
The Western Archetypes of Albanian Civic Women in the Late Middle Ages (13th-15th centuries)

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Abstract

Background: Given the postulate that to judge the level of development of a society you need to know the level of emancipation of women, I am trying to address some essential issues regarding the socio-legal rights of Albanian women in the late Middle Ages. In this paper I will address, in a synthesized way, issues related to the status of women in urban settings in a particular area of Albania in the late Middle Ages, such as in Shkodra (Scutari), Durrës, Ulcinj, Bar (Antivari), etc. In contrast to data from customary law (characteristic of the rural and mountainous areas of local government in the Principality of Albania) documentary sources of the time provide a relatively large amount of information regarding the role and importance of the figure of the woman in the other half of Medieval Albanian civilization (namely in that of autonomous cities), and shed light on the legal and penal protection of her person, dignity and honour. In cases of murder, assault, insult, violence and rape against women, no individual, neither layperson nor clergy, had immunity from prosecution before the law. The misappropriation or embezzlement of a woman's dowry, her right to draft a will, or to represent her husband in a lawsuit in his absence, as well as other situations or combinations of these, convince us that respect for the rights of woman and protection of her dignity in the period of the late Middle Ages, were genuine and seriously appreciated. The general panorama of the social position of women in Albania in the 14th - 15th centuries was similar to the medieval models and practices of medieval civic society in Italo-Dalmatian cities and those of the Western Adriatic and Mediterranean area.

Keywords: Medieval Albania, Statute, Social Right, Town, Woman.

1. Introduction

The condition and status of the Albanian woman has attracted the attention of albanologists and foreign scholars from the 19th century (Pouqueville, 1821; Hahn, 1867; Durham, 1998) to the present day (Roka, 1994; Fischer, 1997). Within their research, however, gender studies has not been the direct object of inquiry (with the exception of Cabanes, 1983, pp. 193 – 209; Ceka, 2015, pp. 387 – 388). Several Albanian scholars such as historians (Zamputi, 1961, pp. 101 – 123; Sinani, 1986; Doçi, 1996; Musaj 2002; Caka, 2015, pp. 69 – 87; Kera and Papa, 2002, pp. 83 – 96), ethnologists (Dojaka, 1981; Ulcinji, 1989), anthropologists, jurists (Elezi, 1994; Luarasi, 2001) and sociologists (Dervishi, 2000) have explored in a series of articles and monographs the position of Albanian woman in the Ottoman times and during the 20th century.

This work has been based on a wide range of documentary sources of the Byzantine era that deal with the history of medieval Albania in the 7th - 15th centuries (Bozhori, 1978), including the

Statutes of Shkodra (Statuti di Scutari, 2002), documents regarding the history of Albania of the 15th century 1400 - 1405, 1406 - 1410 and 1479 - 1506 (Zamputi and Malltezi, 1987; Zamputi and Bogdani, 1984; Zamputi, 1967; Zamputi, 1979), as well as the Cadastre and Concessions Register for the district of Shkodra 1416-1417 (Zamputi, 1977). Also, I have used as supplementary and comparative sources, the Chronicle of John Musachi (Hopf, 1873; Qirjazi, 1996; Xhufi, 2009), the Canon of Lekë Dukagjini (Gjeçovi, 2001) and the Canon of Skanderbeg (Ilia, 1993).

The Social-Legal Rights of Women in the Towns of Northwest Albania

In contrast to data from customary law (characteristic of the rural and mountainous areas of local government in the principality of Albania) documentary sources of the time provide a relatively abundant information regarding the role and importance of the figure of the woman in the other half of Medieval Albanian civilization (namely in that of autonomous cities), and shed light on the legal and penal protection of her person, dignity and honour. The earliest historical data regarding several important women's rights in Albania are documented in Byzantine sources from the first half and the beginning of the second half of the 13th century, where a woman's right to seek divorce, to be a custodian of property, to draft a testament, as well other notarial acts (Bozhori, 1978, pp. 55 – 84). A letter by the Archbishop of Ohrid, Demetrius Homatjanof of May 1223, mentions "...one Kabasilina, who lived in the castle of Durrës, writing a will without the presence of her sons and without naming the aforementioned in her will [her sons]" (Bozhori, 1978, pp. 58 – 61).

