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Family and Kinship. Parents and Children in 17th and 18th Centuries' Moldavia

- PhD Thesis Summary-

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Research and the desire to understand the lifestyle and the system of values that guided and determined the purpose of the living conditions of past times fascinated, throughout the years, a considerable number of researchers from a wide array of domains and branches of social sciences¹.

In a broader way, this paper aims at investigating and analyzing the kinship, the organization pattern of the Moldavian families and the impact of their dynamics within the social context. Given the boundaries set by the length of such a work, we considered that we best could shed light on them through the prism of the parents-children relationships and liaisons, around which most of the family's actions take place. The questions that we aim to answer in our paper regard the manner in which these relationships and liaisons are rendered in the records peculiar to that time and, especially, the degree of importance the actors granted to them.

The research undertaken on such a topic cannot be undertaken but through an approach via two axes, that is from two different perspectives that need to complete one another. One is determined by the material aspects of life and governed by the principles of the ancient law and we consider here properties, the dynamics and economy of a house, and the other one regards the rendition of the social and family relationships as determined by certain spiritual experiences and manifestations.

Having as 'raw material' in our investigation both inedit and edit sources, even if they are rather less numerous compared to the Western ones, we tried to outline the family structure and its evolution throughout the 17th and the 18th centuries, as well as the woman and child's status within the family frame mentioned above, insisting, as already stated, on the parent-child relationship.

In this analysis we used legal documents (estate, selling, buying, donation, trials, estate exchange, wills, marriage contract, registers, treasury reports), inscriptions, diptyches, notes on old books, as well as chronicles, letters and certain foreign travelers' testimonies.

Since we referred to sources, we should also mention the definition of the research field, which is closely related to the type of documentation. If foreign historians dare to build a pertinent analysis taking into account only the usual cases, the normality², we have access only to the exceptional cases, the ones that were the object of a conflict. In a considerable series of situations, having as sources, for instances, only the testimonies of some processes, we have no other solution but to discover normality through reading the information mirrored.

In this context, we 'chose' the path of *the ground* and also the one of the legal regulations and, from time to time, where needed, we also chose some paths via which we tried to discover details and aspects referring to the delicate feelings cover of the relationships and of the types of behaviour. Thus, the debate regarding property, as well as the evolution of the dominions will represent the nucleus of this text and will allow us to define these types of relationships.

The work is structured into four main parts: the first part briefly refers to the historiographical framework of both foreign and Romanian research regarding the family and the child, the second one comprises a radiography of the parents-children relationship, the third one refers to the way in which the image of the family and of the relationships between parents and children reflects in the testamentary discourse, whereas the final one refers to the spiritual kinship and to the manner in which this relation influenced the family's structure. The work as such, as described above, is preceded by an introduction chapter and ends with a series of conclusions, a sum of annexes and a bibliography.

As far as the period under investigation is concerned, i.e. the 17th and the 18th centuries, there are two main coordinates that influenced our choice: the first one regards the type and nature of the sources and

¹ We will especially focus here on enumerating only a series of titles from the Romanian historiography referring to the child: we highlight a highly interesting analysis on two characters that are to a certain extent marginal in a family, i.e. the widow and the orphan, that are described from an ethnological and literary perspective in Dorina Șonca's *Văduva și orfanul. Delicte sexuale în cultura tradițională ca factor al destinului copilului* (The widow and the orphan. Sexual crimes in the traditional culture as a factor of the childhood), București, 2010; the historical demography is present as well in the research on childhood, Luminița Dumănescu being the one who signs the first Romanian historiography work that is entirely dedicated to the child, eadem, *Transilvania copiilor. Dimensiunea demografică a copilăriei la românii ardeleni (1857-1910) / Children's Transylvania. The demographical dimension of childhood at the children from Ardeal (1857-1910)*, Cluj, 2006.

² For instance, when analyzing the ways of transmitting the inheritance in 16th century Venice, Anna Bellavitis states in the introduction of her study that 'Je n'ai [...] pas travaillé sur de situations uniques ou exceptionnelles [...]'. ('I haven't [...] worked on unique or exceptional situations'), in eadem, *Famille, genre, transmission à Venise au XVIe siècle* (Family, gender, transmission in Venice during the 16th century), Ecole Française de Rome, 2008, p. 2; my translation.

the second one concerns the considerable length of the period, i.e. two centuries, through which we could highlight the continuity and the evolution of certain processes. It is well-known that during the 17th century, *Cartea românească de învățătură* (The Romanian Instruction Book), for Moldavia, and *Îndreptarea Legii* (The Correction of the Law), for Wallachia, were elaborated and printed. We notice that, together with the printing of these law codes, the written documents (such as, for instance, the wills) start augmenting quantitatively and diversify at the level of form and content. Nevertheless, we mention that our research started with a temporal ‚nucleus’ that was concentrated around the 17th century, when the tradition still has a strong influence, sustained or not by the law codes’ regulations and we stepped into the 18th century only in order for us to check or notice to what extent a certain rule or process continues to degrade during this century.

