

PATRICIAN PURITY AND THE FEMALE PERSON IN EARLY RENAISSANCE VENICE

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ABSTRACT

This essay studies the Venetian patriciate's enforcement of its exclusiveness and superior status by focusing on the purity and social standing on the women of the class. It begins by reviewing legislation that through the early Cinquecento laid down status requirements for wives of male nobles in order for their sons to be eligible for membership in the ruling class. It then examines two marriage trials before the ecclesiastical court in the mid-Quattrocento in which marriages contracted by young nobles were disputed by their families alleging the inferior status and questionable chastity of the wives.

Key words: Venice, patriciate, status, legitimacy, marriage, women, chastity

LA PUREZZA PATRIZIA E LA FIGURA FEMMINILE NELLA VENEZIA DEL PRIMO RINASCIMENTO

SINTESI

Il saggio riguarda l'affermazione, da parte del patriziato veneziano, della sua esclusività e del suo status superiore, focalizzandosi sulla purezza e sulla posizione sociale delle donne della classe. Nella prima parte presenta una revisione della legislazione che fino al primo Cinquecento aveva stabilito i requisiti di stato per le mogli dei nobili, in modo che i loro figli potessero essere ammessi a diventare membri delle classi dominanti. Esamina poi due processi di matrimonio davanti al tribunale ecclesiastico nella metà del Quattrocento nei quali i matrimoni contratti da giovani nobili furono contestati dalle loro famiglie a causa dello stato inferiore e della castità non certa delle mogli.

Parole chiave: Venezia, patriziato, status, legittimità, matrimonio, donne, castità

In his essay on the concept of «contamination» in early modern societies, Claudio Povolo invoked the the great book of Mary Douglas, *Purity and Danger*, to describe the anxiety felt by societies when familiar things are perceived as being «out of order» (Povolo, 2013; Douglas, 1966). It is that anxiety which prompts leaders of those societies to label departures from established or prescribed patterns as dangerously polluting and therefore to impose taboos on them. Povolo's insight can be expanded by applying it to another book by Mary Douglas, *Natural Symbols*, in which she outlined a framework in which those established patterns and the fear-inspiring – contaminating – departures from them can be applied to complex societies and in particular to their ruling elites. This consists of, in Douglas's words, «two independent variables affecting the structuring of personal relations» (Douglas, 1982, 5). One is the *group*, denoting a body with a common membership and acceptance of its defining codes by all of its members. The other is the *grid*, which differentiates the group's members according to distinctions observed among them.

The framework of group and grid provides a useful way of examining Venice's hereditary ruling class during the Renaissance. By the early fifteenth century that class, the patriciate or nobility, had politically, legally and culturally set itself apart from the rest of Venetian society.¹ At the same time, though, it was divided internally into distinct elements varying by antiquity, wealth, and political influence (Finlay, 1980). Starting in the late fourteenth century, both of these differentiations – between nobles and non-nobles and between different noble sub-groups – were addressed by government councils as the patriciate, newly concerned to protect its political monopoly and cultural distinctiveness, sought to exclude persons whose presence might «contaminate» it, and as certain elements within the patriciate sought to differentiate themselves from others they considered less worthy. Initiatives in both of these areas were focused on the wives and mothers of nobles – on the persons of women – as the sources of contamination.

The patriciate's intensified effort to preserve its cultural distinctiveness was first demonstrated in 1376. In that year the Maggior Consiglio, which included all adult male nobles, addressed the practice, which it said was frequently happening («pluries ... occursum»), of nobles attempting to gain membership in the Maggior Consiglio – that is, to gain patrician status – for sons they fathered with women whom they married only later (ASVE, MC, 19, 171v). In fact, bastards had been excluded from the Maggior Consiglio for nearly a century, by a law of 26 October 1277 (ASVE, AC, 14, 3). What was different in 1376 were two things. One was the assertion that the purpose of the law was «the preservation of the honor of our state [*conservatione honoris et status nostri*]» by denying membership in the Maggior Consiglio to persons whose presence would «disgrace the honor and reputation of our regime [*denigrare honorem et famam nostri domini*]». Who were those persons? They were sons of male nobles and women of «humble and servile status [*debilis et vilis conditionis*]». It was not just their illegitimacy but also the unworthy social status of their mothers that debarred noble bastards from Venice's ruling class.

1 For the evolution of the nobility in the Trecento, see Chojnacki, 1997. For the late Trecento-early Quattrocento legislation which finally defined the patriciate, see Chojnacki, 1994.

From this time forward, the honor of the Venetian Republic and its ruling elite hinged explicitly on the origins and character of women.

