

MARRIAGE PATTERNS, HOUSEHOLD FORMATION AND ECONOMIC DEVELOPMENT

UTRECHT, 6-9 OCTOBER 2010

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Whom is the dowry useful to? Dowries, family economy, and marriage patterns in preindustrial urban Italy (Turin, second half of the 18th century)

This paper aims to investigate the relationship between marriage patterns and the family economy, especially the possibility for couples to sell the dowry in 18th century Turin.

As well know, in Roman law country the dowry was indispensable for girls in order to get into the marriage market. The dowry was a female property and was inalienable ; despite this, the law allowed couples to sell the dowry in specific contexts and situations.

According to previous studies on the topic, the alienation of dowry was a strong evidence of the fact that, during the *Ancien Régime* married women lost the control – and the right - to manage their property. At the contrary, this paper will suggest that in order to understand the meaning of the *alienazioni dotali* and why couples had recourse to them we should take into account the marriage patterns and the residential patterns of 18th century couples in Turin; it's necessary to understand the situations and the background in which people were compelled to ask for it. As it will explained, in this paper the notion of “life-cycle” will be crucial in order to understand this household dynamics.

In the first part of the paper I will describe the endowment system and the juridical procedure that allowed couples to sell their dowry. In the second part, some urban marriage patterns will be depicted in order to understand the meaning and the function of the *alienazioni dotali* in their context and situations.

Turin in 18th century

Since the end of the 16th century, Turin has been the capital of the Kingdom of Piedmont; the royal court and the officers were established there. At the same time, Turin had a strong artisanal and manufacturing vocation. Turin, and the Piedmontese Kingdom played an essential role in the international markets; during the 18th century Piedmont was one of the most important producer and exporter of raw silk — called the *organzino*.

According to the population census, realized in 1802, 40 % about of the population worked into the sector of manufacturing or run an artisanal activity. The boutiques and the ateliers of shoemakers, tailors and dressmakers, weavers, lace-makers, carpenters, goldsmiths, produced and sold luxury goods for the consumption for upper classes, the aristocracy at the royal court and the wealthy family merchants and bankers – moreover concentrated into the export of the raw silk.

Another 30% of the population was employed into a service activity, such as domestics, waiters and waitress, *femmes de chambre*, coachmen, horse grooms and porters, launders and ironers. The sector of the service activities was really stratified and was characterized by activities of different level and social rank, linked to different level of wealthy.

About 7 % of the population, was employed as writers, cashiers, bankers, or officers in the numerous administration buildings of the Kingdom. Finally, soldiers and militaries were about 3 % of the population, while aristocracy, rentiers and religious were 7%.

During all the 18th century, Turin grew rapidly; the demographical and economical expansion were rudely stopped at the beginning of the wars against France, at the end of 18th century. In its best period of growth Turin had ; while, at the end of the century, the population diminished until 60 000 units.

Migration was a structural feature of the urban population and moreover of the urban labour market. People arrived from country and mountains around the city in order to find a job in the capital. In the second half of the 18th century, migrants (people not born into the city) were up to 60% of the whole population.

What's the dowry?

Let's turn now the attention to the endowment and to the dowry. As well known, in Roman law country, the dowry was indispensable for girls of every social group in order to enter in the marriage market. Dowry was usually constituted of a notary's act – the endowment act - signed by the bride, the groom, and their parents or relatives at the time around the marriage ceremony.

In 18th century Turin, the dowry was compounded by two parts : a sum, usually paid in cash or with a credit or a private deed (or more rarely with a house or land), and a part of goods – clothes, linen, furniture, jewels – known as the *marriage trousseau*.

According to the law and to the custom of the Kingdom of Piedmont, the dowry and the marriage trousseau were personal property of the woman ; nevertheless, during the conjugal life they were put under the control of the husband who had the ownership and the right to manage them for the well-being of the family. Despite of this, and in order to protect the female property right, as

a general rule, the dowry was inalienable. When the husband died, the dowry was returned to the widow who now had the right to control and freely manage the dowry.