Taking into account, on the one hand, the nature of the sources and, on the other hand, the selected period and the socio-economic context, we highlight the fact that we used the term ‚copil’ (‚child’) notably referring to its legal status and only in some cases with its biological meaning. We tackled the issue of the parent-child relationship not necessarily from a temporal perspective, but according to the way in which it was defined via legal-economic relations. Thus, in our analysis, we refer to the child not seen as a person up to coming of age, but as a person the parent of whom disappeared, a moment in which the whole inheritance is transferred to the heirs and, together with it, the last levers of the parental support.

Our aim was not to exhaustively research all the problems and situations around which the family was built in Moldavia along the two centuries under investigation, which would have been practically impossible, but, by thoroughly studying the documents from that period (mostly using edit documents and especially insisting on the 17th century), to notice and highlight only certain features, some specific, others with a more general character. Starting from the natural observation that ‚the nature of the documentary sources imposes the typology of the questions to which a satisfactory answer can be provided’³, a whole series of questions, through which a wide array of elements are brought forth, such as the children who were taken into one’s heart, the widows, the orphans, the half brothers and sisters, the godchildren.

The transfer of the heritage defined not only the relationships between the direct heirs, but the ones between colateral parties and brothers as well. The relationships between brothers or between brothers and sisters were thus strongly influenced by the rights that were peculiar to each one of them according to the granted inheritance. The distribution of roles among the children was carried out around two main moments: their marriage and the parents’ death⁴. Thus, in the first part of the thesis, we focused on highlighting a number of legal aspects peculiar to the matrimonial strategies that were almost exclusively orchestrated by the parents, especially insisting on the masculin-feminin binomial and also on the way gender influences the intra- and extrafamilial relationships, on the one hand, and, on the other hand, on the relationships from inside the house so long as the children were not heirs and were still under the parental authority. We underline the fact that complications occurred when marriage ended or when the birth of a child did not happen in the matrimonial framework.

Although the Church closely monitored the individual’s and, implicitly, the family’s ethics (through a series of taxes and punishments) through the importance given to the holy sacrament of marriage, the number of trials through which natural children required to be entitled to inheritance is not to be neglected. Given these circumstances, we analyzed the way in which the society, as well as the states’ institutions resolved these requirements through the regulations of the law codes and legal sentences. Was the illegitimate child marginalized and totally excluded from the paternal inheritance?

The research regarding the attitudes and the delicate aspects as mirrored by the testamentary discourse was also important. The image that the individual provides through the ideas displayed in a will brings forth considerable information, diverse and very interesting, most often precisely regarding his family and the place and role that he plays in the thick structure of kinship.

Our thesis aims at clarifying a series of aspects referring to the relationship between the individual and the family, as reflected in the testamentary discourse from the period under investigation, through highlighting two concrete situations: the first one regards the stipulations specific to the case in which an individual (the testator) did not have heirs of the body and the second one concerns the regulations and the problems raised by the transmission of the ‚part of the heart’.

³ Violeta Barbu, „Ordo amoris”. *O istorie a instituției căsătoriei în Țara Românească în secolul al XVII-lea* (Ordo amoris’. A history of the institution of marriage in Wallachia during the 17th century), București, 2011, p. 20.

⁴ Christopher H. Johnson and David Warren Sabean, *Sibling Relations & the Transformation of European Kinship 1300-1900*, New York, 2011, p. 31.

Between the two possible ways of analysis (endowment and testamentary inheritance) we chose the latter to focus upon, given that the situation of complete equality between boys and girls from Moldavia does not complicate things very much when it comes to sharing the parental heritage, the way it happens in Wallachia, and also because, from the point of view of the richness of information, the wills are a lot more generous. Where needed, the trousseau sheets were used, we did not exclude their research; however, the time was not sufficient enough to allow us to collect and make a transcription of both types of sources (especially the ones peculiar to the 18th century) from the Archives. Another argument in favour of a more detailed investigation of this type of sources is also the one according to which, if this type of sources were thoroughly researched for the Wallachean space, for Moldavia we do not have a detailed and systematic exploitation of this segment of documentary source.

In order for us to better highlight certain aspects that were detailed upon in our investigation, such as the matrimonial strategies and policy or the conflicts created when contesting a certain will, we used certain case studies like, for instance, the one referring to the family of the steward Grama or the one concerning Apostol Catargiu. Although, compared to other characters who were contemporary with him, the steward is not a key social 'actor', we considered useful such an exemplification through the prism of the matrimonial actions and their aims. As regards the case of Apostol Catargiu's will, our aim was to observe and analyze the behaviour of the members of a family from within the enlarged group of relatives. Against the background of the numerous trials the family confronts with, we could observe the relationship between brothers, between widows and brothers-in-law, between uncles and nephews, as well as the manner of managing and finding solutions to the conflict between groups, within the enlarged family.

