s cartularia. From 1450 onwards, the fines they imposed, two thirds of which fell to the duke and one third to the city, are given in the bailiff accounts as well.\(^11\) Together, these sources allow us to find


\(^{10}\) Bruges served as *chef de sens* for the Zwin Ports, meaning that the lesser courts could ask for the larger jurisdictions’ juridical advice. D. NICHOLAS, *Town and countryside*, p. 113.

\(^{11}\) The Bruges magistracy was the only court entitled to judge infringements against the Bruges staple privileges. In 1445, the duke ordered the central Council of Flanders to refer a staple case involving two Englishmen back to the aldermen. SAB, Rodenboek, f° 173 v°-174 r°. Apart from some fragments, the *Civiele Sententiën* have been preserved from 1447 to 1453, from 1453 to 1460, from 1465 to 1470 and from 1490 to 1492. The most important cartularia with respect to the staple system are the Groenenboek (1408-1458) and the Nieuwe Groenenboek Ongecotteerd (1447-1533).
out who tried to escape the Bruges staple and *congé* arrangements in fifteenth-century Sluis, what their motivations were and which strategies they used.

**Social and geographical backgrounds of the infringers**

The accounts of the water bailiff of Sluis have been preserved from 1400 until 1411 and from 1450 until 1479. They contain 245 cases in which people who had acted against the staple regulations or had not paid the *droit de congé* were allowed to make a ‘composition’. One hundred and twenty eight of these, or 11.6 per annum, occurred during the first eleven years of the fifteenth century. Bearing in mind that no information is available on the offenders brought before the Bruges aldermen in this period, the total number of infringements must have been significantly higher.

Between 1450 and 1479, another 117 ‘compositions’ were agreed, giving an average of only four a year.\(^{12}\) Although Bruges may have lost some of its commercial allure from the 1460s onwards,\(^ {13}\) this was not necessarily caused by a decline of economic activity in Sluis. When we take into consideration the nature of the facts, the sharp drop in the number of *congé* evasions (from 8.3 to 2.4 a year) may also have been due to the many exemptions which were granted on this tax in the second half of the century,\(^ {14}\) as well as to a less consistent policy by the ducal officers.\(^ {15}\) The more gradual decline in the number of staple ‘compositions’ (from 2.8 to 1.7 a year) may imply a smaller number of crimes committed because restrictions were softened following the Hesdin ruling, or, again, a change in the water bailiff’s behaviour, by arresting fewer malefactors or, on the contrary, referring more of them to the Bruges bench of aldermen. The bailiff accounts, the Civiele Sententiën and the city’s cartularia give 53 cases judged by the aldermen between 1450 and 1479, meaning that from the average 3.5 crimes committed against the staple a year, 1.7 were considered serious enough to go to court. This brings the total number of staple and *congé* infringements in this period up to 170.

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\(^{12}\) Contrary to the rise in the number of infringements seen by Jan Van Houtte, as a result of a tendency towards free trade among the merchants. J. VAN HOUTTE, *De geschiedenis van Brugge*, p. 186.


\(^{14}\) J. VAN HOUTTE, *De geschiedenis van Brugge*, p. 196.

\(^{15}\) In 1395, the farmers of the *droit de congé* were complaining that the water bailiff was too harsh, deterring merchants and making their revenues fall. J. BARTIER, P. BONENFANT, A. VAN NIEUWENHUYSEN, *Ordonnances de Philippe le Hardi, de Marguerite de Male et de Jean Sans Peur 1381-1419. Tome II contenant les Ordonnances de Philippe le Hardi et de Marguerite de Male du 17 janvier 1394 au 25 février 1405*, Bruxelles, Ministère de la Justice, 1974, pp. 94-98.
**Flemish offenders**

From 1400 until 1411, at least 25.9% of the infringers came from within the county of Flanders. It is likely this was only a minimum, as the 16.5% of whose origin remains unknown must have contained an unspecified number of Flemings as well. Between 1450 and 1479 the origins of the smugglers were recorded much less consistently, leading to a dark figure of more than 40%. In this respect it seems safe to assume that the true Flemish share during this period must have been considerably higher than the unfortunate 10.5% mentioned as Flemings in the accounts.

![Flemish infringements 1400-1411](image)

At the beginning of the fifteenth century, 45% of the Flemish offenders lived in Sluis or, occasionally, in another town in the Zwin estuary. The high number of locals cannot be a surprise. Although Sluis was better equipped to resist the economic stranglehold imposed by Bruges than the smaller Zwin ports, the staple arrangements restricted its citizens even in the relief of their most elementary economic needs. Most of the Sluizenaars were caught for buying foodstuffs, such as bacon or fish, or shipping equipment for personal use from foreigners. A minority of the sanctioned, such as Pieter Pijk, was involved in the international carrying-trade itself and tried to make a profit by illegally selling part of their freight, often wine, in a more organized way. In the period after 1450, the Flemish share of local infringers rises to 50%. Apparently the Hesdin ruling did not take away the need for the Zwin towns’ inhabitants to break the staple rules in order to have a normal economic life.