In addition to Byzantine sources, the Statutes of Shkodra provide considerable information. They reflect the Western archetype of the role and importance of the women in society. In a series of entries, criminal offenses against immorality occupy a special place a fact that demonstrates the legal and penal protection of the person, dignity and honor of women. The law was very sensitive towards a woman's denunciation of insult or physical or sexual violence made against her person (Statuti di Scutari, 2002, para. 255-256). Punishment was severe and spared no one, regardless of rank or status, and did not even distinguish between secular and clerical persons.

The fact that the legal framework related to this issue included various situations and combinations, convinces us that the respect for the rights of women and the protection of their dignity in that period were both genuine and seriously appreciated. If a married woman complained of rape, beating or robbery by a clergyman, then she should be trusted even without witnesses (Statuti di Scutari, 2002, para. 200). The cleric was immediately punished with a fine of fifty hyperpyron, half of which went to the bishop, a quarter to the count (as the representative of the Serbian royal government in the town of Shkodra), and the remaining quarter was given to the victim (Jireček and Sufflay, 2002, para. 527; Statuti di Scutari, para. 200).

Statutory norms also provided for cases in which a man raped a woman who was an unmarried virgin. If the man was also unmarried, then he was forced to be joined to her in a lawful marriage (Statuti di Scutari, chapter 201). But if both the man and woman were married, then he was punished with a fine of fifty hyperpyron, which were divided in half between the count and the offended woman (Statuti di Scutari, chapter 201). Unlike the first case, in which the woman was believed even without witnesses, in this situation she had to give convincing evidence (Statuti di Scutari, para. 201).

Nevertheless, in coastal Albanian towns (Durrës, Lezha, Shkodra, Drisht (Drivasto), Ulcinj, Bar), when under the administration of the Republic of San Marco (1392-1479), the issue of respecting statutes, rules and customs on the part of the Venetian governing authorities, caused discontent among the local population (Malltezi, 1988, p. 217). In the municipalities of Durrës and Drisht, cases are documented of abuse and the trampling of the most basic moral norms against local women at the hands of local Venetian governors.

“The governor of Durrës, Pietro Arimondo, as it emerges from the move against him on October 29, 1409, had arrested the Kirana, a citizen of Durrës, in order to force her to bear false witness that the testimony issued by the chancellor of Durrës, Nikola Parma (with whom the Venetian governor had an old score to settle), was false. The governor threaten torture using the most barbaric means to force her to act as he demanded. He had the chancellor of Durrës hanged after forcing Kirana to give the testimony that he demanded [...] Heustak Grioni, one of the most infamous figures known to the inhabitants of Drisht between the years 1401-1402, in the most thuggish way imaginable, entered the house of citizen George Vars at night, when the latter was not present, in order to rape his wife. In the face of the great outrage that erupted in Drisht, the Signoria was forced to remove its governor before his term of service had expired in order to maintain the prestige of the state discredited by its governor” (Malltezi, 1988, pp. 220 – 222).

The Statutes of Shkodra prescribed extremely severe punishments for immoral women, who were not allowed to wear hats in or to abide or associate with the city’s noble ladies. Women of poor morals who engaged in prohibited acts were beaten with sticks and banished from the city within three days.

“If a woman is proven to be immoral by the testimony of two or three men, she should not be allowed to wear a hat on her head, as is our custom, nor to share company at her will. She is not allowed to stay or reside near noble ladies. If she infringes these orders she will be punished with eight hyperpyron that should be divided between the count and her accuser. If it is proven that an immoral woman commits evil deeds or seeks to ruin others, she must leave our city within three days, and if she exceeds this deadline, must be punished with a fine of eight hyperpyron, be taken through the city streets whilst being beaten with stick, and at the end, be exiled never to return to our land” (Statuti di Scutari, para. 87).

In addition, immoral women and prostitutes were excluded from the right to inherit family property: “...when the daughter ends up in prostitution, even if her father and mother have died, her brothers have the power to exclude their prostitute sister from the inheritance. If this prostitute sister does not have a living father, mother or brothers, but only a sister who is a virtuous woman, then to the latter must pass the part of the defamed sister” (Statuti di Scutari, 2002, para. 171). Undoubtedly, these harsh sanctions were taken mainly to impede the incitement and development of prostitution, which had spread to the coastal cities of the Eastern Adriatic. In all the coastal towns there were of course, brothels, as is evident by the "whores" mentioned in the Statutes of Budva (1350), as well as the "battessa di bordello" mentioned in Ragusa in 1400 (Šufflay, 1924, pp. 96).