The next major step took place in 1422. In that year the Maggior Consiglio declared that for «our greater honor and reputation [*magno honore et fama nostra*]», the 1376 law must be reinforced to prevent «the shaming of our Maggior Consiglio by the presence of anyone born of a woman of servile condition [*denigraretur nostrum maius consilium per aliquem natum [. . .] de femina de vilis conditionis*]» (ASVE, MC, 22, 47v–48r). It therefore enacted three additional provisions: First, no son of a noble and a slave woman could join the patriciate under any circumstances. Second, if any noble should claim to have married a maidservant («ancilla») or other woman of «vilis condicionis», the sons of that marriage could join the Maggior Consiglio only on condition – obviously impossible – that on the very day of the wedding, the noble father had personally informed Venice’s State Attorneys, the Avogadori di comun, of the fact and presented credible («fide dignos») witnesses who had been present at the ceremony. The Avogadori were then to enter the information in their official records. The third provision was the broadest of all, extending beyond slaves, servants, or other low-status women. Henceforth, whenever a man sought to prove eligibility for the Maggior Consiglio, the Avogadori were to diligently investigate «who was or is his mother [*que fuerit sive sit mater dicti talis*]».

That last provision now authorized the first official record of patrician marriages, but it was not until 1432 that the record-keeping began. Two years earlier, the Maggior Consiglio, once again citing the danger of its reputation being «disgraced and stained» («denigrare et maculare famam nostri maioris consilii»), enacted a new requirement for those nobles who until then had automatically taken their hereditary place in the Council at the statutory age of twenty-five (ASVE, MC, 22, 88r). Now, they must observe the same procedure that in 1414 had been legislated for the younger nobles who sought early admission in the annual drawing called the Barbarella or Balla d’oro (ASVE, MC, 21, 241v–242r). In effect, from now on, all men who claimed membership in the patriciate must first prove to the Avogadori di comun that they were of proper age and born of legitimate noble marriage, with guarantors pledging a bond of 500 ducats to back up the young men’s patrician credentials. And sure enough, beginning in November 1432, the Avogadori began including in the records of Barbarella registrations the natal family names of the mothers of registrants; until then they had only recorded the mother’s given name.² The inquiry by the Avogadori into «who is or was» the mother of a candidate for noble status, as mandated in the law of 1422 just mentioned, now became the key to preserving the honor and unblemished reputation of the Venetian patriciate. It also impressed on individual noble families along the patrician grid, in Mary Douglas’s term, the importance of making reputable noble marriages, since they were now matters of public record.

2 As an example, when Domenico Dolfin registered his son Giovanni on 23 October 1430 he identified the young man’s mother as «nobile domina Blanca eius uxore legitima». But when he registered his son Lorenzo on 24 November 1433 the mother was called «nobile domina Blanca Justiniano eius uxore legitima» (ASVE, AC, BO, 162, 160rv).

But the fear of contamination did not end with the passage of those laws. At the beginning of the sixteenth century unmarried nobles were still fathering sons with lower-class women and trying to gain patrician status for them. The result, the diarist Marin Sanudo reported in 1526, was that «many bastards have been approved as noble» (Sanuto, 1879–1903, 41, 201). As in the years around 1400, new efforts to ward off such contamination were focused on the identities and status of patrician wives and mothers. The most famous measure was the institution in 1506 by the executive Consiglio dei dieci, of the Golden Book, the *Libro d'oro*, of the patriciate's membership. Acknowledging that «our most wise ancestors [*i sapientissimi progenitores nostri*]», had always been «most zealous [*zelantissimi*]» in safeguarding the Maggior Consiglio from being «contaminated, blemished, or in any other way shamed [*contaminata, maculata over altramente quovis-modo denigrada*]», the Dieci sought to reinforce the linkage between paternal, maternal, and matrimonial qualification by passing a law requiring that henceforth, whenever a son was born to a noble, the father must inform the Avogadori di comun within eight days. The Avogadori were then to record in an official register the child's name and «the birth circumstances and surname of the mother [*la nation et cognome de la madre*]» in order to ensure that the child was born «of a woman permitted by our laws [*de dona da le leze nostre ... concessa*]» (ASVE, CD, M, 31, 109v–110r). Henceforth that notation in the Avogadori's register would be the basic credential for the child's later admission to the Maggior Consiglio. This measure tightened still further the fifteenth-century legislation, which took note of a mother's identity only when her son sought to enter the Maggior Consiglio. Now it became a matter of public record at his birth.

Yet as the diarist Marin Sanudo indicated, not even the *Libro d'oro* measure was stringent enough. Twenty years after its passage, Sanudo reported that the doge and his councillors were still «molto caldi» over the infiltration of bastards into the patriciate (Sanuto, 1879–1903, 41, 201). Accordingly, that month, April 1526, the Council of Ten launched still another attempt to «keep utterly immaculate and pure the status and order of the nobility [*tener al tuto emaculato et neto el grado et ordine de la Nobiltà*]», which was the foundation of «the honor, the peace, and the conservation of our state [*l'honor et la quiete et la conservacion del stato nostro*]» (ASVE, CD, C, 2, 14v–17v). Despite the laws of 1376, 1422, and the creation of the Golden Book in 1506, bastards and sons of «mothers of servile status [*de vil conditione*]» still managed to enter the Maggior Consiglio, which – once again in the language of contamination – was «perniciosa et pestifera» – an allusion to the recurrent plague. So the Dieci passed still another new measure. Henceforth, all unregistered nobles must have their credentials proven not merely before the Avogadori but before the doge, his councillors, and the three *capi* of the Dieci, all of whom were to hear witnesses attesting to «the child's legitimacy and their knowledge of the mother [*la legitima (et) de cognitione et scientia matrum*]» (ASVE, CD, C, 2, 17v).

