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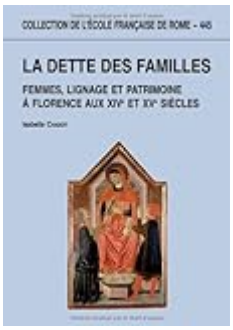

Isabelle Chabot. *La dette des familles: femmes, lignage et patrimoine à Florence aux XIVe et XVe siècles.* Rome: École française de Rome, 2011. viii + 450 pp. EUR 60.00 (paper), ISBN 978-2-7283-0900-9.

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Dowries and Family in Renaissance Florence

Ever since the 1970s dowry has occupied a central place in the study of Italian families and women in the early modern era. A sum of money or other, usually fungible, assets handed by a wife's family, most often by her father, to her husband, dowry was the wife's property. Her husband typically managed it, as it was intended, to use the legal language, to sustain the burdens of matrimony. But by the statutes of most communities, and certainly by those of Florence, dowry also became the sum of what a woman could expect to receive from her family in intestate inheritance. Dowry was her share of the patrimony. The consequence was that there were two types of possessions in a household–those of the men of the lineage (which they inherited or earned) and those of the women who married them. These were deeply intermixed with each other in households, as men converted dowries to domestic or occupational needs. But they remained separate in law. It is from this "legal and social paradox" (p. 1) of separate but commingled property and from the fact that women's "existence is, in their families, at the same time necessary and insufficient" that Isabelle Chabot begins her elaborate examination of family property. It was this system of rules "that equally makes dowered women into perpetual creditors and functions on condition that their death considerably extinguish the debt of the families" (p. 3). Here again is a consequence of the major contradiction of a dotal system that left women not completely excluded from the devolution of property (as opposed to devolution solely at inheritance). As Chabot says, "they are and are not heirs to their ancestors" (p. 7).

Few are as well equipped as Chabot for such a study. Student of Christiane Klapisch-Zuber, whose incisive and provocative studies of dowry brought the institution to the attention of social historians and stamped the dowry as a device by which male domination over women took concrete form in medieval and Renaissance communities, and of Charles de la RonciÃ¨re, author of numerous statistically driven studies of aspects of the Florentine economy, Chabot has been investigating dowry, its hold on wives, and its pivotal functioning in the hands of widows, for three decades. She has consistently taken the

view that dowry was at the heart of a system of marital and inheritance exchanges that aimed to control women, especially so in Florence, in view of some peculiarities of that city's legal environment. Yet she has also pressed the paradox that widows' dowries gave them competencies and spheres of activity that weakened "an identity, material and symbolic, exclusively masculine, patrilinear" (p. 2).

No study of dowry from any one city has attempted to be as thorough as Chabot's, although one must recognize the important work for Venice of Chabot's sometime collaborator, Anna Bellavitis.[1] Indeed, Venice figures as an important counter example to Florence in Chabot's analysis, as that great city did not so encircle its wives and widows with the same inheritance restrictions as did Florence (at least not in law). Chabot's bibliography makes apparent her acquaintance with every significant and many less significant works of scholarship in Italian, French, and English. It also makes apparent her reliance on a peculiarly Florentine source that her mentor, Klapisch-Zuber, first sought to exploit for family history and ideology, namely the *ricordanze* of family events, finances, and holdings. The strength of Chabot's work lies in her thorough knowledge of these complex, elliptical, and often poorly penned texts (121 of them unpublished), and in her use of them to weigh the directions of practices in the face of legal and social norms. She exploits some of them repeatedly, as those of Paliano di Falco Falcucci (d. 1410) and that of Luca da Panzano (d. 1461). But Chabot also goes beyond Klapisch-Zuber to grapple with legal documents in the mass of surviving Florentine notarial papers, which she exploits, for example, in discussing the provision of guarantees for return of the dowry on the dissolution of marriage, and more importantly, for the provisions regarding dowries and other types of women's property in Florentine testaments.

