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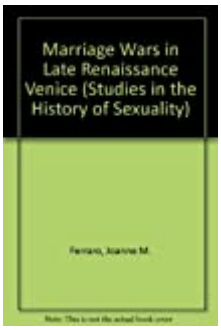

Joanne M. Ferraro. *Marriage Wars in Late Renaissance Venice.* Oxford and New York: Oxford University Press, 2001. xviii + 221 pp. $35.00 (paper), ISBN 978-0-19-514496-3; $50.00 (cloth), ISBN 978-0-19-514495-6.

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Published on H-Italy (May, 2003)

Divorce, Venetian Style

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"Failed intimacies" is how Joanne Ferraro characterizes the troubled marriages that came before the Patriarchal Court and, in related property matters, before secular tribunals between 1563 and 1650. Venetian marital problems, she finds, ran closely parallel to those of the present, with variations arising from "marriage strategies that prioritized family, honor, class, and wealth over affection and compatibility" (p. 3). As family marriage strategies were potentially in conflict with the Tridentine Church's emphasis on the sacramental rather than contractual side of marriage, with its privileging of the free will of the partners over parental wishes and arrangements, the treatment of disputes in the different courts was not a simple matter. Petitioners seeking annulment or separation (usually women) had reasonable prospects for success. There was judicial sympathy for the plight of women who complained of spousal mistreatment or abandonment.

Ferraro's approach emphasizes the narratives of the litigants recoverable from court records. Following the psychologist Mary Gergen and taking cues from Natalie Zemon Davis's *Fiction in the Archives*, Ferraro reads these narratives as ways in which individuals understood themselves and their lives in terms of a repertoire of cultural forms through which they fashioned a story to sway the court.[1] Most of these cases were brought initially by women, who were more likely to have been successfully constrained by family at the time of marriage, who were more reluctant to face the consequences of resisting their parents, and who could not so easily abandon a relationship as men could. So the cultural repertoire at play in these narratives was also an essentially gendered one.

A postmodern sensitivity to texts, even legal ones, precludes reading litigants' accounts as transparent presentations of the historical reality of their words and deeds. But especially in cases such as these marital disputes, where views of reality were opposed, competing, and contested, no one account could ever be taken as totally true by historians. Ferraro keeps her readers aware of the constraints and possibilities that the laws placed before these litigants. Because she has read widely across the judicial archives (a couple hundred cases), she has spotted regularities, patterns, and tendencies with which

she can offer a sense of the plausibility of accounts. The consistent presence of legal professionals in the proceedings ensured the equally consistent presence of the same terminology and "created a language of complaint over time for marital litigation, giving the annulment and separation scripts formulaic qualities" (p. 25).

The first chapter of *Marriage Wars* is all about context–the cityscape of Venice, the procedures of the Patriarchal Court. Because the patriarch was a Venetian patrician, the patriarchate was strongly linked to the values and outlook of the Venetian elite. The success of female petitioners seeking annulments shows how, at times, their tales of abuse or mistreatment had resonance with the court against a predilection to maintain existing households and marriages, even bad ones. The context that is not supplied here is a comparative one. Forced marriages and domestic disputes have been the subject of other historical investigations, and placing them alongside this Venetian material could have led to some interesting conclusions.[2]

In the circumstances, petitions for annulment could plausibly rest on only a limited number of grounds. Petitioners claimed that they did not consent freely to marriage, that sexual dysfunction had precluded consummation, that one partner was in fact bigamous, or that the spouse had abandoned the marriage. Ferraro pursues these cases in a narrative presentation across the remaining five, carefully scripted chapters. The cases she covers under the heading of forced unions, in many instances, interestingly, involved marriages of some duration–twenty-five years in one case. Litigants, no doubt coached by attorneys, struck the chords (e.g., "I said yes with my voice but not with my heart") that gave room for the decree of Trent to be invoked to annul the marriage. The real stories of these marriages need not be told; they had to be reduced to the plausible and acceptable scripts. So tales of coerced consent from fear of physical violence or disinheritance dotted the records. Fathers of these would-be ex-brides even came forward to confess their resort to threats against their daughters. Such was only one form of continued interaction between the woman and her natal family.

Paolina Pirron, for example, told the court in 1629 that she had been coerced into marriage and consummation by her father, sixteen years before. She had lived with her husband only three months and claimed never to have consented to the situation in that period. Her father, mother, mother-in-law, and husband even all deposed as witnesses on her behalf. However, Paolina's case also throws into contrary relief Ferraro's assertions that these cases show women exercising individual choice and agency. That was not always the case. Assertions that Paolina was never reconciled to the marriage because she always wanted another man do not speak powerfully to individual choice after sixteen years. Daughters, however, were not the only women active in these suits. Ferraro finds in fact "that strong-willed mothers were a common theme in the petitions for annulment" (p. 55). She also offers an analysis of themes from *commedia dell'arte* in parallel with her cases to show how much common ground they shared.

