

# Engagement, Infidelity and Divorce: Aspects of Greek Family Relations during the Ottoman Era

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**Abstract:** *The present study sheds light to the social life of an Orthodox community under Ottoman rule, revealing aspects of family relationships, spouse's behavior, women's position and their rights in the local society of the time, communal affairs, long-standing local customs and traditions, the administrative mechanism of the community and the duties of Orthodox local administrators, their relations with the Ottoman officials as well as the Ottomans' attitude towards the Christian inhabitants. The article is based entirely on unpublished archival material of the 18<sup>th</sup> and 19<sup>th</sup> centuries. However, the family relations as well as the traditions and the administration of the community of Chios Island, seem not to differ from previous centuries, namely the 16<sup>th</sup> and 17<sup>th</sup> centuries as the same traditions and customs in matters of family relations and family law existed.*

**Keywords:** Greek Orthodox Community, family ties, local customs, *Demogerontes'* jurisdiction, Ottoman Empire, social life

## 1. Introduction

Following the Ottoman occupation of Chios in 1566 the island became a *sandjak* of the *eyalet* of the Aegean Archipelagos. The Sultans were favorably disposed toward the inhabitants granting them several concessions relevant to the freedom of religion, the regulation of trade taxation, testamentary dispositions, litigation, etc. These privileges created better circumstances for the inhabitants to organize more efficiently their lives and their enterprises whilst-at the same time-gave them the opportunity to protect their rights and limit possible malpractices of the Ottoman local officers at the expense of the population. Thus these privileges provided the inhabitants with certain political autonomy, cultural and social independence and a better financial development. In this context, in the present paper we are going to discuss aspects of the Chiot's family and social life.

## 2. Dowry Contracts and Customs of Endowment

Dowry contracts provide important evidence for the social and economic life of the inhabitants of Chios during the 18<sup>th</sup> and 19<sup>th</sup> centuries. The documents were drawn up by the local notaries and signed in the presence of two witnesses in order to be valid. These dowry agreements refer to the property endowment from the bride's parents to her future husband.

The dowry agreements were drawn up almost a year before the wedding, whilst the date of the ceremony was usually specified in the document.

The dowry usually was handed over to the groom before the coronation. Both the father and the mother were obliged to endow their daughter, because this endowment was essentially the inheritance that the parents ought to bestow to their daughter. On the other hand it was the daughter's right to claim a dowry but following she was excluded from any other claim on her parents' property. In case the bride's parents had died, her grandparents or uncles endowed the bride, as well as her brothers and sisters usually endowed their orphaned sister from the

property of their deceased parents<sup>1</sup>. For example, from the studied archival material, we are informed that three sisters and their spouses endowed their younger sister with cash from their paternal inheritance. Furthermore, there were instances where the bride herself, quite frequently, being orphaned and without siblings, endowed her future husband from her "paternal property"<sup>2</sup>.

The dowry was exclusively the wife's property, who was able to dispose it as she wished. She had the indisputable right to sell it with the consent of her husband. The latter simply had the usufruct and management of the dowry, but in case of divorce the wife had the right to claim back her dowry in its entirety. Also, in case of the dowry's mismanagement by the husband, the wife was again able to claim "compensation", with the husband being obliged to satisfy her claim and restore her dowry with his own goods and assets.

In case the marriage did not take place within the pre-determined time limit, there was a penal clause that obliged the future husband to pay a sum of money, usually in the range of 4, 000 to 10, 000 piastres, with the ultimate goal to marry his fiancée<sup>3</sup>. Undoubtedly, this obligation was a motive for the man to conclude the marriage, especially since the fine was not insignificant at all. In some other instances extra time from that initially stipulated in the dowry agreement was granted in order the

<sup>1</sup>Σ. Καββάδα, *Θυμμανούσικα Έγγραφα*, Χίος 1956, p. 122, Doc. 47, 28/12/1832, where an uncle, in this case the abbot of the New Monastery, endows his niece with movable property and money from his own property, as well as with real estate, (e.g. houses, vineyards, fields) from her father's inheritance.