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17 ADN, B 6095, Account Water Bailiff 1403-1404, f° 1 v°.
The second largest group of smuggling Flemings were the Brugeois. Bruges citizens with business interests in Sluis,\textsuperscript{18} for whom the costs involved in the regular staple trade were an impossible obstacle or who had no direct interest in concentrating commercial activities in Bruges in general committed some 20% of the Flemish staple offences (18.2\% in the first period, 22.2\% in the second). Between 1400 and 1411, their number hardly exceeded that of the Gentenaars, who, in the fifteenth century, used to sail down the Lieve to buy foodstuffs on the staple market in Damme.\textsuperscript{19} The bailiff accounts show that some of them, 15.2\% of the Flemish offenders, tried to buy cask herring or fruit more cheaply in Sluis. This practice became less frequent between 1450 and 1479, with only 5.6\% of the arrested Flemings coming from Ghent in this period.

\begin{center}
\begin{tikzpicture}
\pie{45/Zwin Towns, 25/Bruges, 15/Ghent, 10/\textit{Veurne}, 5/Koksijde, 5/Lombardsijde, 5/Lille}
\end{tikzpicture}
\end{center}

Most of the cask herring bought by the Gentenaars and others in Sluis must have been supplied by the small fishing ports of Ostend, Nieuwpoort, Lombardsijde, Heist and Koksijde, who were responsible for the remaining 10 to 15\% of the Flemish smugglers. Throughout the fourteenth century, this fish had been imported into Flanders from Scania by the Hanseatic merchants. Benefiting from the interruption of Hanseatic fishing activities at the beginning of the fifteenth century, Flemish coastal towns had started to cure herring themselves on their ships. This, together with the use of new vessels, had enabled them to take over a large part of

\textsuperscript{18} Freight-carriers as well as fishmongers. Mostly they are referred to as “Brugeois demourant a Lescluse”. See, for example, ADN, B 6091, Account Water Bailiff 1402-1402, f° 2 r° and ADN, B 6106, Account Water Bailiff 1407-1407, f° 2 r°.

the domestic market, despite the resistance of urban and princely authorities, who wanted to maintain good relations with the Hanseatic League.²⁰

In theory, cask herring could only be sold in the fishing towns themselves or on the staple market of Damme. In reality, many Flemish fishermen, as well as the Dutch and the Zeelanders, who had also begun to cure herring at sea, avoided the extra transportation costs, the expensive services of brokers and the imposition of taxes by bringing part of their fish to the black market in Sluis, buying highly-finished goods or shipping equipment in exchange. In the course of the fifteenth century, a concentration of fishing activities in the larger centres, such as Nieuwpoort or Ostend, occurred at the expense of the smaller ports.²¹ This probably explains why, between 1450 and 1479, only Lombardsijde and Koksijde are still mentioned in the bailiff accounts and the total share of the herring ports in the number of Flemish staple infringements drops from 15.2 to 11.1%. Nieuwpoort and Ostend completely took over the regular markets, the black market being the only resource left for the small towns that had managed to survive.

Trying to evade the staple rules seems to have been a practice particularly popular with the socially weak. While their social position is recorded less consistently in the second period, the offenders are qualified as ‘poor’ in 53.1% of the Flemish cases and 68.4% of the cases where the origin of the evildoer was unknown during the first period. For many of them, operating on the black market must have been from economic necessity, the high costs inherent in the staple system excluding them from more legally accepted commercial activities. Of course, the question arises as to what extent the qualifications given in the sources were a true reflection of the smugglers’ social condition and not just an argument to obtain a ‘composition’, which was financially more advantageous than a costly lawsuit for the accused and gave the bailiff more possibilities to make a profit.²² We must bear in mind, however, that a “povre estat” did not automatically give the right to a ‘composition’ and that some ‘poor’ offenders were referred to the bench of aldermen as well.²³ Moreover, the water bailiff’s activities were closely watched over by the Bruges representatives, in whose interests

²² It gave him the chance to record a lower sum in his accounts than the one actually collected, keeping the difference for himself. J. VAN ROMPAEY, Het graafelijk baljuwsambt, p. 70.
²³ See, for example, SAB, Cartularium Groenenboek A, f° 35 v°.
it was that their city’s privileges be faithfully respected. Often, ‘compositions’ were granted with their approval\(^24\) and, sometimes, financial arrangements were asked for by the Bruges magistrate himself.\(^25\)