Of course, the value of dowry varied according to the social origin of the family, to the ambitions of the family; however, in 18th century Turin the most of the dowry were valued up to 500 *lire* and in some cases, the dowry was set up exclusively by the goods of the marriage trousseau while cash missed at all.

The origin of the money, of the goods and of the estate allocated for the dowry varied according to the social classes and to the wealth of the family.

The presence of the kinship network is a strong evidence of the fact that dowry was strictly connected with the inheritance system and that the dowry was often payed as the heritage portion. According to Diane Owen Hughes's famous article, published in 1987¹, the Old Regime dowry system was the result of extensive and meaningful changes in inheritance systems which took place at the end of the Medieval Age and which settled up in the Early Modern western Europe. During this period, a patrilinear inheritance system spread; families started to privilege a transfer of goods and estates towards the male heirs, while daughters, and more generally females, were excluded from the family heritage. In order to balance the loss of female inheritance rights, dowry was payed by way of heritage portion ; in obtaining a dowry, daughters were obliged to a formal renounce of other heritage rights.

This was also the situation in the Kingdom of Piedmont, during the 18th century. The Constitutional Chart of the Kingdom (the *Regie Costituzioni*), enacted in 1729, stated that « in order to promote the pride and the honour of the families, every girl to whom was formally constituted, or payed or made the promise to pay an appropriate dowry – « una dote congrua » - was excluded from other inheritance rights by means of the dowry itself»². According to the law, an appropriate dowry was a sum adequate to the social rank of the family and of the bride.

Of course, the priority objective of this law was to protect and to assure the unity and the continuity of great estates of aristocratic and wealthy piedmont families, but finally it affected and conditioned also inheritance practices and dowry payment in the middle and low classes. The dowry was considered the heritage right of the girl on the whole family estate. As a consequence, it appears that fathers, brothers and uncles were the most important actors involved in the endowment.

1 D. Owen Hughes, «From brideprice to dowry in Mediterranean Europe», in *Journal of Family History*, 7, 1978, p. 7-43.

2 “per la conservazione delle famiglie e il lustro dell’agnazione vogliamo che ogni femmina, alla quale sarà lasciata, promessa, o costituita una dote congrua, si da di lei ascendenti paterni, o materni, che trasversali, s’intenda, mediante il pagamento di detta dote”, in F. A. Duboin, *Libro Sesto, titolo XIV: della successione degli agnati, ed esclusione delle femmine*, pp. 218-219.

But the members of the family could also take part in the endowment in order to show their familial solidarity. Thanks to their bequeaths and gifts, they allow to the poor girl – often a granddaughter, or a niece or a sister in-law - to get married.

Dowry could be also established by the girl herself and by the means of her work and savings. Finally, in Catholic countries, “charity dowries” (*doti elemosinarie*) payed by charitable institutions or individuals were also very spread.

In the most situation, and moreover in popular classes, the dowry was often built up by a combinations of sums of different origins.

The “alienazioni dotali”

As said, dowry was inalienable by law. Nevertheless, in 18th century Turin couples could remove dowry from the constraint of inalienability; this was possible thanks to a juridical procedure known as *alienazione dotale*. By the means of it, couples could sell the goods or the estate on which the dowry was invested or could get the money by the creditor of the dowry itself. The first goal of the alienation was to allow couples to obtain concretely the dowry in cash.

This kind of archival resources have been neglected by historians; scholars emphasized moreover the relational importance of dowry. Indeed, the amount of the dowry which a family could provide was revealing of its social position and of its ambitions of social mobility. Thus, a very rich dowry lay the basis for good marriage opportunities and allowed to built up alliances with the most wealthy and influential families of the society. At the contrary, an inadequate dowry obliged the family and the bride to find a groom in a lower social group. For the same reason, a groom from a family involved in a process of impoverishment or loss of social rank was obliged to settle for a girl issue from a lowest social group and to accept a more modest dowry.