<sup>2</sup>See for example MS 1612, 22/10/1834, where a sister endowed her younger sister. Also in MS 1612, the sisters and their husbands endowed their sister-in-law. All documents cited in this study which are indicated with the initials MS followed by a classification number, are manuscripts located in the Public Library "Koraes" in Chios Island- Greece.

<sup>3</sup>MS 1612, 5/06/1861, MS 1612, 19/11/1861, MS 1612, 19/07/1862.

relatives of the bride to collect the dowry that was originally set. Usually the bride and groom came from the same social strata and financial group.

Also, it was not uncommon for the husband to offer certain premarital donations to his future wife such as gifts or money<sup>4</sup>. The premarital donation, which is found in both Byzantine and post-Byzantine legislation, was compensatory due to the dowry given on behalf of the bride's parents and was paid by the groom's family and sometimes by himself.

If the wedding did not take place at the fault of the husband-to-be, the bride had the right to keep the monetary gift or in case she returned the presents to the groom, the latter had to pay her a sum of money equal to the value of the gifts she handed back. There are cases where the parents of the groom also endowed their son before the wedding with his share of the parental inheritance.

If the wife died during the married life, her dowry-deducting a certain amount for charities for the salvation of her soul and her memorial services-was distributed half to her husband and the rest to her legal heirs.

### 3. The Demogerontes' Authority

The Demogerontes, namely the Christian administrators of the community possessed great power because they judged, decided and punished the native population as they saw fit. One of the chief duties of the Demogerontes was the apportionment and the collection of the governmental taxes, which were levied upon the town and the villages of Chios that were under their immediate jurisdiction. The Demogerontes were charged with securing financial resources to cover the expenses of the social institutions as well as to collect taxes, which they employed clerks to gather, so the community would meet the financial liability as laid down by the Ottoman Government. Furthermore, they had to deal with all kind of disturbances and troubles created at times by the Muslim inhabitants of Chios as well as to deal with private quarrels among the inhabitants. They also had to meet the demands both of the High Porte and the Ottoman officers of the island, and they were responsible for looking after all the ecclesiastical and monastic affairs of the island. Furthermore they were accountable for the well-being and security of the people as well as for providing appropriate education, health services, supplies of food and water to the inhabitants of the community. They also ought to keep up the old customs of their homeland, to defend the rights of the people as well as to supervise and protect the common peace and public order. The Demogerontes possessed great power because they judged, decided and punished the native population as they saw fit. One of the chief duties of the Demogerontes was the apportionment and the collection of the governmental taxes, which were levied upon the town and the villages of Chios that were under their immediate jurisdiction. As mentioned above, the Demogerontes within the framework of their

<sup>4</sup>MS 1612, 19/02/1845.

responsibilities exercised judicial power. The inhabitants of the island appealed to the Christian judicial authority of the island, asking for their intervention, their prudent advice in personal issues, as well as their assistance in resolving all their personal problems. The Demogerontes dealt with all the affairs of the private life of the inhabitants and if a member of the community deviated from the established order of the community and the local customs, which had the force of law, then he was punished accordingly, while in some cases the offenders were imprisoned for their delinquent behaviour.

### 4. The Mixed Ecclesiastical Council

From the end of the 1860s onwards, according to the Law of the Vilayets (1864) issued by the Ottoman Empire in the context of the *Tanzimat* reforms, judicial powers in Chios were exercised by the Mixed Ecclesiastical Council, consisting of both clergy and laymen under the presidency of the Orthodox Metropolitan. It should be noted that the cases heard by this Council do not differ from those that the Demogerontes had been called to arbitrate at earlier times. After the enactment of the National Regulations and especially from 1881 onward, with a circular of the Ecumenical Patriarch Joachim III, the trials of the metropolitan courts are limited to judge issues of marital disputes and endowments.<sup>5</sup>

### 5. Infidelity, abandonment and Compensation

In this judicial context, certain cases will be examined where although the engagement had already taken place, having also drawn up the required dowry contract, the husbands to be, had secretly left the island, renouncing their responsibilities most of the times. The relatives of the brides to be, appeared in front of the Demogerontes demanding the fiancées' return to the island in order to "fulfil their obligation". In case of refusal, the penalty imposed could be even imprisonment.