If in the first parts of our research we concentrated on the analysis of the family's and blood kinship's dynamics, in the last part of our thesis we mainly dealt with the practices and behavioural patterns that were built around the spiritual kinship, more precisely, on the taking into one's heart and the baptism. In a difficult sociopolitical context, suffocated by invasions, wars, blasts and against the background of an increased child death to which the infertility of certain couples is added, the taking into one's heart process seemed the best solution to avoiding the dissipation of an inheritance and the care of the soul after the death. The solution that seemed best to us was that the analysis of these final aspects regarding the kinship to be made by comparison with the practices undertaken around adoption and baptism, both of them bearing two coordinates in their constituency: a religious one and a legal one.

Conclusions

Unlike the family in Moldavia from the 17th century, the one from the 18th century starts to be defined through the actions of its members, through their conduct, and the feelings begin to be more and more important when it comes to defining the relationships between the members. Starting from the 18th century, what becomes noticeable is the fact that the trials are no longer initiated only around injustices related to properties, but, more and more frequently, also around the individual's behaviour.

Positioned at a crossroads between the family environment and the social one, the child remains in the records' testimonies a character that is defined by the legal aspect rather than by the emotional one, both the society and the family seeing in him a person with a certain socio-legal role, emptied, to a certain extent, of its biological meaning. With very few references made to age (they start being more numerous in the 18th century), most sources present the children as somebody's cocoons or sons, being always related to a family or dominion.

Their status within the family, as well as the dynamics of the relationships that they determine in the society could best be observed around two important moments, marriage and death, when the cocoons are granted new roles and responsibilities through the fact that they become owners of the parental heritage. If the matrimonial strategies almost exclusively belonged to the parents, the children being imposed upon secondary roles most of the time, the parents' death turned them into adults, receiving, at the same time, the family's fortune and the corresponding power.

Understood as an expression of one's will, seen by the medieval and modern society, not as a final manifestation of one's will or as a final point of one's life, but, rather as a passing towards another level of it, the testament is, for today's historian, a very important source, meant to help establish and understand the actions and decisions of those who lived during other times. The testator writes the will when approaching the end of his life, when all that is in his soul is the decession; it is precisely through the minute structuring and prescription of certain actions that he has the feeling that he will remain present in this world as a consequence of this document, thus managing to maintain a liaison between him and the world that he deserts. For us, the people living today, it is an expression of the memory, a reflection of a

certain image, real or not, that the testator wishes to pass. Highly subjective, wills stand for that neutral ground that results from the overlapping of the private with the public, the place where the society, the morality, the feelings, the principles are merged to extents that depend on the socio-political transformations.

Going beyond the life stories that are in the wills, through which the family is described, together with its members, as well as the whole dynamics of the relationships that it determines within its own structures and without them, this type of sources offered us, through its analysis, quite a generous general framework on the thinking and spiritual structure of those elaborating the testaments during the 17th and the 18th centuries.

The taking into one's heart and the kinship through baptism are very much alike at the terminological level, as well as at the one of the social practices. The behaviour, the relationships between the two parties, the (especially moral) indebtedness are greatly the same. Nevertheless, analyzing the field in which they produce effects and generate a certain conduct, we could notice that, while the kinship created through baptism produced effects only at the moral level, the taking into one's heart generated first and foremost obligations of a legal nature, and less of an affective nature.

We also noticed the fact that adopted persons, either children or adults, did not use to change their names and, usually, an individual or a couple did not use to adopt more than one person, which confirms the fact that, in most of the cases, during the 17th and the 18th centuries, the main reason of taking a child into one's heart was to assign an heir. The existence of cases in which the foster parents not only adopted, but also baptized the child or the wife and then the husband were adopted (situations which are not allowed by the Church, given that the parents could not be godparents of their children, and the husband became his wife's brother, if subsequently she was adopted by the same parents) proves the fact that a child's being taken into one's heart mainly was an imitation of nature, without having the complexity and weight of blood kinship.

Moreover, the diversity of cases makes us hypothesize that the adoption was also used as an artificial method of transmitting a certain inheritance to a more distant relative, maybe even to a person from outside the family, who, normally, according to the laws valid at the time, had no right to inherit anything. It is precisely through this *adoption* that this person – a distant relative or somebody who was not a member of the family – was granted legal rights and, not only could he keep what he would inherit, but, very important, through the newly-established kinship, was given the right to buy other estates around the ones he had received through adoption, precisely given the fact that he had become a close relative – a direct heir, expelling the others, who, if this heir had not existed, would have been the main heirs. Thus, as far as the 17th and the 18th centuries are concerned, the taking into one's heart primarily was, next to its emotional significance (more or less noticeable), a strategy of remodeling the family, an artificial solution for not interrupting the descendance of a family or, in certain cases, the expression of an individual's will (of either choosing one heir from a whole series or of bringing one from outside the family).

We are fully aware of the fact that it is impossible to render transparent a vast subject such as the one dealing with family and kinship within the boundaries of this paper – a thing that we did not set as an objective. However, we do believe that the image of the family relationships was enhanced through this analysis, as, through the ideas and hypotheses that were presented in this paper, we managed to add new details and shades to the picture of the family of older times.