The growing emphasis on the identity of noble wives and mothers reached its culmination in one final act of the Dieci in that April of 1526. On the 11th of that month, Sanudo reports, the noble widower Andrea Michiel married the «sompтуosa et bellissima» courtesan Cornelia Grifo, «which brought great shame to the Venetian patriciate [*che è stata gran vergogna à la nobiltà veneta*]» (Sanuto, 1879–1903, 41, 166). Fifteen

days later, on the 26th, as if fearful of the additional shame the offspring of such a marriage might heap upon the ruling class, the Dieci shifted their aim from patrician births to patrician marriages. It passed a law requiring that every patrician marriage must be reported to the Avogadori di comun within one month, bringing two witnesses from the bridegroom's family and two from the bride's to swear that a legitimate marriage had indeed taken place and to «declare the quality of the father and the status of the woman [*dichiarir la qualità del padre et condition de essa dona*]» (ASVE, CD, C, 2, 15v). The act laid down the same requirement for nobles marrying in Venice's subject territories: they must report their marriage to the Venetian rectors there, accompanied by witnesses to swear to the legitimacy of the marriage, which the rector must report to the Avogadori di comun in letters which should state «the status and quality and genealogy of the women [*le condition et qualità et genealogia de le done*]». Without this official notice of the marriage, accompanied by full information about the wife and her family, sons born to the couple could not enter the Maggior Consiglio.

Thus in the century and a half from 1376 to 1526 the vital concern in the patriciate's determination to protect itself as a group from contamination by outsiders had evolved from excluding women of low status as mothers of nobles to recording the family background of all noble wives. Every step put greater emphasis on the worthiness of the women who would produce the successive generations of patricians, and by 1526 that worthiness had to extend to the women's birth and parentage. The criterion of nobility in Venice was now bilateral distinction, with respectable status – and preferably patrician status – of mothers as well as fathers considered necessary for membership in the ruling class.

While the patriciate as a group hardened the barriers against contamination from without, the emphasis on the worthiness of nobles' wives and mothers also reached inward along the grid – to use Mary Douglas's concept once again – which aligned different elements within the patriciate: wealthy merchant entrepreneurs versus poor nobles who depended on office-holding for their sustenance; the oldest, traditionally dominant houses which after 1382 found themselves excluded from the dogeship by newer ones; rich families that intermarried on the strength of massive dowries which the less wealthy patrician majority could not match and tried to restrain.³ The divisions are illustrated in two cases that involved the most critical transaction that took place within patrician society, marriage. Just as marriage was the pivotal point where contamination could infect the class as a group, it was also where differences within the class came into sharp relief. And as with the group measures we've just reviewed, the status and character of women were at the center of differentiation and conflict in marriage disputes between different elements of the patrician grid.

The two cases to discuss were argued before the court of the patriarch of Venice, who as the city's leading churchman had decisive jurisdiction over marriage. Both cases turned on whether a valid marriage had taken place – always an uncertain matter in the

3 On relations between different patrician groups, see Cozzi, 1973 and 1986; Finlay, 1980; Queller, 1986; Gullino, 1996; Romano, 2007; Judde de Larivière, 2008.

pre-Tridentine period of privately conducted weddings. The first case was argued first before the patriarch himself, then in its later stages taken over by his vicar-general. In May 1457, a lawyer for the noblewoman Orsa «quondam nobilis viri domini» Antonio Dolfin petitioned the patriarch to validate Orsa's marriage to Giovanni di Jacopo Gabriel, also a noble. He asserted that the marriage had been celebrated two years earlier, complete with a contract, an exchange of vows «de presenti» before witnesses, and a touching of hands – all of which added up to a valid marriage before the Council of Trent.⁴ Now, after two years of waiting, Orsa wanted Giovanni to solemnize the union and begin cohabiting with her as husband and wife, an outcome which Giovanni Gabriel's family rejected and strenuously opposed. Thus began sixteen months of litigation which ended in a judgment against Orsa's claim. In the context of contamination within the patrician grid, the interest of the case lies in the powerful Gabriel defense. It came down to the following assertion: «no sane person would believe in such a marriage, which would be unequal in every respect».⁵ In the context of different status groups within the patriciate, it is important to note who pleaded Giovanni's case: not Giovanni himself but his father and, even more important, his mother's father, Pasquale Malipiero, who held the prestigious office of procuratore di S. Marco and who would be elected doge before the trial was concluded. Malipiero's stature represented the Gabriel argument in a nutshell.⁶