Examining thoroughly the documents cited in the Public Library of "Korais", we came across an instance where the fiancé had settled in the island of Syros doing business, whilst he was threatened by his future bride's father because he thought that his daughter had been abandoned. The prospective spouse did not refuse to marry the bride, on the condition that she would follow him to Syros. Meanwhile, her father had attempted to marry her with another man, something that enraged the first prospective husband. Therefore, in a letter to his parents he wrote: "I did not enter his house not even twice, he (the father-in-law) found another husband and even worse he allowed this man to be all day in his house. This man is Frangoulis Tambakis' son. He (the bride's father) also built a house for him. So what exactly does he ask from me now?"<sup>6</sup>

<sup>5</sup>Παπαστάθης, Χ., *Οι Κανονισμοί των Ορθόδοξων Ελληνικών Κοινοτήτων του Οθωμανικού Κράτους και της Διασποράς*, εκδ. Αφοί Κυριακίδη: Θεσσαλονίκη, 1984, pp. 10-11.

<sup>6</sup>MS 859, 9/6/1849.

Another interesting case is that of Dimitrios Maschas who was engaged with Lemonia, Zorzis Stakias' daughter. However this engagement did not stop Maschas from secretly boarding on a ship accompanied by another woman named Marigo, with whom he had been engaged at some time in the past before his engagement with Lemonia. Before fleeing Maschas had been visiting Lemonia at her home very regularly at least for a period of three months. Therefore he had dishonoured and disgraced her in the local community. Following Lemonia's complaints to the Demogerontes, they decided that the fugitive should be arrested and led back to Chios to fulfil his duty, and furthermore to set an example for other men who would possibly act in the same way as Maschas<sup>7</sup>. Nevertheless, the fugitive had already been married in Gallipoli. Eventually when Maschas arrived in Chios claimed that he was no longer an Ottoman citizen but a Greek citizen. Therefore the Demogerontes had no authority whatsoever to judge him and impose any punishment to him. On the other hand, the Demogerontes claimed that the man did not have any documents proving that he was a Greek citizen and demanded his punishment because "he violated the custom of our country and set a bad example to those who have the same deceitful plans"<sup>8</sup>

It becomes apparent that the Demogerontes made efforts to administer justice and protect the helpless members of the Orthodox community. For example, another document provides information about the case of Angelis Christodoulou who had sexual intercourse with a young girl out of wedlock. According to the document "the unfortunate unmarried woman gave birth to a child". However "the father secretly left to Constantinople". The Demogerontes were looking for the perpetrator to force him to return to the island and marry the unborn child's mother. However, when Christodoulou was located, he refused to return and take on his responsibilities, insisting that the child was not his own<sup>9</sup>.

## 6. "Illegitimate" Pregnancy

Examining the available evidence, it becomes apparent that the case of women getting pregnant without being married was fairly common. Some of them were getting married afterwards, if certain legal obstacles were surpassed. Such obstacles prohibiting a marriage although there was an extramarital pregnancy, was the close kinship ties between the couple. An additional barrier was the partner's engagement to another woman. In this case, the Demogerontes first of all had to give permission for the partner's engagement to be lawfully cancelled, especially if there had been a dowry contract registered in the notarial codex. Then the man ought to marry the woman who had left pregnant and carried his child<sup>10</sup>. Of course, at many instances these obstacles could not be surpassed and therefore a number of children who were born out of marriage eventually ended up at the institution for the "illegitimate children" (*Νοσοκομείο των Νόθων*), where

<sup>7</sup>MS 1561, A.D. 1842, p. 10.

<sup>8</sup>MS 1569, A.D. 1846, p. 18.

<sup>9</sup>MS 1029, 19/07/1837. See also: MS 1043, 20/07/1837.

<sup>10</sup>MS 758, 31/07/1856

these children were look after and brought up whilst the costs of their upbringing were undertaken by the community of Chios.

## 7. Intolerable Behaviour and Engagement Cancellation

From the studied documents it also becomes apparent that there were further reasons for the couple not to conclude eventually their marriage albeit the existence of a prenuptial agreement, that is the dowry contract. Specifically a reason that contributed to the cancellation of the engagement was the attitude and behavior of the fiancée who ultimately did not provide the "guarantees" of a future harmonious coexistence. In a relevant document we read: "In the hope that he would be an honest husband, an affectionate father and a loving family man, I am still engaged with him. However, having realized that after three months this man has none of the aforementioned qualifications, I request the official cancellation of the engagement"<sup>11</sup>.