Do we need to consider women as part of the socially weak as well? During the first eleven years of the fifteenth century, 12.5% of the Flemish offenders and 31.6% of those whose origins were not specified belonged to the female sex, which is significantly higher than the women’s share of 6.9% in the total number of criminals arrested by the Bruges bailiff between 1385 and 1550.\(^26\) After 1450, this falls back to 11.1% of the Flemings and 2.9% of those without origin. 21.6% of the women were recorded by their own names, suggesting that they acted more or less independently. As with most sectors of Bruges’ economy,\(^27\) however, female involvement in the black market largely took place within the context of the household. The 64.3% of the women who were referred to as the wives or widows of their (deceased) husbands,\(^28\) may have been active in Sluis to ensure their family of a complementary income or to provide their husband’s business with cheap supplies or an easily accessible market. Some individual cases\(^29\) and the fact that only one woman was summoned before the Bruges aldermen between 1412 and 1470 indicate that women may also have been used to carry out their partners’ plans because they were more successful in obtaining advantageous arrangements from the authorities in case of arrest. Even more revealing is that all but one of the female Flemings were Sluizenaars. Their disproportionately high involvement in a low-end job whose most distinguishing characteristic was the absence of rules and guild control emphasizes the particularly straitened economic circumstances experienced by the Zwin ports’ women due to the staple restrictions.

\(^{24}\) L. Gilliodts-Van Severen, *Cartulaire de l’ancien estaple de Bruges*, I, p. 444.

\(^{25}\) ADN, B 6098, Account Water Bailiff 1404-1404, f° 2 ri.

\(^{26}\) G. Dupont, “Van Copkin over Coppin naar Jacob. De Relatie tussen de voornaamsvorm en de leeftijd van de naamdrager in het Middelnederlands op basis van administratieve bronnen voor het graafschap Vlaanderen, einde 14\(^{e}\)-midden 16\(^{e}\) eeuw” in: *Naamkunde*, 2001, 33, nr. 6, p. 152.


\(^{28}\) In the remaining 14.3% of the cases, no names were given.

\(^{29}\) See, for example, the case involving Jehan de Cleyhem, on which more later in the text. ADN, B 6099, Account Water Bailiff 1405-1405, f° 1 ri.
*Foreign offenders*

In the first period 57.5% of the infringers, and at least 49.4% in the second period did not have Flemish origins. To a certain extent, the share of each of the foreign nations in the number of offences was connected to the changing fortunes experienced by each of these groups on the medieval world market called Bruges. In some respects, however, the bailiff accounts, the Civiele Sententiën and the cartularia draw a different picture of international trade in Bruges than the one commonly presented by most other sources. On the one hand, they show that some groups, such as the Lucchese and, to a lesser extent, the Florentines, did not need to be present in Sluis in order to be successful on the Bruges market. On the other hand, our attention is drawn to the frenzied business activity in Sluis of those who were involved in some sectors of Bruges’ economy, the carrying trade in particular, but whose active participation in the city’s commercial exchange itself was negligible. The latter included those merchants drawn to the black market because they lacked the institutional structures, the extensive networks or other cost-reducing mechanisms that made investment in Bruges’ international commerce profitable, as well as the lower-level personnel and shipping crew of the organized merchant communities who were more firmly established in the city’s economic and social fabric.

In the period 1400-1411, the Dutch account for 16.5% and the Zeelanders for 7% of the staple offences. These high numbers may be explained by the important role both groups played in the international wine trade. At the beginning of the fifteenth century, carrier-traders from Holland and Zeeland largely controlled the transport of wine from Poitou and Gascogne to Flanders. The bailiff accounts show that an important part of their freight never reached the wine staple in Damme but was sold in Sluis. On their way to south-western France or to Flanders, the Dutch and Zeelanders also offered the products of their own, rapidly expanding, economy in Sluis, such as butter, cask herring, cloth, which was cheaper than the Flemish fabrics, madder and, most of all, kuytbeer.

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No other foreign female involvement in the black market is recorded, but 19% of these Dutch traders were women, recorded by their own name. This remarkable female presence may be attributed to the poor economic prospects for single women in Dutch cities such as Leiden, together with the comparatively greater freedom to trade enjoyed by women in cosmopolitan Bruges. From the 1420s onwards, the Dutch and Zeelanders increasingly started carrying salt directly from the French bay of Bourgneuf to the Baltic without halting at Flanders. Consequently, their share in the staple evasions in Sluis diminishes dramatically, with only 2.9% of the infringers originating from Zeeland and 2.3% from Holland in the second half of the fifteenth century.

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Infringements 1400-1410

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33 J.M. MURRAY, Bruges, cradle of capitalism, p. 326. Note that, between 1390 and 1439, the percentages of immigrants from the present-day Netherlands to Bruges, which included a considerable share of women, were higher than in any other period. E. THOEN, “Verhuizen naar Brugge in de late Middeleeuwen. De rol van de immigratie van de poorters in de aanpassing van de stad Brugge aan de wijzigende economische omstandigheden (14e-16e eeuw)” in: H. SOLY and R. VERMEIR, Beleid en bestuur in de Oude Nederlanden. Liber Amicorum Prof. Dr. M. Baelde, Ghent, Vakgroep Nieuwe Geschiedenis, 1993, p. 340.