La dette des familles's ambitious scheme plays out across its ten chapters, divided into three parts. It begins with the normative baseline: intestacy rules. The core of the Florentine dotal system lay in the *exclusio propter dotem* on intestacy, which kept mothers, daughters, and sisters from inheriting in the presence of agnate males within generally four degrees (fathers, sons, grandsons, paternal uncles and nephews, and so forth). In this regard and in so much else regarding dowry law, Chabot follows the work of others, notably the foundational study of Manlio Bellomo, *Ricerche sui rapporti patrimoniali tra coniugi* (1961). What Florence added to this exclusion, as Chabot points out (properly correcting some of my own work and that of others), was an exclusion of daughters even from their mother's dowry if there were brothers. Finally, in 1415, a widow's right of usufruct on her husband's estate (were she to remain unmarried in the marital home, typically to play the role of mother and guardian) was attenuated to a mere right to suitable support. At the same time, were she to remarry, her dowry would pass to her new husband to the exclusion even of the sons from a first marriage. When a Florentine wife predeceased her husband (and many did, if only from childbirth), her dowry stayed with him (a feature of Florence's statutes first uncovered by Julius Kirshner over twenty years ago).[2] Florence's legislators thus "pushed quite far the privilege of masculinity and favor agnationis" (p. 21), a point that Chabot backs up with comparative analysis. Against these rules lay a demographic reality that daughters might well come to inherit from their mothers on intestacy in the absence of sons. Later practices of limiting marriages to one son would further weaken succession in direct line and elevate women's inheritance to vital levels, necessitating ducal legal reforms in 1620 that gave some access to maternal descendants, were no agnates within eight degrees present. This crisis in succession patterns in Florence has also been invoked recently by Philip Gavitt in his study of grand ducal charitable institutions.[3] Yet this measure of 1620 would also indicate that Florentines were capable of and did keep track of relations through women, even over generations and not simply during the singular relationship in a marriage. There is a history yet to be written (if sources for it are scarce) of relations between brothers and sisters, or sisters' children, for example.

Chapter 2 proceeds to the subject of testate inheritance. Florentine women had recourse to testaments far less often than women elsewhere, or at least in contrast to Venetian women. As an act that tended to derogate from intestacy norms, if only by providing bequests to designated recipients aside from the heirs, the testament was carefully employed and women's use of the testament was circumscribed. In 1415 Florence, like other cities, had legislation limiting testamentary capacity of women; their wills could not prejudice the rights of husbands and sons. Such a rule, however, could do nothing to change one major factor behind testaments' departures from intestacy rules, namely demographic events. But it could play against the other derogative factor-individual strategies and subjective options. Here perhaps more could have been made of the individualistic nature of ownership in civil law, for which the testament was tailor-made, whatever the imperatives of household and lineage concerning the uses of property

and its transmission. Still, some rules seemed to hold most of the time. Comparing 440 male and female testaments in chapter 3, Chabot finds that Florentines held to equal division among sons and among daughters to equal dowries, illegitimate children being a whole other matter. Men's testaments, however, rarely left bequest to relatives linked through a female (less than 5 percent), whereas women's were more bilateral in their attentions. Men's and women's wills looked to provide sums for dowries of unmarried relations and widowhood support, including the right of *tornata* to the natal home. All Florentines were conscious of the fragility of demographic survival of a line of descent and so, at least from the mid-fourteenth century, began to stud their wills with clauses of substitution in case the designated heir or subsequent designees died without male issue. Three of every four female testators followed the legal and social norms of favoring male descendants over female.

Chabot displays a fine sensitivity to the tensions between sons and daughters, as the former remained under paternal tutelage and effectively propertyless, while the latter received their dowries and departed into married life and possible motherhood with a man unrelated to them. Paternal pressure might extort a renunciation of any further property, including a share of the maternal dowry, on the part of a marrying daughter, although one might still wonder if some of these renunciations were not in fact made from something like the gratitude typically expressed in the notarial documents. Tensions also flared when the time came to honor testamentary bequests, even including the rights of *tornata*.

Testaments also gave rise to disputes, often involving debts on the estate. And the first debt to be settled on an estate was return of the dowry, for which the wife was a privileged creditor. After 1350, under the conditions of the demographic reversal of the plagues and a noticeable inflation of dowry values, fathers sought greater assurances regarding the effective return of dowry to their daughters, who were in all probability considerably younger than their husbands, especially among the social elite whose lives are reflected in the *ricordanze* Chabot employs. Yet here again is a paradox, for those widows recovered their patrimony and had the probability of remarrying into someone else's family. The typical dowry in cash gave the wife a credit on the estate, but it identified that credit with no particular asset and thus could easily be delayed in its return, even though that obligation was fully attested to in notarial instruments and represented an incontestable legal guarantee to the woman. Chabot culls statistics from household accounts to trace growing dotal values and the consequent need to increasingly involve more men than just the husband in the obligation for return. Florentines of some wealth turned to the expedient of purchasing shares in the public debt in their wives' names as a dotal credit. As dowry values escalated, so did the complexity of the instruments of surety for dotal restitution. If not always acting to the advantage of such women, Florentines were obviously interested in those who married out and carried substantial wealth with them. Because the dowry was the woman's property, it, or portions of it, could not be alienated without her consent. Some Florentine wives were quite capable of exercising their essential veto power over their husbands' maneuvers, and they could demand their dowry back, even in their husbands' presence, *constante matrimonio*, if the patrimony was in danger of being gobbled up by debts, of which hers was primary and privileged. On these matters she finds perhaps more female agency than Bellomo, for one, posits in examining how the law shaped male dominance in the household. Nondotal goods a wife brought with her were also subject to spousal control and even subject to premarital pacts.