Husbands generally had to show respect for their wives and were not to abandon them because of a lack of dowry or meager wealth (Statuti di Scutari, para 265). A wife’s dowry was not to be transferred to the husband or spent by him, in order to protect the wife's property rights (Statuti di

Scutari, para. 165). Neither was he allowed to use his wife's dowry to pay blood money or *urazba*. "No man is allowed to take anything from his wife's dowry to pay off a blood feud or *urazba*. The municipality should come to the defense of the woman, while the man who commits such a foolish act should pay for it out of his own pocket" (Statuti di Scutari, para. 266).

According to the statutes, a husband and wife should have reciprocal relationships between them, something that was reflected in the acquisition of each other's property and wealth as inheritance when one of them passed away (Statuti di Scutari, para. 168). In addition, not only the husband, but also the wife had the right to draft a will (Statuti di Scutari, para. 196). The wife has the right to withhold her part from her parents-in-law, and also had the right to write a will: "Girls and women generally have the right to issue a will, starting at the age of twelve and above" (Statuti di Scutari, para. 186).

Parallel to those of Shkodra and Durrës, a woman's right to file a lawsuit, draft a will, inherit a will and to benefit from it, write a power of attorney, have legal representatives for various issues related to her property, as well as be the executor who that implements the stipulations of a will, is also evident in the archival documents of Dubrovnik (Državni u Dubrovniku) of the early 15th century, as well as in those of other coastal towns of Albania, such as Ulcinj and Bar (Zamputi and Bogdani, 1984, para. 24, 65, 121, 132, 160, 161, 295, 374, 403, 410). Based on Venetian documentary sources, and those from Dubrovnik, women are mentioned in these cities who owned property and wealth and had the right to administer, gift or sell for various economic interests (Zamputi and Malltezi, 1987, para. 39, 63, 84, 129 158, 173, 210, 228, 239, 366, 428).

In the "Cadastre of Shkodra and the Register of Concessions of 1416 –1417" compiled by the Venetian administration for properties owned by the "Queen of the Adriatic" in Albanian lands and for the fiscal system for inhabitants under her authority, the term "women's rights" is often mentioned in connection with land holdings in the city of Shkodra and surrounding area that various women owned, including widows (Zamputi, 1977, pp. 9 – 35).

In general, the women of Shkodra of the 14th - 15th centuries enjoyed a status that would have been coveted by their descendants in later centuries. According to the Statutes, family property was equally owned. Everything that man and woman gain together is considered equal, i.e. half belongs to the man and half to the woman (Statuti di Scutari, chapter 166). In passing, we recall the following article from the customary law of the 15th century the "Canon of Lekë Dukagjini" for comparison: "A woman is a burden to be carried as long as she is within her husband's door" (Gjeçovi, 2001, para. 29). Likewise, "If a man beats his wife, he does not incur guilt according to the Canon, and her parents cannot ask for an account regarding the beating" or "the woman who departs, leaving her husband's home, has the right to take nothing with her except the clothes on her back" (Gjeçovi, 2001, para. 31). In this regard, improvements and innovations to family rights were brought about by Skanderbeg, who changed the old customary norm that allowed a husband to divorce a wife for any reason, without cause and without giving her any recompense (Luarasi, 1989, p. 51). "The Canon of Skanderbeg," notes the jurist Aleks Luarasi, "recognized only two legal reasons for the divorce of a woman: theft (pilferage) and violation of marital fidelity (unfaithfulness) (Luarasi, 1989, p. 51). According to "The Canon of Skanderbeg" a wife could be divorced for other reasons too, but in these cases the husband was obliged to give her her own share of the marital wealth, recognizing her contribution to the joint property (the family economy)

(Luarasi, 2007, p.189). Divorce of a wife without reason was also recognised in the Canon of Skanderbeg, yet in this case the wife took half of the land to provide her a living (Luarasi, 1989, p. 189). However, Skanderbeg's changes to customary law were partial and temporary (Thëngjilli, 1999, p. 169). After his death, and the occupation of Albanian lands by the Ottomans, these norms were largely repealed.