This future doge's presence in the court heightened the contrast that he and Jacopo Gabriel drew between Giovanni's family and Orsa's – between two vastly different categories of Venetian noble. They pointed out that in addition to Jacopo's own marriage to the daughter of a man who would soon be doge, his uncle had married the daughter of Doge Antonio Venier, one of his brothers had married Doge Venier's granddaughter, and another brother married a member of the Mocenigo clan, which supplied three doges of their own in the fifteenth century. Associated with these prestigious Gabriel marriages were the large – in fact, illegally large – dowries of 2,500 ducats and 3,000 ducats that Jacopo and his brothers had received from their brides (ASPVCA, CM, 2, 1, 6). Those large dowries were consistent with the great wealth claimed by the Gabriels: Jacopo's father and uncle had allegedly inherited a fortune of 50,000 ducats, and Jacopo and his brothers earned rental and investment income of 4,200 ducats per annum, giving them ample capital to engage in overseas commerce («pro faciendo mercantias»). Finally, they proudly declared that no Gabriel, male or female, had ever brought dishonor to the family by committing an immoral act («aliquis deffectus aut verecundia») (ASPVCA, CM, 2, 1, 6).

They then contrasted their elite status and honorable behavior with that of Orsa and her Dolfin lineage. They claimed that her father and his brother had always lived «in paupertate», had served in few government offices, and were even too poor to pay their

4 On canonical principles governing marriage before the Council of Trent, see Lombardi, 2001, 27–97.

5 «Item quod non debet cadere in mentem aliquius sane mentis / cum dictum matimonium esse ac fuisse inequale omni respectu». (ASPVCA, CM, 2, 1, 3v)

6 Malipiero was elected doge on 30 October 1457; the patriarchal court rendered its verdict on 5 September 1458 (ASPVCA, CM, 2, 1, 33).

fiscal obligations («pro nichilo sustinentes factiones»). Her grandfather, Luca Dolfín, they declared, had been «pauperimus» and her father was so poor that he was able to qualify for only one government office, to which he had been elected only thanks to eighty ducats which he had received, «amore dei», from the Procuratori di San Marco. Not only that: in contrast with the industrious Gabriel brothers and their «mercantias», he gambled excessively («ludabat et ultra debitum»). In keeping with this unimpressive profile, the Dolfíns' marriage record was also vastly different from that of the Gabriels. Orsa's mother belonged to a branch of the noble Paruta clan that was «non nobilem sed plebeiam»; worse, her father's brother had married the daughter of a *popolano* soap-maker («habuit in uxorem filiam ser Nicolai de Monte popularis, et saponerii»). Worse still, the dowry Orsa offered Giovanni, only 350 ducats, was contemptibly small: «not at all suitable for a noble of high standing as is my son, nor would it be appropriate even among artisans [*inter cerdones*]» (ASPVCA, CM, 2, 1, 6). Indeed, with this catalogue of contrasts, Gabriel and Malipiero painted a picture of two vastly different categories, Giovanni Gabriel and his family belonging to the truly noble patriciate, while in all important respects, Orsa's branch of ca' Dolfín appeared almost to have slipped out of the ruling class altogether, economically, politically, and socially.

As if those contrasts weren't enough, Gabriel and Malipiero drew attention to incompatible personal qualities. They asserted, perhaps exaggerating Giovanni's youth, that he was only eighteen years old at the time of the alleged marriage while Orsa was «around thirty-three years of age [*etatis annorum 33 vel circa*]» (ASPVCA, CM, 2, 1, 6).⁷ The preferred marriage age for patrician women in the fifteenth century was the middle teens, so by claiming that Orsa was twice that old, Jacopo Gabriel and Pasquale Malipiero were depicting her as wholly unsuitable to be the wife of a noble.⁸ Indeed, they argued, the young man's «puerilitate» allowed him to be manipulated by the experienced and deceitful Orsa, as evidenced by the minuscule dowry he was allegedly willing to accept.⁹ The union of a woman in her thirties and a young man of eighteen was alarming because it undermined the deeply ingrained principle of husbandly domination that, as the patrician humanist Francesco Barbaro had written in his *De re uxoria* in 1415–1416, constituted the keystone of the entire unified structure of the patriciate's private and political life (Barbaro, 1915; see also King, 1976; King, 1985, 92–98).

Orsa Dolfín's alleged age led to an even more serious accusation, implicating intra-class contamination; Gabriel and Malipiero asserted that she was not a woman of moral life and reputation («non bone nec honeste vite et fame») (ASPVCA, CM, 2, 1, 3). Giovanni might have visited her home, they conceded, but if he did so it was not to marry her but rather to have sexual relations with her, «as young men do, since she was an immoral

7 Jacopo Gabriel had registered Giovanni's patrician credentials, declaring that the young man was eighteen years old, in 1453, two years before the alleged marriage (ASVE, AC, BO, 163, 264v).

8 In a group of 28 fifteenth-century testators who expressed preferences for their daughters' marriage ages, 19 (68 %) wanted the girls married at 14, 15, or 16. Two preferred age 20, three wanted age 18, one age 17, and three age 13. Information from wills in the ASVE.