34 J. CRAEYBECKX, Un grand commerce d’importation, pp. 128-129.
The gap in the wine trade left by the Dutch and the Zeelanders was taken by the Bretons. Benefiting from the neutrality of their duchy in the struggle between the French and the Burgundians, hundreds of merchants from Penmarc’h, Conquet, Saint-Pol de Léon or Saint-Malo used their fishing vessels to bring wine from south-western France to the staple market in Damme or, later, to Walcheren.\textsuperscript{35} From the 40 shiploads of wine that were carried from Bordeaux to Flanders from 1470 until 1500, no less than 33 were transported by Breton ships.\textsuperscript{36} Nearly absent in Bruges, the massive presence of Bretons in the Zwin estuary, which is also attested by other sources,\textsuperscript{37} led to a spectacular rise in their numbers in the accounts of the water bailiff: while only 2.4% of the staple infringers came from Brittany between 1400 and 1411, they even outnumber the Flemings with 11.6% between 1450 and 1479.\textsuperscript{38} Apart from a little canvas, bacon and Spanish iron, the “Pety Bretayns”, as they were called by the author of the Libelle,\textsuperscript{39} sold dozens of barrels of wine in Sluis. Notarial acts drawn up before their departure from Bordeaux bear witness to the risks they incurred by doing this. In November 1475, several Bordelais merchants charged Gabriel Prat from Conquet with the shipment of 108 barrels of wine to Flanders. Within 21 days of his return, the Breton would be paid the equivalent of 86 lb. 5 s. par. for his work.\textsuperscript{40} Some months later, Prat was fined with 13 lb. 4 s. par., or almost one sixth of his remuneration, for having sold wine against the staple.\textsuperscript{41} In the wake of the Bretons, French seamen and saffron traders also made their appearance in the second half of the fifteenth century, representing 5.2% of the offenders.

Unlike the Dutch, the Zeelanders or the Bretons, most Italian, Spanish or Portuguese merchants living in Bruges were strictly organized in foreign merchant guilds, had an extensive commercial infrastructure at their disposal and maintained close relationships with the city’s commercial and political elite. Although the southern Europeans proved themselves active smugglers, these communities’ involvement in the black trade was limited. This is not to say that respected Italian businessmen conducting large-scale transactions never swindled

\textsuperscript{35} J. CRAEYBECKX, \textit{Un grand commerce d’importation}, pp. 135-138.
\textsuperscript{37} In the spring of 1464, 41 of the 60 ships lying in the harbour of Sluis were Breton. R. DEGRYSE, “De schepen in de haven van Sluis in het voorjaar 1464” in: \textit{Mededelingen van de Marine Academie}, 1968, 20, pp. 97-98.
\textsuperscript{38} It must be repeated, however, that the Flemish percentage of 10.4% was only a minimum.
\textsuperscript{39} G. WARNER, \textit{The Libelle of Englyshe Polycye}, p. 8.
\textsuperscript{40} M.A. DROST, \textit{Actes notariés de Bordeaux}, pp. 6-7.
\textsuperscript{41} ADN, B 6151, Account Water Bailiff 1474-1475, f° 1 v°.
the authorities: the Venetian Luis Bembo, the Genoese Luca Spinola and the Florentine Tommaso Portinari were all caught for seeking to evade the staple rules. Most staple crimes, however, were committed by the crews of the fleets connecting the resident foreigners with their homeland or by the merchants’ factors, errand boys and other assistants. The communities’ official representatives only intervened after mischief had been done, trying to solve the problems created by their irresponsible compatriots and, above all, to minimize the consequences for their guild members, many of whom showed a true intention of respecting their host city’s rules.

Infringements 1450-1479

42 ADN, B 6125, Account Water Bailiff 1453-1453, f° 2 r°.
43 ADN, B 6127, Account Water Bailiff 1453-1454, f° 2 r°.
44 ADN, B 6152, Account Water Bailiff 1475-1476, f° 1 r°.
45 In 1449, the Venetian consul convinced the Bruges aldermen to remit the fine incurred by a crew member of a Venetian galley for having sold four dozen bellows against the staple. SAB, Civiele Sententiën, Register 1447-1453, f° 73 r°. See also SAB, Cartularium Groenenboek Ongecotteerd, f° 48 r°.
46 In a trial before the aldermen in 1446 concerning repeated infractions against the staple by the crews of Venetian galleys, the Venetian consul argued that if “aucuns desdiz galees avoient fait contre ledit appointement ilz en devoient estre corrigiez en non point eulx qui riens naovient mesfait”. SAB, Cartularium Groenenboek A, f° 292 v°.
47 In 1445, the Pisan François Pimpinelli and the Catalan Saldone Ferier, whose ship was unable to sail further down the Zwin, asked for the authorities’ permission to unload their freight of perishable goods. SAB, Civiele Sententiën, Register 1447-1453, f° 322 v°. In 1455, Castilian representatives complained that certain obstacles had prevented their merchants from bringing their goods to the staple and requested the Bruges city council to remove these. SAB, Civiele Sententiën, Register 1453-1460, f° 69 v°.
The Genoese, who made up 5.5% of the offenders against the staple between 1400 and 1411, must have been popular visitors in Sluis until the late 1450s. Genoese seamen, sometimes whole carack crews at once, halted in the Zwin town to buy cloth and to sell raisins, figs and malvoisie wine. From the middle of the 1430s onwards, privateering wars fought with the Aragonese, the hostilities between the English and the French and the Burgundian aspirations in the Mediterranean seriously disturbed commercial relations between Genoa and Flanders. This probably explains why, after 1460, Genoese disappear completely from the statistics.