By and large Ferraro's cases did not engage the very elite of Venetian society, for whom more honor and property were at stake in marriage. Those somewhat lower on the social scale were freer to write or rewrite the narrative of their marriage. But even patricians could disclose a variant set of attitudes to sexual behavior, with contributions from kin, servants, neighbors, or even midwives. Litigants seeking annulment on grounds of nonconsummation or impotence may provide a rare glimpse into the sexual expectations of Venetian couples, but information generated in a litigious setting from dysfunctional couples would also seem to be several levels removed from reality. A few litigants argued that the inability to complete intercourse was the consequence of their partner's lack of love for them. Legal examiners, including clerics, also demonstrated knowledge of sexual practices and the existence of various potions to cure impotence. The case of *Dona* Felicita, who shifted from seeking annulment on grounds of impotence due to her husband's smelly disease (gonorrhea) to claiming her mother had forced her to marry, shows how much these stories were a matter of legal posturing. Courts took account of the credibility of witnesses, and that credibility was carried by expression, gesture, and other matters that gain no purchase in the written record.

The fourth chapter serves up an intriguing variation on the theme of forced marriage. Former concubines of Venetian patricians were forced into marriage with lesser social figures in order to ease patrician family concerns about the ambiguity of the marital states of younger sons not destined by the family to marry and carry on the legitimate line of descent and inheritance. Not all such women went quietly, nor did the sons give them up. The men who eventually married them did not accord them loving treatment either.

Petitions for separation typically alleged physical mistreatment by a husband, seeking economic indepen-

dence and separate residence. Witnesses were summoned to corroborate wives' stories of their husbands' cruelty toward them. Many women sought aid and comfort from their natal kin. Husbands, whose reputations were at stake, claimed either that they were good providers and caring spouses or, vindictively, that their wives seeking separation were adulteresses. Success in the counterclaim would net the wive's dowry for the husband. Such tales of violence and other abuse justifying separation, however, were not unique to Venice. Ferraro's account, here and elsewhere, largely eschews comparative analysis and can thus foster the sense of exceptionalism that pervades historical studies of Venice.

The same can be said for the interesting final substantive chapter, which centers on dowry suits by wives against their husbands. The grounds for such suits were that the husbands were mismanaging their resources and squandering the assets of the dowry that was supposed to support the wife and children after his death. Rules protecting women's rights, even privileging their claims to retrieve dowries before those of other spousal creditors, were not peculiar to Venice. Work for an earlier period in Florence by Julius Kirshner provided the opportunity for comparison, but his work is only cited, not exploited. Daniela Lombardi's *Matrimoni di antico regime* (2001) was published too late for Ferraro to accommodate its findings, but readers will want to examine Lombardi's capacious treatment of marital conflicts in the context of Tridentine reforms as a comparative context for Ferraro's work. Still, the fascination of these cases cannot be denied, especially that of Foscarina Memo and Giovanni Battista Misserini. He was a wealthy man who fell for the former prostitute and secretly married her to keep the misalliance from his father, who was predictably angry when finally informed. The marriage dissolved in a property dispute, as Foscarina went off on her own despite court orders to return to her husband. It is possible the ex-prostitute went back into the business.

Only carefully tempered conclusions can be offered to such an array of cases, seen in close detail rather than in statistical outline, and Ferraro is careful. She notes that physical and emotional attraction, while not required for arranged unions, were still desired; and their lack could spin marriages into oblivion, or court. To conclude, however, that "what these marriage wars reveal is that individual desires, even at the patrician level, overrode the broader principles of state that fueled the Venetian myth of peace and stability" (p. 160) is too myopic. It misses both the parallels to other places and the larger class of marriages that more quietly accorded with patrician values and social order. Even for Venice, there is another approach that has to be considered. Ferraro neglects the work of Daniela Hacke on forced marriages, which is based on the same sources she uses.[3] Hacke tellingly sees these cases as proof of women's ability to resist parental wishes and not merely to feign such resistance to end marriages years later. Her focus is on daughter-father relations rather than wife-husband. It is a tribute to the richness of the sources that both perspectives can be advanced. A confrontation of these two would seem to be the next step. The projected opening of an institute for the history of the family at the Universita di Trento should provide an institutional forum for such confrontation and further comparative research, to which Ferraro has undoubtedly made a singular contribution.

Notes

[1]. Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France* (Stanford: Stanford University Press, 1987).

[2]. As a few examples: Jenny Kermode and Garthine Walker, eds., *Women, Crime, and the Courts in Early Modern England* (Chapel Hill: University of North Carolina Press, 1994); Laura Gowing, *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford: Clarendon Press, 1996); Angeliki E. Laiou, ed., *Consent and Coercion to Sex and Marriage in Ancient and Medieval Societies* (Washington, D.C.: Dumbarton Oaks, 1993); and Jean-Claude Maire Vigueur and Agostino Paravicini Bagliani, eds., *Parola all'accusato* (Palermo: Sellerio, 1991).

[3]. Daniela Hacke, " 'Non lo volevo per marito in modo alcuno': Forced Marriages, Generational Conflicts, and the Limits of Patriarchal Power in Early Modern Venice, c. 1580-1680," in *Time, Space, and Women's Lives in Early Modern Europe*, ed. Anne Jacobson Schutte, Thomas Kuehn, and Silvana Seidel Menchi (Kirksville, Mo.: Truman State University Press, 2001), pp. 203-21, which is a translation from *Tempi e spazi di vita femminile tra medioevo ed eta moderna*, ed. Silvana Seidel Menchi, Anne Jacobson Schutte, and Thomas Kuehn (Bologna: Il Mulino, 1999), pp. 195-224.

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Citation: Thomas J. Kuehn. Review of Ferraro, Joanne M., *Marriage Wars in Late Renaissance Venice.* H-Italy, H-Net Reviews. May, 2003.

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