9 «Item ex quantitate dotis ex qua constaret de puerilitate istius iuuenis ut sic voluerint [sic] eum decipere» (ASPVCA, CM, 2, 1, 3)

woman».¹⁰ Indeed, they accused her of having a well established reputation for shamelessness.¹¹ And to bolster their accusation they introduced into evidence testimony from alleged former lovers of Orsa's (ASPVCA, CM, 2, 1, 34).

Altogether, Orsa Dolfin's credibility as a wife for Giovanni Gabriel was the object of a powerful two-pronged attack: on her family and on her person. The strategy followed by Gabriel and Malipiero in presenting their case was not to deny outright that a wedding had taken place. Although they found it hard to believe, they conceded that the youthful, impressionable Giovanni might have been «seduced and tricked» into going through the ceremony.¹² What they emphasized instead were the circumstances in which the putative exchange of vows had taken place. «Even if the marriage should be proved», they declared, «all the circumstances would render it suspect».¹³ Because the young man's capacity to consent freely to the marriage was undermined by fraud and deceit, the validity of the marriage itself was undermined.¹⁴ But the circumstances took on their significance only in the context of the patrician culture of matrimony, according to which Orsa could not be Giovanni's wife, because a marriage between them would have violated the principles of that culture. According to those principles, Giovanni was too young to marry responsibly, Orsa was too old and sexually tarnished – contaminated – to be the wife of a noble, and the economic and social disparity between the two families was too great to make such a marriage credible. As Gabriel and Malipiero summed it up, «there is no basis for thinking that this alleged marriage is equal with regard to the age, status, nobility, wealth, influential friends, and other such characteristics of Giovanni and Orsa; on the contrary, it is of great disparity and inequality, as anyone aware of their respective circumstances would conclude».¹⁵

As the claims and counter-claims went on, Gabriel and Malipiero's representations exerted increasing influence on the patriarch's vicar-general, the judge hearing the case. So much so that he authorized a panel of jurists from the University of Padua to determine the admissibility of testimony by Orsa's witnesses, «in view of the inequality noted in the case».¹⁶ At issue was the Canon Law principle that in matrimonial disputes between persons of unequal status, the testimony of relatives of the lower-status party was regarded

10 «... si forte frequentasset ipsam domum illud fecisset non causa contrahendi sed causa habendi eam carnaliter ut faciunt juvenes cum ipsa sit inhoneste vite». (ASPVCA, CM, 2, 1, 5)

11 «Item quod fuit et est absque eo quod ipsa domina Ursia fuerit et sit pudica tam antequam iret ad Dagnum quam post, et hoc fuit et est comunis opinio publica vox et fama apud cognoscentes eam et habentes de ipsa noticiam». (Orsa's father had a government post in Dagno, on the Albanian coast.)

12 «... si Joannes illud matrimonium fecisset fuisse seductus et circumventus, non autem asseveravimus id quod ignorabamus imo quod nullo modo credimus». (ASPVCA, CM, 2, 1, 5)

13 «... ex quibus etiam si probatum esset, adhuc redderetur suspectissimum». (ASPVCA, CM, 2, 1, 3)

14 On the circumstances that invalidated a marriage, see Brundage, 1987, 288.

15 «Item quod fuit et est absque quod dictum assertum matrimonium foret equale etate, genere, nobilitate, divitiis, potentia amicorum et similibus, inter dictum Johannes [sic] et dictam Ursiam, ymo omnimodo disparitas et longa inequalitas et ita quilibet sciens utrasque condiciones comuniter judicaret». (ASPVCA, CM, 2, 1, 6)

16 «... an consanguinei recepi [sic] debeant in testes in causa matrimoniali predicta attentis inequalitatibus in processu deductis». (ASPVCA, CM, 2, 1, 15r) The three jurists were Antonio Roselli, Angelo de Castro, and Giovanni da Prato.

as suspect and hence inadmissible (Lombardi, 2001, 76–77). In fact, the eight witnesses proposed by Orsa's lawyer were all *popolani*, including a carpenter and his wife, the wife of a boatman, and a barber. They also included the widow of the «saponarius» whose daughter had married Orsa's father's brother; so although Orsa's connection to the others is unknown, some of them also may have been related to her.¹⁷

However, it was not the social status of the proposed witnesses that was at stake, but, rather, the disparity alleged by Gabriel and Malipiero between Giovanni and Orsa. It was because of that disparity, they asserted, that «Orsa's relatives, kin, affines, friends, and the like may not legally be accepted as witnesses».¹⁸ It is suggestive that in his letter commissioning the Paduan jurists, in which he cited as a premise the «inequalitibus» between the two putative spouses, the vicar-general referred to Orsa as «nobilem dominam Ursiam Dolphino». The juxtaposition in the same letter of those seemingly contradictory references indicates that he accepted Jacopo Gabriel's characterization of two different and unequal levels of nobility in Venice. In this inference he was likely influenced by a letter sent to him, undoubtedly at the instigation of Jacopo Gabriel, by the Ufficiali degli Imprestiti, reporting that, as Gabriel alleged, Orsa's impecunious father, brother, and uncle never met their fiscal obligations and were therefore disqualified («lassarse cazer») from holding office, whereas Jacopo Gabriel consistently paid imposts on 1,700 lire (ASPVCA, CM, 2, 1, 18v).