In relation to the above-mentioned norms of customary law, “according to positive rights” (which in this case is represented by the Statutes of Shkodra), the protection of the moral integrity and property rights of women testifies to some extent to the respect of her personhood as one of the main indicators of the development and emancipation of civil society in Shkodra and in the other coastal municipalities of Albania in the (14th - 15th centuries) (Xhufi, 2017, p. 27).

Albanian Noble Women and Dynastic Marriages

Chronicles and other sources also inform us about another important element regarding the women of the Albanian nobility in the 14th - 15th centuries. Marriage and betrothal between dynasties in medieval Europe and beyond were, first and foremost, political acts by which alliances with neighbors were strengthened, and which led to the expansion of a principality's territorial gains, to various medieval political formations, and to the expansion of their influence. During the 14th - 15th centuries, such family and political alliances were made between almost all the aristocratic families of the time, such as among the clans of Arianiti, Muzaka, Thopia, Dukagjini, Zacharia, Kastrioti, Balsha, Zenebisi, Gropa of Ohrid and Dibra, the lords of Prespa etc (Xhufi, 2009, p. 293). There are also cases of dynastic marriages and family alliances of a political character between Albanian nobility and foreign nobility, mainly from the surrounding region and the opposite Adriatic coast.

Among the first dynastic marriages between Albanian and foreign nobles, Byzantine sources mention that of Demetrius, ruler of the Principality of Arbanon (in the years 1208-1216) with Comnena Nemanjić in 1208, the daughter of the Grand Prince of Serbia, Stefan Nemanjić (1196-1227). Around the same time was the marriage of pansebastos sebastos (Byzantine noble title) Gregorios Camonas (governor of the Despotate of Epirus) with the daughter of Gjin Progoni, the second ruler of the Principality of Arbanon in the years 1198 - 1208 (Bozhori, 1978, pp. 54 – 60). The aunt of the chronicler John Musachi, Helena, was married to the Venetian nobleman Filip Bareli, a citizen of Ragusa, former protovestiar (administrator) of the Balšić family.

John Zenebisi, the ruler of Gjirokastra and Vajenet until 1418, had married his sister to the Italian, Petrotto d'Altavilla, a descendant of the early Norman dynasty who ruled southern Italy during the 11th and 12th centuries. According to John Musachi, Comnen Arianiti was married to the daughter of a Nicolo Sacati, former baron of the two cities in 'Sendia' (this should be Serbia). Despina, the daughter of Ajdin Klope (ruler of Vrezda) and Helena Muzaka (sister of Andrea Muzaka, the grandfather of the chronicler John Musachi) married the sanjak-bey of Ciorna, Ali Beu. At the beginning of the second half of the 14th century, George Balšić was married to the daughter of Vukašin (Vukashin) Mrnjavčević (ruler of Western Macedonia and co-ruler of the King of Serbia Stephan Uroš V 1365 - 1371), Olivera Mrnjavčević. George Arianiti, in addition to his first marriage to Mary Musachi (sister of Gjini II and aunt of the chronicler John Musachi) around the late '40s, married the Italian, Pietrina Francone from the city of Lecce (Lecce in southern Italy), the daughter of one the vassals of Alfonso V of Naples, Oliverio Francone, "barone di Taurisano", the

governor of the city of Lecce. Around 1461 Anxhelina Arianiti (1440 - 1520), who, according to the German scholar and orientalist Franz Babinger was daughter of George Arianiti from his first marriage, while according to the chronicle of John Musachi was the daughter of George Arianiti from his second marriage married the despot of Serbia, Stefan Branković (1458-1459), known as the "Stefan the Blind" (son of Đurađ Branković, despot of Serbia from 1427 - 1456). Skanderbeg's son John Kastriot (1456 - 1502) married the third daughter of the despot Lazar Branković of Serbia (1456-1458) and Helena Paleolog (1431 - 1437), Jerina Branković (Xhufi, 2009, pp. 432 – 448).

It should be emphasised that not all these family alliances turned out to be successful, as cases are documented where the opposite effect was achieved, resulting in displeasure and political and military division between the aristocratic families of Albania of the beginning of the second half of the 15th century. The contemporary chronicler John Musachi, mentions that one of his sisters, named 'Zanfina' or 'Suina' was married to Musachi Thopia around the year 1460, at a time when these two families had lost much of their former glory (Xhufi, 2009, p. 450). But even this relationship did not last long, as Musachi Thopia left his wife shortly after in order to pursue marriage with Mamica Kastrioti, Skanderbeg's sister. According to Musachi, "Lord Skanderbeg ended the marriage of the aforementioned Lord Musachi Thopia with Lady Zanfina Musachi, with regard neither for God nor man not even for the children that they had borne together, and he united him with his own sister, Lady Mamica" (Xhufi, 2009, p. 451).