The second part of *La dette des familles* confronts the rituals of family alliance as expressed in the weddings that cemented them and the funerals that observed their dissolution. Decades ago Klapisch-Zuber pointed to the importance of marriage rituals in proclaiming the position of women and their dowries in the houses they came from and married into. Chabot follows her lead, while adding into the mix the definitive exit from the relationship, if not also the house, at death. As she notes, "nothing is definitively acquired and, paradoxically, the alliance is not truly concluded until the couple which is its origin is undone by the death of one of the two" (p. 193). Chabot's eye is on the telling details that make it plain that, while the wife clearly transferred to another house, and was subordinate to its head, and celebrated for her expected fertility, the widow was the shadow of a no longer extant marriage–marginal, yet also endowed with substance, if clearly not that of a paterfamilias. The goods exchanged between the spouses, even in anticipation of marriage, which remained separate through marriage, were returned or were supposed to be on death. But by the end of the fourteenth century surviving husbands began to hang on to the trousseaus of their dead wives. "In Florence of the mid Trecento the return of the two nuptial coffers to the family of the deceased spouse evoked a very primitive conjugality. It is a bit as if sterile women were unable to leave a visible trace of their passage into

the wedding chamber and the house of their husband; let us add that very often they are not even interred in the marital tomb but choose to rest in the tomb of their natal family" (p. 232). By the sixteenth century typically only one of these chests was returned, and the presence of the wife was not so aleatory. Conversely, provision of widow's dress spoke to some sort of continuity and loyalty to a dead husband and his relatives and even to his possessions. Testaments left widows provision for clothing, but this remained under the control of the husband's house. This "fictive" gift was more metaphor than anything else, "for, far from envisaging the free disposal of clothing and rings, it sanctions above all the definitive acquisition of the body of the woman who has brought them to him and his lineage" (p. 248). Bejeweled and sumptuously arrayed Florentine wives were also visible evidence of the credit-worthiness of their husbands, as Evelyn Welch has shown.[4]

Chabot is most sensitive to the plight of widows, especially those young enough to face family demands to remarry. She begins her third part, entitled, with some irony, "Le jeu de familles," with the account of Lena Davizzi, who in 1422 defied her brother's wishes that she remarry and chose instead a religious vocation. The irony of her enclosure in a convent coinciding with her brother's incarceration for debt in far-off London cannot be missed, and is conveyed with Chabot's transcription of three letters regarding this incident in a brief appendix. Davizzi's is a singular story, as young widows "lost practically all freedom of choice" (p. 268) to their family of origin. It is with regard to widows that Chabot comes most evidently, if still implicitly, to part from Klapisch-Zuber's more pessimistic assessment of the position of Florentine women. Chabot goes beyond the image of the remarrying widow as "cruel" to her children in order to investigate her standing with her natal family and with her new husband. Throughout the book Chabot also finds moments of legal and economic agency, few and far between as they were, not only for widows but even for wives.

Remarriage put the interests of natal and marital families at odds, over dowry and over the guardianship of minors, which a widow could exercise (indeed was preferable on the grounds of maternal affection in the eyes of the law and because she could not hope to inherit from the children and thus exploit the position of guardian for her own gain) as long as she remained unmarried. In this entire third part, if only because the number of cases that can be retrieved is relatively small, Chabot works by microhistorical vignettes. These explore the complexities, conflicts, and anomalies of widowhood, rendered more problematic by dowry inflation. A number of young widows also had children. If they chose to remain with their children, to become in effect the head of the household, they gained that authority only by "the double renunciation of the pleasures of the flesh … but above all of the pleasures of wealth" (p. 278). They gave up return of their dowry, as it remained among household possessions, to be inherited by the children on intestacy or by those the widow designated as heirs or legatees in her will (within statutory restrictions). Thus the deceased husband, whose will often directed clothing and support and even more to the chaste widow as enticement to remain with the children, made sure, says Chabot, that she did not acquire the sort of large control of resources that her husband had enjoyed. Rather she remained in a subordinate position as creditor for her dowry, receiving support but being unable to dispose of its capital. Men of the husband's lineage served as fellow guardians with her and paid careful attention to her doings. Still, there are enough legal cases to show that widows as guardians did reclaim their dowries and manage them, even as Chabot concedes, when doing so saved that portion of the household's assets from debt claims. Widows without children had no reason not to seek return of their dowries. The problem for their husbands in their wills, or for their heirs, in the division of property, was to maintain the integrity of the patrimony, its key assets. But husbands in such situations were also at time generous with additional bequests, signaling "a disinterested gesture of conjugal solidarity" (p. 307). A wife as creditor did have some power and room for activity, though husbands and the law were not eager to see it used. Older widows, less prone to leave for remarriage, continued to live with their likely older children and come into conflict with grown sons as they became head of the family.