Consequently, it is not surprising that, after carefully studying the consilium of the three Paduan jurists, the vicar-general on 31 August 1458 declared that the relatives proposed by Orsa's lawyer as her witnesses were «suspectos» and therefore would not be allowed to testify in the case (ASPVCA, CM, 2, 1, 19v). Six days later, on 5 September, he issued his verdict: «we absolve the aforesaid *dominus* Giovanni Gabriel of the petition of the aforesaid Orsa» (ASPVCA, CM, 2, 1, 33). The verdict in the matrimonial dispute between Giovanni Gabriel and Orsa Dolfin reveals that the patriarchy of Venice and eminent jurists from the University of Padua accepted the fact of unequal status groups within the Venetian patriciate, and the age and moral deficiencies of a patrician woman as «contaminating» and therefore disqualifying her from being the wife of a noble.

The main features of the second case, the marriage dispute between Marietta Soranzo and Girolamo da Mula, resemble those in the Dolfin-Gabriel trial. The arguments introduced, however, evoked more profound issues of patrician ideology, involved witnesses of patrician status, and produced a different outcome. Yet at its center, the chief contention was once again over the worthiness of a woman from one patrician family to be the wife of a man from another, and once again it turned on the status of her family and on her personal qualities. The central point was the same as in the Dolfin-Gabriel case: Marietta Soranzo's family claimed that she and Girolamo da Mula had exchanged vows and touched hands in front of witnesses, «according to the rite and formula of the Christian

17 In all there were eight witnesses (ASPVCA, CM, 2, 1, 22).

18 «... de jure coniuncti, cognati, affines, amicissimi et similes de Ursie non possint in testes admitti». (ASPVCA, CM, 2, 1, 23v)

religion and the Holy Roman Church»¹⁹ and now, in November 1460, the Soranzos petitioned the patriarch to require Girolamo to acknowledge the marriage and cohabit with Marietta.

The da Mula side didn't deny that Girolamo and Marietta went through the ceremony. Instead, Girolamo's father, Francesco, claimed that his son, a mere eighteen years old, had been tricked into it. Worse, the presence of weaponry on the walls of the Soranzo palazzo, where the alleged wedding had taken place – with only Soranzo relatives and friends present – had induced in him the canonically defined state of *justus metus*, or valid fear. Therefore, as the youthful victim of both trickery and threats, Francesco da Mula argued, Girolamo could not have given valid consent to the marriage. Not only that: in an echo of Jacopo Gabriel's argument against the marriage of his son Giovanni and Orsa Dolfin, Francesco attacked the credibility of a union between the two families: «Not only», he declared, «is there is a great disparity in wealth between Girolamo and Marietta and between their families, but Girolamo's family also far exceeds hers in privileges, honor, and nobility, as these matters are reckoned in our *patria*».²⁰

The Soranzos, more adept than Orsa Dolfin's representatives, countered Francesco da Mula's allegations by associating their family with the patriciate's deepest values and traditions. To the charge that Girolamo had been fearful about the array of weaponry in the Soranzo palazzo, they responded with witnesses' testimony, echoed in writers' descriptions, that it was normal to see similar arrangements, called *lanziere di arme* or *restelliere*, on the walls of noble palaces (Brown, 2004, 20). They summed the matter up with the ringing declaration that «it is known to all that *domina* Marietta is a noble of the clan of ca' Soranzo of the city of Venice. The nobles of ca' Soranzo are recognized as Venetian patricians of this city, of the same status and condition as are other patricians of this city. So, therefore, is *domina* Marietta. They declare it to be likewise well known that it is the custom of nobles of this city to display weapons of all kinds, both for attack and for defense, in the hallways and rooms of their houses».²¹ Marietta's mother drove the point home by reporting that the armaments in her house had been brought back by Marietta's brother from his tour of duty as castellan in Castelbaldo, one of Venice's possessions on the mainland – that they were, in effect, evidence of Soranzo loyalty and service to the patrician regime.²²

19 «... factus et celebratus fuit et est inter eos contractus veri et indubitati matrimonii secundum ritum et modum Christiane religionis ac Sancte Romane Ecclesie». (ASPVCA, FC, 12 November 1460)

20 «... ipse dominus Hieronymus et eius parentes maxime excedunt in facultatibus et divitiis ipsam dominam Mariettam et eius parentes necnon, secundum consuetudinem patrie, in prorogativa, honoris et nobilitatis». (ASPVCA, FC, 23 January 1461)