The documents reveal another similar case where the plaintiff requested the annulment of the dowry contract because as the bride stated "following a trial period of two years I realized that he (the fiancée) lacks the qualifications of a good husband, father, and head of the family and –in addition to these–he has many other behavioral disorders"<sup>12</sup>.

On the other hand, there have been cases where women, due to their unacceptable behavior caused the termination of the engagement, because they had been in a relationship with a certain man and yet they got officially engaged with another signing up a dowry contract. There were even cases that women were still married with somebody, and yet they got engaged to another man signing also a dowry document. For example, we are informed about the case of Michael Tsagkrimanis whose fiancée was also the wife of a captain from the area of Vrontados. When Tsagkrimanis realized that she was still married and had not received a divorce, he immediately asked for the annulment of the engagement.<sup>13</sup>

## 8. Divorces and Family Mediation

From the studied documents we are also informed that on several occasions marriages ended following a formal divorce procedure. The women claimed alimony and demanded that their ex-husbands be consistent on the alimony payments. For example, we should mention the case of Despinou Georgiamenti, who filed a lawsuit against

<sup>11</sup>Unclassified document cited in the Public Central Historical Library of Chios "Korais", Lawsuit before the Joint Ecclesiastical Council of Chios dated 8 June 1889.

<sup>12</sup>Unclassified document cited in the Public Central Historical Library of Chios "Korais", Despina Georgoulis' lawsuit against Dimitrios Syriotis before the Joint Ecclesiastical Council of Chios dated 6 September, 1889.

<sup>13</sup>Unclassified document cited in the Public Central Historical Library of Chios "Korais", Lawsuit before the Joint Ecclesiastical Council of Chios dated 25 September 1885.

her husband Dimitrios "on alimony". The applicant requested the auction of her ex-husband's real estate so as to receive her compensation whilst she also demanded that he would not be able to sell or mortgage his property until her financial claims were met<sup>14</sup>.

Several times the Demogerontes acted as mediators between the couple in order to keep them in the marriage and bridge any differences between them. We are also informed about the existence of guarantee documents that were signed by the parents of the couple in the presence of the Demogerontes, promising that being the parents of the couple would definitely mediate for the couple's compromise and reconciliation.<sup>15</sup> For example, according to the content of a guarantee document, the father pledged to the Demogerontes that he would look after and protect his son's wife from the violent and anti-social behavior of the latter towards her. The Demogerontes approved the father's decision in the context of his effort to stop his son from insulting and disgracing his daughter-in-law and furthermore to keep him calm and quiet. The Demogerontes also emphasized that if the son ever tried to insult or humiliate his wife, the father would be the accountable to the Demogerontes for his son's behavior"<sup>16</sup>.

### 9. Child abduction and the Demogerontes' Intervention

In relation to the Demogerontes' juridical duties there is also an instance that demonstrates their power over the Ottoman local authorities. Briefly, in 1864 a scandal broke out in the local community when the Ottoman customs officer used gifts to entice a nine-year old boy away from his parents, allegedly with the aim of adopting him. The parents reported the incident to the Demogerontes and the Archbishop of the island, insisting that their child should be freed and return home. When the Demogerontes tried to take back the child, the Ottoman customs officer began spreading bad rumors against them, as well as the community, reporting that arms and gunpowder were being illegally imported into Chios.<sup>17</sup> Eventually the child was given back to his parents, but the problem with the Ottoman officer worsened as he threatened the local people even more. Following, the fearful inhabitants asked for the officer's dismissal.<sup>18</sup> They wrote a letter to the Demogerontes asking them to arrange the removal of the officer from his post<sup>19</sup> and furthermore they handed a copy of the same letter to the lieutenant-governor of the island.<sup>20</sup> Konstantinos Karatheodoris, the Orthodox

representative of the island to the High Porte, informed the Demogerontes sending a letter to them that the Ottoman government acknowledged the problem and would shortly resolve it.<sup>21</sup> In March 1864 the officer was still in Chios causing greater problems which provoked the complaints of the Demogerontes,<sup>22</sup> but eventually in April he was replaced.<sup>23</sup>