Exactly the opposite movement was made by the Venetians. While almost invisible in the first eleven years of the fifteenth century, accounting for only 0.8% of the infractions, Venetian captains, scribes, barbers, trumpeters and other galley crew members, often not even recorded by name in the bailiff accounts, flooded the black market with silk, sugar and romanie wine in the second period and forced up their city’s percentage in the amount of illicit traders to 7%. Although much more pronounced, the changes in the numbers of Genoese and Venetians correspond more or less with the data provided by other sources. While merchants from Genoa mostly ranked first when urban processions were held or forced loans were imposed on the foreign communities by the Bruges city council during the first decades of the century, Venetian citizens took the lead in urban manifestations after 1435.

The Genoese and the Venetians, apart from a few Florentines in the second period (1.74%) the only Italians in Sluis, were joined by dozens of other merchants from all parts of Europe. Bearing in mind the number of black marketeers from other neighbouring regions, most notably Holland, it is surprising that only 3.9% of those caught in the period from 1400 to 1411 originated from Brabant. This diminished even further to 1.7% between 1450 and 1479, possibly because of the development of Antwerp as a commercial pole in its own right. The acts of piracy already mentioned in the Genoese case also resulted in the complete absence of

48 See the case involving Anthoine Justiniaen’s ship in 1455-1456. ADN, B 6129, Account Water Bailiff 1455-1456, f° 1 r°.
50 After 1460, the Genoese also disappear from the chapters in the bailiff accounts concerning other crimes. J.A. GORIS, “Etude historique sur les relations commerciales entre la Flandre et Gênes au moyen âge” in: Annales du Comité Flamand de France, 1906-1907, 28, pp. 144-145.
51 The Water Bailiff accounts show that, particularly from the 1450s onwards, many of the goods traded in Sluis either came from or were destined for Antwerp. See, among others, ADN, B 6119, Account Water Bailiff 1451-1451, f° 1 v°, ADN, B 6121, Account Water Bailiff 1451-1452, f° 1 v°, ADN, B 6137, Account Water Bailiff 1462-1464, f° 2 v°, ADN, B 6152, Account Water Bailiff 1475-1476, f° 1 r°, ADN, B 6156, Account Water Bailiff 1478-1479, f° 1 r°.
Catalans after 1450 and the temporary disappearance of other Spaniards from 1456 to 1460.\textsuperscript{52}
Even so, the total Spanish share in the number of offences against the staple rose from 2.4% during the first period to 4.1% between 1450 and 1479. Although the Spaniards mainly imported wine and Basque or Galician iron to Sluis, this increase must be related to the growing importance of Castilian merino wool on the Bruges market.

The Portuguese, on the contrary, sold considerable amounts of wine and Lenten fruits such as raisins and figs during the first decade of the fifteenth century but saw their involvement in the evasion of the staple drop from 4.7 to 2.3% of the infractions after 1450. Besides, again, the privateering and the granting of new privileges, bringing about more commercial freedom and less need to break the rules,\textsuperscript{53} the changing nature of Portuguese trade was probably the main reason for this decline. The great geographical discoveries in the second half of the fifteenth century laid the foundation for the Portuguese commercial expansion, but also made many commodities subject to a royal monopoly,\textsuperscript{54} making them less suited for illicit trade. Also declining was the English share in the staple evasion, from 5.5% to 3.5%. Given the constant political turmoil jeopardizing anglo-flemish commercial relations throughout the fifteenth century,\textsuperscript{55} the drop in their number remains within bounds. Their Scottish neighbours were responsible for 3.9% of the entries in the bailiff accounts between 1400 and 1411 by illegally marketing their cloth in Sluis. They continued to do this until dissatisfaction with their treatment by the Bruges authorities made them decide to withdraw from the city in 1467 and exemption from the congé tax was offered in an attempt to bring them back in 1470.\textsuperscript{56}