For those who did remarry, return of dowry was imperative. This legal right was asserted repeatedly by jurists and legislators. Yet Chabot finds that this legal guarantee had a "relative efficacy" (p. 314). Conflicts between families, exacerbated by the usually quick move to remarry a young widow, led to delays in returning assets to such "cruel" mothers. For their families there was often a need to augment the original dowry to compensate for the bride's age and previous experience, which further raised their need for cash. Chabot offers the example of Tancia Bandini as a young widow returned to her family, into a regression to the status of daughter to await her father's negotiations to have her remarry.

Florentine law, as Chabot has it, had as a fundamen-

tal principle to deny the mother-child tie in succession, notably so in directing her dowry to the second husband if she remarried. Inheritance ties through women thus arose, she says, not from a blood link but from a social link. In consequence uterine brothers had no rights of succession to each other, "for having only the mother in common did not create a tie of blood" (p. 339). While Florentine law certainly seemed to set out such principles, and occasions for uterines to succeed each other or together would have been statistically infrequent, such a right in fact did exist in civil law and cases at least went forward to assert such claims (not always successfully, to be sure). There are dimensions of law outside Florence that did come to influence Florentine law, mainly through university-trained legal personnel resident in the city, as the example of a wife's claim for dowry when her husband verged on bankruptcy, which was conceded by statute only in 1415 after a number of cases had arisen in Florence and drawn the attention of lawyers. Similarly, while it can indeed seem that Florentines were inclined to marry a widowed mother "only if she ceased to exist for the children born of a previous union" (p. 344), there are instances recoverable from fiscal and other records of uterine siblings residing together and of mothers bequeathing something to their first husband's children. As Chabot concedes, in the elite and in more humble classes, things depended on what the widow could negotiate with the second husband.

Chabot's underlying concern is how women, in their various roles as wives, mothers, and daughters, faced with a patrilinear logic that would erase them from the genealogy, nevertheless inscribed themselves in family memory. Hence she makes testaments so central in her analysis, from her sense that women had to choose between "options capable of revealing the complexity of a familial identity which cannot be linear but is no less strong" (p. 371). Women simply contributed to both lineages and were well aware of the value of their contributions. They made themselves part of family memory in bequests, often for dowries, and in their choice of burial place. They gave expression to the strength and weakness of the conjugal couple, living together and parenting but also keeping separate possessions. Men took part in the collective existence and memory of one line. They faced no choices. Women did. They had multiple ties. While men directed property in succession to maintain the family name, women wanted to regulate the passage of their property over time to reestablish "a certain equilibrium between their two lines of belonging" (p. 393).

Paradoxically, one might read Chabot as saying there was more freedom, of a sort, for women than for men. If men existed in a realm without choice, it may well be that there was more than one "debt" of families. Men's lives too were bound to family and mechanisms like dowry. Masculinity too was shaped in this crucible and certainly severely tested in circumstances in which the resources were lacking to sustain patriarchy. Men too had their spouses chosen for them, if perhaps less often or less forcefully than for women. Men may have been freer to move around and negotiate business, but in the agonistic spaces of the city's streets, shops, and political arenas men had to contest with others for family wealth and prestige. How did this system serve them? Did it?

The paradoxes Chabot so finely raises about dowry and inheritance propel to the forefront other questions about family, wealth, household management, guardianship, and more. Foremost, perhaps, is the question of how far we are to take Chabot. Are her findings exportable, as it were, to other cities? We already know from her extensive comparisons that Venice was a different case (if not quite as different as some have thought). What of Bologna? Milan? Or southern Italian communities such as Naples or Palermo? Others must now step forward to explore dowry and inheritance in other areas. What Chabot has done so well, and what one asks of a truly superior historical study, is to raise new and intriguing questions for inquiries that are indebted now to her.

Notes

[1]. Anna Bellavitis, *Famille, genre, transmission Ã Venise au XVIe siÃ¨cle* (Rome: Ãcole FranÃ§aise de Rome, 2008).

[2]. Julius Kirshner, "Maritus Lucretur Dotem Uxoris Sue Premortue in Late Medieval Florence," *Zeitschrift der Savigny-Stiftung fÃ¼r Rechtsgeschichte, Kanonistische Abteilung* 77 (1991):111-155.

[3]. Philip Gavitt, *Gender, Honor, and Charity in Late Renaissance Florence* (Cambridge: Cambridge University Press, 2011).

[4]. Evelyn Welch, "Women in Debt: Financing Female Authority in Renaissance Italy," in *Donne di potere nel Rinascimento*, ed. Letizia Arcangeli and Susanna Peyronel (Rome: Viella, 2008), 45-65.

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