### 10. Christian Girl's Pregnancy by an Ottoman

The Ottomans at times provoked public opinion with their behaviour, as their actions offended the Christian ethos of the inhabitants. For example, a Muslim inhabitant had been holding as his hostage a girl named Lamprini since the time of the massacre of Chios in 1822. The girl was bought from the man and therefore she was his slave. The young woman "who became pregnant by the man. . . not suffering the Ottoman agha's tyranny anymore, escaped secretly taking refuge in her village". There her two brothers "embraced and cherished her, whilst-although pregnant from the Ottoman-she was eventually married to somebody from the village Dafnonas. The brothers endowed her with property, fields and vineyards, while her husband would pay the amount of 1600 piastres to the Ottoman agha as ransom of her release. Unfortunately, the husband passed away three months later. Three years later, Lambrini remarried. The second husband was the one who eventually "paid the 1600 piastres for her freedom".

Studying this incident it is interesting to comment on the several different aspects of the Chiot society at that time. For example, we learn about the suffering and disgrace of young Orthodox women due to the events of 1822, the strong ties among the members of the Chiot family with the brothers not feeling ashamed of their sister, but accepting, taking care of her and marrying her with an honest man who was willing to pay her ransom and-above all-accepting to raise an "illegitimate" child and even a descendant of an Ottoman Muslim.

From a studied document dated 1831, it becomes apparent that the obligations toward a children that came from another father, had been officially regulated by relevant notarial documents. Specifically, from a notarial document of the year 1831, we are informed that a widowed woman, having a girl from her first marriage and wishing to secure her child, signed an agreement with her second husband according to which from then onward he had the obligation to acknowledge the child as his own, take care of her, support and supervise her upbringing<sup>24</sup>.

### 11. Conclusion

In the studied documents cases of adultery, pregnancy out of marriage, cancelation of an engagement, divorce, corruption of a virgin woman, violent husbands only appear in the lower strata of the social pyramid. The

<sup>14</sup>MS1316, 12/04/1883.

<sup>15</sup>MS 919, 27/11/1846

<sup>16</sup>XΦ 919, 27/11/1846

<sup>17</sup>MS 1566, p. 49, 22/01/1864.

<sup>18</sup>MS 1566, p. 50, 29/01/1864.

<sup>19</sup>MS 1566, p. 51, 1 February 1864; in this letter the inhabitants also expressed their anger and dissatisfaction at the scandalous behaviour of the officer who had threatened them sating that unless the child were given back to him, he would give a bad report about the island to the Ottoman government.

<sup>20</sup>MS 1566, pp. 54-55, 3/02/1864.

<sup>21</sup>MS 1398, 26/02/1864.

<sup>22</sup>MS 1566, p. 61, 18/03/1864.

<sup>23</sup>MS 1566, p. 62, 8/04/1862.

<sup>24</sup>MS 1610, 16/03/1831



documents do not contain names of the upper class involved in such incidents. This does not mean that in the ruling class, on a smaller scale, perhaps, such incidents were unlikely, but these cases concerning the prominent inhabitants never reached the local jurisdictional courts. It is alleged that people of the upper class due to their financial independence or even because of their social status had the opportunity to cover up an "unfortunate" incident and never asked for compensation which would jeopardize the reputation of their family.

The documents examined in the present study are evidence of the family ties of an Orthodox community under Ottoman rule, as well as the social behavior of the inhabitants of Chios, their perceptions of dowry and marriage, the practices they followed in relation to these, but also the customary rules that shaped the social life of the island.

## References

### Manuscripts

MS 758, MS 919, MS 1029, MS 1316, MS 1398, MS 1561, MS 1566, MS 1569, MS 1610, MS 1612

### Printed Primary Sources

- [1] Καββάδας, Σ., *Οι κώδικες της Χίου*, Χίος: Περ. Α. Ιατρίδης, 1950.
- [2] Καββάδας, Σ., *Θυμianούσικα έγγραφα*, Χίος, 1956.
- [3] Καββάδας, Σ., *Αρμολούσικα: Από χειρόγραφους κώδικας*, Αθήνα, 1976.