Remarkably absent from the records in the first period and only very modestly represented during the second (2.3%) is the Hanseatic League, one of the pillars of Bruges' international trade. Aiming their policy completely at the acquisition of commercial privileges,\textsuperscript{57} the

\textsuperscript{52} J.A. GORIS, “Etude historique sur les relations commerciales entre la Flandre et l’Espagne au moyen âge” in: Annales du Comité Flamand de France, 1898, 24, pp. 197, 204.
\textsuperscript{53} The confirmation of their privileges in 1438 gave the Portuguese the right to freely sell cork, a commodity that, according to the Water Bailiff’s records, was much in demand in Sluis. See, for example, ADN, B 6107, Account Water Bailiff 1407-1407, f° 2 r°. J. PAVIOT, Portugal et Bourgogne au XVe siècle, Paris, Centre Culturel Calouste Gulbenkian, 1995, p.59.
\textsuperscript{57} P. DOLLINGER, La Hanse (XIIe-XVIIe siècles), Paris, Aubier, 1964, pp. 232-238.
Hanseatic cities had obtained far-reaching exemptions from the staple restrictions, which gave the Oosterlingen, as their merchants were called, more possibilities for conducting trade in Sluis without breaking the rules than had their colleagues. As suggested by the large quantities of furs and other Hanseatic goods that changed hands in the Zwin port, this would not prevent them from playing an important role in the smuggling trade and its strategies.

*Ignorance, powerful friends and criminal networks: how to evade the staple rules*

The records of the cases made by the water bailiff or the aldermen allow us to reconstruct various strategies used by the infringers either to mislead the authorities or, in case of arrest, to arouse their sympathy. Although it is impossible to determine to which extent the explanations given by the accused were sincere, the repetition of some procedures, several of which were characteristic to certain groups, suggest that these served as an excuse to cover up more malicious intentions. One of the most rudimentary and most frequently used tactics, certainly by foreigners, was to pretend that they were not aware of the staple system, or some of its aspects. The staple privileges were extremely complex and were subject to constant change. More than once, Bruges had been accused by the other Members of Flanders or by Sluis of knowingly keeping the regulations vague and interpreting them to its own advantage. The bailiff accounts show that this complexity cut both ways and was abused by the black marketeers as well. Somewhat more convincing, at least for foodstuffs, was to argue that the staple commodities had been bought for personal use or for that of a relative, and were not in any case for resale. Both arguments were enough for the water bailiff to allow the infringers to get off with a ‘composition’.

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58 The ‘ventegud’, the commodities which the Hanseatic merchants were allowed to sell freely, included timber, pitch, tar, beer and Rhine wine. J.H.A. BEUKEN, *De Hanze en Vlaanderen*, Maastricht, Ernest van Aelst, 1950, p. 14.

59 See ADN, B 6092, Account Water Bailiff 1402-1402, f° 1 r°, ADN, B 6095, Account Water Bailiff 1403-1403, f° 3 r°, ADN, B 6098, Account Water Bailiff 1404-1404, f° 2 r°, ADN, B 6104, Account Water Bailiff 1406-1406, f° 1 r°, ADN, B 6107, Account Water Bailiff 1407-1407, f° 2 r°.

60 See, for example, the complaint by the Franc of Bruges in 1415. A. ZOETE, *Handelingen van de leden en staten van Vlaanderen (1405-1419)*. Deel II, Brussel, Koninklijke Commissie voor Geschiedenis, 1981-1982, p. 932.

61 See ADN, B 6085, Account Water Bailiff 1400-1400, f° 3 v°, ADN, B 6096, Account Water Bailiff 1403-1404, f° 3 r°, ADN, B 6098, Account Water Bailiff 1404-1404, f° 2 r°-v°, ADN, B 6103, Account Water Bailiff 1406-1406, f° 1 v°, 2 r°, ADN, B 6106, Account Water Bailiff 1407-1407, f° 3 v°, 4 r°, ADN, B 6114, Account Water Bailiff 1409-1410, f° 1 v°.
Another possibility was to put the blame on assistants,62 other merchants,63 hostellers64 or even the ducal officers.65 However, most of these excuses were not accepted without further investigation. In 1450, the Genoese Nicolas de le Coste and Georges de Sauvignon appeared in court because some goods imported into Sluis with their ship had been unloaded and transported to Zeeland. After the accused had claimed that the vessel had been discharged on the initiative of Melchior Gentil, the captain of the carrack, an inquiry was set up by Jacques Reingot, the Bruges representative in the Zwin port. He was able to prove that the ship used for carrying the goods abroad had been sent to Sluis by de le Coste and Sauvignon themselves, who were fined with a heavy 200 lb. par.66