In spite of the importance of these results, which emphasise the relational character of the dowry, researches has neglected to pay attention to the economic role of dowry. In other terms, very few studies consider the use and the concrete employment of dowry during the marital life.

At the contrary this paper will stress and point out the relevance of the economic role of the dowry in the domestic economy of couples of 18th century and will analyse the use of it during the conjugal life.

Since Roman times, the dowry was a female inalienable property. During the Middle Ages, in many areas of Italy, the impact of the Lombard law promoted the diffusion of a *dos aestimata*, that is a dowry payed in cash and by items, instead of a dowry payed with lands or houses. This

transformation opened the way to the dowry payed in cash and, of course, also to the possibility of selling the dowry³.

Also in the Kingdom of Piedmont during the 18th century, the dowry was a female inalienable property. In spite of this, according to the *Regie Costituzioni* – the constitutional chart of the Kingdom – the couple had the right to sell the dowry – or a part of it - or to obtain rapidly the payment in cash. This was permitted in situation of economic difficulties, for the advantage of the members of the family, to free someone imprisoned for debts, or in order to support a familial economic activity, such as a craft atelier or a shop. As a general rule, the alienation was permitted in order to assure the survival of the family (“il sostentamento della famiglia”)⁴. Indeed, under the influence of the ancient Roman law, the Piedmontese law conceived the dowry as a concrete resource to be used and employed during the marital life.

The alienation of dowry was possible by means of a civil procedure; couples had to addressed to the civil courts of the city, for example to the *Senato di Piemonte* – the supreme court of the Kingdom where judges were the Senators of the Kingdom – or to the *Giudicatura*, the most popular civil court, active in all the cities of the Kingdom. To open a civil procedure of *alienazione dotale* couples sent to the King a plaint; they explained the conditions and the terms of endowment, the motivations of the request and the economic situation of the family. Once the royal patent obtained, couples went into a trial and in front of the civil judge, they had to present witnesses and proofs. Finally, if the judgement was positive they obtained the dowry in cash from the creditor or they sold the goods and/or the estate. At the end of the procedure some different notaries’ deeds were set up; and precisely in the archives of two notaries employed at the *Giudicatura*, I found out 188 trials concerning dowry alienation established in Turin between 1765 et 1780.

Social and professional position of couples

What was the social and professional background of couples asking for dowry alienation? All the social groups were involved. More than a half of the dowries – that is 108 on the whole of 188 dowry, equal to 57% – is priced up to 500 lire ; another 21% of the sample is valued until 1500 lire.

Let's turn now the attention to the professional background of the bridegrooms. A large range of jobs and professions were involved. Husbands were concentrated in artisanal activities, as shoemakers, tailors, distillers, wig-makers, tanners, goldsmiths; they were merchants, retailers,

³ M. Bellomo, *Ricerche sui rapporti patrimoniali tra coniugi*, Giuffrè, Milano, 1961.

⁴ F. A. Duboin, *Raccolta per ordine di materia di leggi, editti, manifesti* cit., Lib. VI, Tit. XXIII, *Dell'alienazione de' beni de' minori, delle femmine ed altre persone e corpi privilegiati*.

shopkeepers and innkeepers. They traded in textiles – especially in silk tissues -, clothes, bonnets, trimmings, leather goods and foodstuff. Among the couples asking for the alienation of dowry, the presence of domestics, waiters, cooks and porters was remarkable as well as soldiers. Finally, there were lawyers, notaries, employes, penmen and only one nobleman.

Concerning women work, we can find all the typical jobs and occupations of *Ancien Régime* women work : they were seamstresses, waitresses and they run little foodstuff retailers.

The limited presence of couples issued from aristocracy or from the upper social groups of the city does not mean that they did not ask for the dowry alienation; because of the considerable values involved, they were obliged to address their complaints to the *Senato* of Piedmont, where, indeed, we can find their civil trials⁵.

In conclusion, the alienation of dowry was a very common and spread experience for all social groups, from low and middle groups to the upper classes of the society. At the same time, and in spite of this, beyond the civil procedure, that was the same for all the social groups, motivations and causes at the origin of the request were different and engendered by different family strategies.