### Printed Secondary Sources

- [4] Argenti, P., *The Occupation of Chios by the Turks (1566) and their Administration of the Island (1566-1912), Described in Contemporary Diplomatic Reports and Official Dispatches*, Cambridge: Cambridge University Press 1941.
- [5] Braude, B., & Lewis, B., (eds.), *Christians and Jews in the Ottoman Empire: the functioning of a plural society*, vol.1, New York: Holmes & Meier Publishers Inc., 1982.
- [6] Doumani, B. (2017). Family Life in the Ottoman Mediterranean. In *Family Life in the Ottoman Mediterranean: A Social History* (pp. i-ii). Cambridge: Cambridge University Press.
- [7] Kasdagli, A., «Dowry and Inheritance, Gender and Empowerment in the "Notarial Societies" of the Early Modern Greek World», paper in "Conference on the theme *Less favoured – more favoured in law and legal practice: Gender, power and authority, 12th – 19th centuries*" organized by members of the electronic site "Gender in European Legal History, 12th-19th centuries", Copenhagen 27-29 September 2004.
- [8] Sant-Cassia, P & Bada C. *The making of Modern Greek Family. Marriage and Exchange in the 19<sup>th</sup> century Athens*, Cambridge University Press, 1991.

- [9] Vlastos, A., *A history of the island of Chios, A. D.70-1822*, London 1822.
- [10] Βισβίτζης, Ι., «Οι μεταξύ των συζύγων περιουσιακές σχέσεις εις την Χίον κατά την Τουρκοκρατίαν», *Επετηρίς του Αρχείου της Ιστορίας του Ελληνικού Δικαίου*, τχ.1, Αθήνα 1948 (ανάτυπο).
- [11] Βλαστός, Α., *Χιακά, ήτοι Ιστορία της Νήσου Χίου από των Αρχαιοτάτων χρόνων μέχρι της έτει 1822. γενομένης καταστροφής αυτής παρά των Τουρκών*, Εκδόσεις Χαβιάρρα-«Χίος Ημερολόγιο», Χίος, 2000.
- [12] Γκίνης, Δ., «Το εξ εθίμων δίκαιον των Χίων επί Τουρκοκρατίας», *Ελληνικά*, τ. ΙΑ', 1939, σελ.299 κ. εξ.
- [13] Ζέη, Ε., «Ο γάμος, ο θάνατος και η ακίνητη ιδιοκτησία στην Πάρο τον 18<sup>ο</sup> αιώνα: πρώτες προσεγγίσεις», *Τα Ιστορικά*, τ. χ.20 (Ιούνιος 1994), σσ.53-70.
- [14] Κανελλάκης, Κ. Ν., *Χιακά Ανάλεκτα*, έκδοση «Χίος Ημερολόγιο», 1983.
- [15] *Κανονισμός του Μ. Εκκλησιαστικού Συμβουλίου της Ιεράς Μητροπόλεως Χίου*, 1874.
- [16] Κοντογιώργης, Γ. Δ., *Κοινωνική Δυναμική και Πολιτική αυτοδιοίκηση. Οι ελληνικές κοινότητες της Τουρκοκρατίας*, εκδ. Λιβάνη-Νέα Σύνορα, Αθήνα 1982.
- [17] Κούκου, Ε., *Διαμόρφωση της Ελληνικής Κοινωνίας κατά την Τουρκοκρατία*, Αθήνα, 1971.
- [18] Παπαστάθης, Χ., *Οι Κανονισμοί των Ορθόδοξων Ελληνικών Κοινοτήτων του Οθωμανικού Κράτους και της Διασποράς*, εκδ. Αφοί Κυριακίδη: Θεσσαλονίκη, 1984, pp.10-11.
- [19] Σαβοριανάκης Π., «Οικογένεια και γαμήλιες πρακτικές στο Νοτιοανατολικό Αιγαίο. Η Κως στο 18<sup>ο</sup> και 19<sup>ο</sup> αιώνα», *Μνήμων*, τ. χ.22, σσ.31-68