A very subtle way in which the rules could be evaded was to bring to the staple or the congé only a part of the freight. The Scotsman Robert Fitzthomas was caught in 1403 for having paid taxes for 15 ells of cloth while he had imported 24.67 Even more inventiveness was involved in the fraud with portage goods, the limited amount of commodities foreign seamen were allowed to bring along and to sell freely after registering them with the water bailiff. Swindlers presented merchandise as portage while it was not,68 offered portage goods without registration69 or registered their stock against the names of others because they themselves were not entitled to sell portage commodities.70 The Venetians in particular were experts in adapting the portage rules to their own needs. In 1446, after Bruges had tolerated their infringements for years, the water bailiff and the city’s staple representative thought they had gone far enough and sued the Venetian merchant guild for large-scale violation of the portage

62 See ADN, B 6094, Account Water Bailiff 1403-1403, f° 1 v°, ADN, B 6098, Account Water Bailiff 1404-1404, f° 2 r°, ADN, B 6102, Account Water Bailiff 1405-1406, f° 2 v°, ADN, B 6107, Account Water Bailiff 1407-1407, f° 1 v°, ADN, B 6113, Account Water Bailiff 1409-1409, f° 3 r°.
63 Foreigners under arrest often accused local buyers of having pretended that the offered goods were not subject to the staple. See, for example, ADN, B 6105, 1406-1407, f° 2 r° and ADN, B 6115, Account Water Bailiff 1410-1410, f° 1 v°.
64 In 1462, four Bretons declared they had bought salt and iron on the advice of their hosteller. SAB, Cartularium Nieuwe Groenenboek Ongecotteerd, f° 127 v°.
65 In 1443, Gillis Costinzone from Rotterdam argued he had only bought some raisins in Sluis because the water bailiff’s aide had told him that he was allowed to do so. SAB, Cartularium Groenenboek A, f° 277 v°.
66 See ADN, B 6115, Account Water Bailiff 1410-1410, f° 1 v°, SAB, Cartularium Nieuwe Groenenboek Ongecotteerd, f° 45 r°.
67 ADN, B 6093, Account Water Bailiff 1402-1403, f° 3 r°. For similar cases, see ADN, B 6089, Account Water Bailiff 1401-1402, f° 1 r° and ADN, B 6107, Account Water Bailiff 1407-1407, f° 2 r°.
68 See ADN, B 6115, Account Water Bailiff 1410-1410, f° 1 v°, SAB, Cartularium Groenenboek A, f° 267 v°, 277 v°.
69 See ADN, B 6112, Account Water Bailiff 1409-1409, f° 2 r°, ADN, B 6119, Account Water Bailiff 1451-1451, f° 1 v°, ADN, B 6152, Account Water Bailiff 1475-1475, f° 2 r°, ADN, B 6155, Account Water Bailiff 1478-1478, f° 4 v°.
70 See SAB, Cartularium Groenenboek A, f° 277 r°. L. GILLIODTS-VAN SEVEREN, Cartulaire de l’ancien estaple de Bruges, I, p. 546.
arrangements. No solution was reached, as the Venetian consul was able to convince the aldermen that he and his colleague merchants were in no way responsible for the objectional behaviour of the galley crews in Sluis.⁷¹

Although it has been said before that most infringers did not belong to influential economic or political networks, some of them were able to avoid heavy fines by calling on the aid of powerful friends and relatives. Most interesting with respect to the staple question is the use of hostellers, as it was in their interests that staple privileges were faithfully respected, at least if they were active in Bruges. Unfortunately, their location was not recorded in the bailiff accounts, the cartularia or the Civiele Sententiën, where several cases in which hostellers acted as brokers or obtained advantageous ‘compositions’ for their smuggler guests can be found.⁷² Others intervening in the offenders’ favour were their hometown’s bailiff⁷³ or city council.⁷⁴ Ghent in particular attached much importance to the juridical protection of its citizens.⁷⁵ The most impressive example of intervention took place in 1404 on behalf of Robert de Wisque from Aire, whose fine was remitted on the order of the duchess of Burgundy.⁷⁶

Economic exchange in Sluis made possible much more direct commercial contacts between merchants from various foreign nations on the one hand, and between foreigners and local people on the other, than the regular trade conducted in Bruges. Sometimes these contacts gave rise to specific black marketeering networks, in which a very sophisticated use of the members’ juridical identities was made. Particularly popular as smuggling partners were the Oosterlingen, given the many staple exemptions enjoyed by the Hanseatic League. One of the networks abusing the Hanseatic privileges was the one including the Sluizenaar Pieter Pijk and the Brugeois Berthelmi Sniwel and Jehan de Cleyhem, active in the carrying trade between Flanders and Portugal.⁷⁷ With the intention of avoiding the costly staple restrictions, de Cleyhem made his wife conclude a partnership with Ghiselbrecht van Inghene from