The alienation of dowry : an evidence of impoverishment or a household resource? Some good reasons to sell the dowry

In 18th century Turin, the recourse to the judge and to the procedure of the *alienazione dotale* was spread and very well known.

What does it mean? In the past, previous studies pointed out that the dowry paid in cash (and not with land or houses), or the possibility to sell the dowry were evidences of the change in the function and in the meaning of the dowry in Mediterranean countries; especially they testified of a deterioration of the relationship between women and property.

Firstly, the dowry payed in cash could be spent immediately in the market; secondly, according to other researches, the alienation of dowry was expression of the marital puissance and was the result of his control on the property of the wife. As a consequence, the dowry was often sold by the husband in order to pay his debts or his creditors, that is, for his personal interest and not for the advantage and the well-being of the whole family. The husband exploited his wife's capital in order to remedy to a bad management, a bankruptcy or a bad business. Thus, the alienation of dowry represented the worst danger for the female property.

⁵ See for exemple : AST, *Senato di Piemonte, Alienazioni dotali*.

In spite of the historiographical relevance of these approaches, this paper would suggest that the practice of the alienation of dowry should be understood taking into account the situations and the contexts in which alienation was turned into practice.

Let's consider for example the reasons and the motivations that compelled a couple to sell the dowry. According to the law, in the notarial deed set up after the judge's decree, the couple was obliged to pay off its debts; acts were very detailed and the name of the creditors, the reasons of the debts and the amounts were recorded. If there were no creditors, the couple could keep all the dowry.

In the sample here considered, one third of the couples involved into the alienation - 57 alienation procedures over the whole of 188 – obtained the money but did not use it at all. At the contrary, the remaining couples (131) employed the money of the dowry immediately.

In 55 situations over 133, couples used the dowry in order to take over a shop or an inn or in order to pay suppliers for goods or items for their shop or craft. We can consider the case of Domenico Riccio and his wife Benedetta Novo. In March 1780 they buy out an inn (« un negozio di osteria ») priced 810 *lire* and 6 *soldi* from Giuseppe Simonda and Giovanni Toso⁶. The couple pays immediately 30 *lire*, and two months later it asks for the alienation of the dowry of Benedetta. Thanks to this, they obtain 750 *lire* and use it in order to pay the inn⁷.

The same result arises from the case of Michele Vigada and his wife Francesca. In April 1770, Michele takes over a distillery and an artisanal shop for the production of candies and preserves, priced 6000 *lire*. Michele pays immediately 4500 *lire* and two months later he adds other 2000 *lire*, the amount of the alienated dowry of his wife⁸. In both situations, the short delay between the purchase of the inn/shop and the procedure of alienation allows us to understand the strategical use of the dowry in *Ancien Régime* household economy.

The second reason that compelled couples to set up a trial for alienation was the necessity to pay back money or to redeem objects from the pawnshop. This situation concerned more than 40% of the households; in order to get cash, couples lend money from individuals (40 couples over 131) or put their goods, clothes, linens and jewels at the pawnshop of the city.

Charges and daily expenditures for survival were other reasons for selling the dowry; more than 35% of the couples had to pay house rent in arrears, while more than 33% of households were obliged to buy foodstuff, clothes and furniture on credit.

⁶ AST, Sez. Riun., *Insinuazione di Torino*, a. 1780.

⁷ AST, Sez. Riun., *Notai di Torino, I versamento*, vol. 2777, ff. 349r-359v.

⁸ AST, Sez. Riun., *Notai di Torino, I versamento*, vol. 2754.1, ff. 449r-461v.

Finally, a minority of couples used the dowry in order to pay the surgeon or some medicines or to pay the wet nurse or the apprenticeship for the children; however, only in one case, the money of the dowry was explicitly used to liquidate the debts of the husband.