21 «Allegaverunt tamquam notorium et pro notorio quod suprascripta domina Marieta est de domo nobilium de cha Soranzo civitatis venetiarum. Qui nobiles sunt, tenentur et reputantur patricii veneti dicti civitatis, eiusdem conditionis et status cuius sunt ceteri patricii huius civitatis Et per consequens dicta domina Marietta. Item similiter allegant [sic] pro notorio quod est de more et consuetudine nobilium dicte civitatis tenere arma cuiuscumque generis apporsa seu affixa in porticibus sive salis domorum suarum tam offensibilia quam deffensibilia». (ASPVCA, LA-1461, 7 January 1461)

22 «... non erant ibi arma ad offendendum: sed solum erant lancee et panesia que filius suus dominus Johannes portavit de castellanatu Castribaldi». (ASPVCA, FC, 123 December 1460)

As for the allegedly intimidating presence at the nuptials of Soranzo kinsmen and friends, Marietta's brother and uncle professed amazement that Francesco da Mula would even suggest such a thing: No one in Venice, they stated, would believe that such fear could arise «in this freest of cities» and «it is astonishing» that Girolamo's lawyer would claim that the young man had cause to fear because of the setting and the wedding guests: «As if the marriage had not been celebrated in a most respectable and safe place, one in which any suggestion of violence or other impropriety would be utterly baseless: namely, in the city of Venice, in the home of *domina* Marietta's mother. As if had not been witnessed by many Venetian patricians whose lives, habits, and integrity have long been highly regarded by the entire population of all parts of the Venetian Republic. As if it had instead taken place in the stronghold of some cruel tyrant, in the presence of his armed henchmen and thugs, ready to strike *dominus* Girolamo with their weapons unless he indicated his assent to the marriage vows. In God's name! – let such suspicions have no place regarding this marriage; let them be lifted from these *viris nobilissimis*, the sober citizens who were witnesses to this exchange of vows, from whom, and from their families and kin as well, no such behavior could conceivably be expected».²³

Neutralized in his attempt to denigrate the patrician standing of the Soranzos – who were in fact one of Venice's most ancient noble houses – Francesco da Mula turned his aim onto Marietta personally. Like Jacopo Gabriel, he tried to undermine the credibility of the marriage by asserting a disturbing age disparity between her and Girolamo. Whereas his son was only eighteen, he asserted that Marietta was twenty-four «et ultra» (ASPVCA, FC, 23 January 1461). He chose the age carefully. Twenty-four was the age at which unmarried women were freed from legislated dowry limits. Since the usual marriage age for patrician women was fifteen or sixteen, it was assumed that only a massive dowry would enable a someone in her mid-twenties to find a husband, owing to the suspect virtue of a woman who remained nubile that long outside the convent.²⁴ The Soranzo witnesses disputed da Mula's assertion, giving Marietta's age as somewhere between seventeen and nineteen. Once again thwarted, da Mula tried to depict her as too unattractive for his son to desire. He asked witnesses to describe her stature, whether it was small, medium, or large. Apparently the ecclesiastical judge disallowed that line of questioning, since there are no witnesses' responses in the trial record. But in their accounts of the wedding itself they were unanimous in reporting that Girolamo answered «sì» when asked if she pleased

23 «... et mirandum est quod dicat dominus excipiens quod metus assertus sit causatus ratione loci et ratione personarum et cetera, quasi hoc matrimonium non fuerit celebratum in loco honestissimo et tutissimo ac penitus omni suspitione alicuius violentie aut cuiuscumque alterius improbitatis carente, in civitate Venetiarum in domo matris domine Mariette, astantibus viris pluribus patriciis venetis quorum vita, mores, integritas ab universa re publica veneta iam pridem omni ex parte sit approbata; sed potius quasi in arce alicuius crudelissimi tyranni aut astantibus satellitis et sicariis hominibus armatis ferro et ense iam iam in caput domini Hieronymi imminetibus nisi statim pro voto mandantis ipse annuisset: absint pro deo ab hoc coniugali thoro, cessent tales suspitiones a viris nobilissimis ac gravissimis civibus quales sunt ii qui hoc foedus inierunt et eorum familie et cognationes, a quibus talia non possent cogitari nedum quod modo aliquo fieri presumentur». (ASPVCA, FC, 28 November 1460)

24 ASVE, SM, 53, 70v. For the context of this act, see Chojnacki. 2000, 56–62.

him. And Marietta's mother testified that at one point Girolamo said to the girl, «even if you were uglier than you are I still would not have refused you».²⁵