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⁷¹ SAB, Cartularium Groenenboek A, f° 292 v°.
⁷² See ADN, B 6087, Account Water Bailiff 1401-1401, f°3 v°, ADN, B 6094, Account Water Bailiff 1403-1403, f° 3 r°, ADN, B 6096, Account Water Bailiff 1403-1404, f° 2 v°, ADN, B 6101, Account Water Bailiff 1405-1405, f° 2 v°, ADN, B 6109, Account Water Bailiff 1408-1408, f° 1 v°, ADN, B 6116, Account Water Bailiff 1410-1410, f° 2 r°, ADN, B 6156, Account Water Bailiff 1478-1479, 2 r°, SAB, Cartularium Groenenboek A, f° 259 v°, 278 v°, 301 r°.
⁷³ See ADN, B 6089, Account Water Bailiff 1401-1402, f° 3 v°.
⁷⁴ See ADN, B 6100, Account Water Bailiff 1405-1405, f° 1 r°, 2 v°.
⁷⁵ See ADN, B 6086, Account Water Bailiff 1400-1401, f° 1 v°.
⁷⁶ ADN, B 6098, Account Water Bailiff 1404-1404, f° 3 r°.
⁷⁷ J. PAVIOT, Portugal et Bourgogne, pp. 158-161.
Kampen, Sniwel collaborated with Wouter Johansson, another Oosterling, and Pijk sold his goods himself on the Sluis market. As the Hanseatic exemptions only applied to Hanseatic merchants and not to their partners, each of them was arrested between 1402 and 1405.\textsuperscript{78} This did not prevent many others from trying to work “under the Hanseatic franchise” during the first decades of the fifteenth century.\textsuperscript{79}

A strategy which, for obvious reasons, was never mentioned in the bailiff accounts, was that involving the ducal officers. Looking at the number of complaints made by the Brugeois in the course of the fourteenth and fifteenth centuries, fraudulent bailiffs were not uncommon in Sluis. To prevent abuses, the central authorities repeatedly threatened their officers with heavy penalties and forbade Sluizenaars to become water bailiffs in 1441.\textsuperscript{80} Similar evidence accusing the Bruges aldermen of corruption or favouritism is not available, on the contrary. In several cases the urban share of the fines imposed on foreign offenders was remitted because they pretended ignorance, while Bruges citizens who had committed similar offences were always obliged to pay the full sum.\textsuperscript{81} Of course the Bruges authorities were guided by other interests than those driving their ducal colleagues: by favouring their own people or participating in any other kind of abuse, they would undermine their city’s economic supremacy and, in the end, their own position.

The last resort for avoiding the bailiff’s punishment when all the other possibilities had been exhausted was demonstrated by a nameless Gascon in 1451. Having brought goods from England to Sluis without going to the staple in Bruges, the fear of sanctions made him leave his ship in the Zwin harbor and flee.\textsuperscript{82}

\textsuperscript{78} For Sniwel and Johansson, see ADN, B 6091, Account Water Bailiff 1402-1402, f° 2 r°. For Pijk, see ADN, B 6094, Account Water Bailiff 1403-1403, f° 1 v°. For de Cleyhem and van Inghene, see ADN, B 6099, Account Water Bailiff 1405-1405, f° 1 r°.
\textsuperscript{79} See ADN, B 6091, Account Water Bailiff 1402-1402, f° 1 r°, ADN, B 6107, Account Water Bailiff 1407-1407, f° 1 r°, ADN, B 6108, Account Water Bailiff 1407-1408, f° 1 r°, ADN, B 6115, Account Water Bailiff 1410-1410, f° 3 r°.
\textsuperscript{80} L. GILLIODTS-VAN SEVEREN, Inventaire, V, p. 250.
\textsuperscript{81} See the case involving the Englishman Thomas Janszuene and the Brugeois Lievin Taerwin in 1447. SAB, Civiele Sententien, Register 1447-1453, f° 14 v°.
\textsuperscript{82} ADN, B 6119, Account Water Bailiff 1451-1451, f° 1 v°.
Conclusion

The water bailiff accounts, the Civiele Sententiën and the Bruges cartularia reveal that, as well as the international world market of Bruges structured by staple mechanisms and foreign merchant guilds, an alternative commercial circuit existed in Sluis. Although we must be cautious in interpreting the evidence as only applying to that unknown sector of the trading population who got caught, the sources also give a glimpse of the public supplied by these markets. Apart from a minority of professional smugglers, black marketeering in Sluis was conducted by a mishmash of people of very different origins, but with one thing in common: exclusion from the enormous economic possibilities Bruges had to offer by the high costs of the official staple trade. Not being able to have their share in the city’s success in a legal way, they resorted to the black market. As with so many other aspects of economic life,\(^8\) evasion of the staple regulations was, above all, a matter of money.

\(^8\) See, for example, the close relation between social integration and wealth in Bruges’ foreign merchant communities. P. STABEL, “De gewenste vreemdeling. Italiaanse kooplieden en stedelijke maatschappij in het laat-middeleeuwse Brugge” in: *Jaarboek voor Middeleeuwse Geschiedenis*, 2001, 4, pp. 189-221.