This event that the chronicler, John Musachi, attributes to the intervention and influence of Skanderbeg, irritated relationships and rapport between the Muzaka family and the Thopia dhe Kastrioti families. It would serve as another reason why Skanderbeg a little later would "rob the Muzaka family after the death of Ghin Musachi II [i.e. the father of the chronicler John Musachi - E. Baze]" (Xhufi, 2009, p. 453). In unison with the Muzaka clan, and included in the faction that was displeased with Skanderbeg, was Moisi Golemi— an eminent figure of the time, whose estate in Dibra had been annexed by the ruling Kastriots (Xhufi, 2009, p. 453). The marriage of Moisi Golemi to Zanfina (or Suina) Musachi (the affronted wife of Musachi Thopia) exemplifies one of the factors that led to the formation of a faction of great Albanian feuds against Skanderbeg (Shuteriqi, 1989, p. 65).

Without a doubt, aristocratic women, whether foreign or indigenous, played a significant role in these inter-dynastic marriages, betrothals and family alliances characteristic of Medieval Europe as a whole (including the Balkan area), whose sociopolitical way left its mark on history not only of the surrounding region, but also on both sides of the Adriatic.

It is worth mentioning marital unions between the Serbian Nemanjić dynasty and the French house of Anjou, which are apparent from 1250 onward, when Stephan Uroš I (r. 1243-1276) married the French princess Helen of Anjou, who "was praised for her sharp speech, kindness, generosity and her piety" (Jireček, 2010, p. 356). That the administration of the Catholic enclaves of the Kingdom of Serbia, beginning with Doclea (Zeta, Montenegro), came under his direct care was not without cause (Jireček and Sufflay, 2002, para. 509; Xhufi, 2006, p. 283). The devout Helen has founded Franciscan monasteries in front of the ports of Antibar and Kotor (Jireček, 2010, p. 41). Evidence shows that she was the ruler in these parts until 1314, the year of her death, while her sister Maria de Chours, was the ruler of Ulcinj from 1283, when she appears with the title *Domina Ulcinii* (Jireček and Sufflay, 2002, para. 470). Maria, the sister of queen Helena, was married to Anselm de

Chours who in 1273 is mentioned in medieval Albania as the general captain of Charles I of Albania. Maria lived as a widow (from the year 1281) in her sister's land where she was given a residence in Ulcinj (Jireček, 2010, p. 357).

Under the guise of defending Catholicism from the Frank queen of medieval Serbia, the reason is explained why a good part of the civic municipalities of the East Adriatic coast, such as Bar, Ulcinj and Shkodra, with an overwhelming population that observed Catholic rites, enjoyed the status of autonomy, i.e. of their self-government and municipal self-organization, while at the same time respecting the sovereign right of the Serbian royal crown (Baze, 2013, pp. 37 – 38).

Conclusion

The analysis and description of the above documentary facts show explicitly that the general panorama of the social position of both aristocratic and common women in urban settings in Albania in the 14th-15th centuries, in terms of rights, privileges, socio-political attributes, etc., was similar to the original medieval models and practices of the developed Italo-Dalmatian area and that of the Western Adriatic and the Mediterranean area as a whole. The early documentary data from the beginning of the 13th - 14th centuries identified a number of rights of Albanian women such as the right (1) to seek divorce, (2) to be a guardian of property, (3) to draft a will, (4) to have half of the wealth in the family, and (5) to sign various notarial acts. Medieval Albanian laws legally protected the personality, dignity and honor of women. The insult or physical and sexual violence against women was punishable by law. Women had all these social-legal rights in those civic municipalities, which were governed on the basis of statutes. The dynastic marriages of noble Albanian women were first and foremost a political act to consolidate political and military alliances with neighboring principalities and noble families of the time. A part of the women from the ranks of the Albanian nobility such as Comnena Balšić, Ruđina Balšić, Evdokia Balšić, Helena Thopia, Boksa Dukagjini and Andronika Comneniates had an intensive and important political activity in governing their territories.

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