Francesco da Mula never managed to gain leverage in his efforts to undermine the credibility of the marriage. Indeed, the Soranzos exploited every opportunity to turn the tables on him. At one point, when da Mula seized on testimony that Marietta hesitated before answering the question whether she accepted Girolamo as her husband, suggesting that her consent had not been freely given, the Soranzos brought in their parish priest to enlighten the judge, a non-Venetian, that it was the custom in Venice for brides to demonstrate their modesty by waiting to be asked a second or third time before answering «sì». But the strongest card the Soranzos played was to blend Venice's civic myth – the so-called «mito di Venezia» – with the increasingly rigorous standards of honor and worthiness that legislation was in the process of imposing on the wives and mothers of nobles. To the accusation that they had tricked or cajoled Girolamo into the marriage, they responded with another declaration of conformity to the patriciate's highest standards: «If *dominus* Girolamo, who is a most noble citizen of this city, dedicated to the *vitam civilem* and to promoting both his republic and his lineage, was somehow induced to contract this marriage, it was to a most noble wife, born of the worthiest parents, house, family, kin, and material circumstances». To this impressive patrician pedigree they added a special quality of Marietta. «Above all», they declared, Marietta was a woman of «chastity, a morally sound life, excellent habits, and deep religiosity». She was thus «most richly endowed in the things that make a wife, so that from such a union would flow the three goods of marriage: fidelity, children, and the sacramental bond». For Girolamo to marry such an exemplary noble woman was to act «as do other citizens of this glorious republic who want to live for *deo et patria*».²⁶ Thus, far from harming Girolamo, by giving him Marietta as a wife the Soranzos enabled him to fulfill his pious and patriotic destiny as a Venetian noble.

In the end, the ecclesiastical judge was convinced by the testimony regarding the canonical correctness of the wedding and by the Soranzos' effective invocation of the deepest principles of patrician civic and gender culture. Whatever the truthfulness of the da Mula claim to greater status within the patriciate than that of the Soranzos, Marietta's kinsmen and their unquestionably noble witnesses presented solid evidence of the Soranzos' membership in the ruling class. Also no doubt contributing to the verdict was the annoyance of the vicar-general at Francesco da Mula's refusal to present Girolamo

25 «... dominus Hieronimus [] dixerat, 'si tu fossi sta più bruta de quel che tu è non te haveria refudada', loquendo sponte in presentia illorum de domo». Another witness, Francesco Valier, testified «quod audivisset ibi dici quod dominus Hieronimus volebat eam habere etiam si esset turpis». (ASPVCA, FC, 4 December, 6–7 December 1460)

26 «Nam si dominus Hieronymus, qui est civis nobilissimus huius civitatis, intentus ad vitam civilem, ad propagandam suam rem publicam ac domum, quomodocumque sit adductus ad hoc matrimonium contrahendum, contraxit cum muliere nobilissima ex optimis parentibus nata, domo, familia, cognatione, rebus, imprimis autem pudicitia, vite integritate, optimis moribus, religione summa, ditissima in eiusmodi, cum res faciunt mulierem, amplissima dote esse dotatam, ut ex tali coniugio tria illa matrimonii bona consequantur, fidem videlicet prolem et sacramentum prout ceteri cives huius clarissime rei publice, qui deo et patrie vivere volunt». (ASPVCA, FC, 28 November 1460)

to testify, despite the vicar's repeated injunctions that he appear. It is not hard to imagine the vicar reaching the conclusion that Francesco was either hiding his son in Venice or had sent him away out of concern that the young man's testimony would substantiate the Soranzos' insistence that he willingly consented to marry Marietta. In any case, the vicar declared the existence of a valid marriage and ordered Girolamo to begin cohabiting with Marietta as husband and wife.

The result was thus the opposite of that in the Dolfin-Gabriel case. But the two disputes are alike in illustrating a consciousness of differentiation along the patrician grid that, like the exclusionary legislation of 1376 to 1526, sought to preserve patrician integrity and honor by avoiding contamination in the persons and status of women.

PATRICIJSKA ČISTOST IN OSEBNOST ŽENSKE V BENEŠKI ZGODNJI RENESANSI

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POVZETEK

Prvi del razprave predstavi beneško zakonodajo poznega 14. do zgodnjega 15. stoletja, ki je postavljala vedno bolj stroge standarde za žene in matere patricijev. Zakonodajo sta označevala dva glavna elementa: obdelava zahteve, da ima ženska, ki se poroči s plemičem, ustrezen izvor in pooblastilo za vedno bolj natančno vodenje knjig v zvezi z identitetami mater ter v zvezi s patricijskimi porokami in rojstvi. Drugi del, ki temelji na zapisih sojenj sodišča beneškega patriarha, analizira dva primera spornih patricijskih porok. V obeh družinah dveh mladih plemičev, ki sta se poročila z dekleti patricijskega rodu brez soglasja njunih družin, poskušata izničiti poroke tako, da postavita pod vprašaj vrednost družin nevest, katerih patricijski status je bil že tako nižji od ženinovega, in zaradi starosti nevest očrniti njuno vzdržnost. Proces sta se končala različno. V prvem je bila poroka izničena, verjetno zato, ker je bila dokazana razlika v statusu obeh družin, pričanje pa je izpodbijalo nevestino vzdržnost. V drugem je bila poroka potrjena na osnovi pričanja uglednega plemiča, ki je potrdil, da so bili upoštevani ustrezni kanonični standardi in da je bila nevesta zgledna hči častivrednega patricijskega para.

Ključne besede: Benetke, patriciat, status, legitimnost, poroka, ženske, vzdržnost

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