Marriage patterns and alienation of dowry

In order to understand the meaning of the *alienazioni dotali* and to depict some patterns another point should be clarified : the laps of time between the establishment of the endowment act and the decision of the couple to go to the civil court of the city and to ask for the alienation. In the complaints, couples described in details the different terms and conditions of the endowment; thanks to this we can establish a correlation between the beginning of the conjugal life and the moment in which the bridegrooms decide to sell and use concretely the dowry.

If we consider only the couple asking for the dowry for the first time – 103 cases over 188 – three different patterns can be depicted:

- 1) more than a half the couples (46 cases) has been married from 5 to 15 years;
- 2) 15 couples have been married from 1 to 2 years;
- 3) 22 couples have been married more than 15 years⁹.

In the first case, it appears that 25 couples over 46 have numerous children and babies and one wife declare to be pregnant. Furthermore, more than 70% of them have debts. As a consequence, here the alienation of dowry is clearly set up in order to allow to families to bear up against a difficult situation in their life-cycle. When the household resources were not sufficient in order to assure the survival of all the members of the family, the alienation of the dowry was a strategical choice.

At the contrary, if we turn the attention towards couples recently married we discover that for them the alienation was mostly and strictly connected to the necessity to take over and buy a shop or a inn or to provide a retail or a craft shop with supplies. In this case, the dowry was really a long term investment intended to assure the future – and the prosperity - of the new household.

Finally 22 couples over 103 asked for the alienation of dowry in another crucial phase of the life-cycle, that is more than 15 years later the beginning of their conjugal life. This patterns concerns clearly aged or quite aged couples; in this case the dowry is a capital to be use in order to assure the survival of the bridegrooms not more able to work.

⁹ For 20 couples at the first procedure of alienation, data are not sufficient in order to describe their marriage and endowment patterns.

Finally, the analysis shows that the alienation of dowry was engendered by different family strategies ; the decision to ask for the alienation and to go on a trial in front of the civil judge for the city was determined by the phase of the life-cycle of the household - namely by the presence of children or by the age of the bridegrooms - and by the economical conjuncture and the demographical events of it. As a consequence, the dowry was really a flexible resources for the families of 18th century Turin and not only a capital intended to be maintained and inherited all long the generations.

The alienation of dowry : a way to obtain a “promised” dowry?

Until now, I've discuss the possibility to understand the alienation of the dowry as a mean to assure the survival of the family. But, in order to understand the meaning of the *alienazioni dotali* another point must be emphasized: timing, terms and conditions of the endowment. In spite of their importance, these factors have been seldom taken into account by scholars, but according to my research, these are essential points¹⁰.

In 18th century Turin, next to always, the wedding ceremony, the formal establishment of the dowry by a notarial deed as well as the payment of the sum did not take place at the same time; archival data show that the formal endowment by means of a notarial deed did not imply a prompt payment of the dowry. Indeed, according to the law, if the dowry was indispensable to the girl in order to enter into the marriage market, a promise of dowry was sufficient to consider the girl “endowed” and so able to get into the marriage. As consequence, in most situations, dowry remained usually an unpaid credit of the bride toward her family. Delays in payment passed from a generation to another and the dowry, not yet payed or payed by a credit, became a duty of the heir of people who constituted it. At the same time, the heir (or the heirs), were not alway ready to assure immediately the cash.

Delays concerning the payment of the dowry were essential questions in the family and they could shape the relationships among the girl and her kins charged to pay the dowry. If the bride's father or the bride's brother were most frequently concerned in the dowry, often they could not immediately pay the sum, nor in a short lapse of time.

For this reason, we should consider also the *alienazioni dotali* as a legal way used by couples in order to obtain in cash and immediately a “promised and never payed” dowry.

¹⁰ For important remarks on the topic see : M. Scardozzi, *Tra due codici: i contratti dotali nella Toscana preunitaria*, in G. Calvi, I. Chabot (eds.), *Le ricchezze delle donne. Diritti patrimoniali e poteri familiari in Italia (XIII-XIX secc.)*, Rosenberg & Sellier, Torino 1998, pp. 95-120.

