

WOMEN IN THE ETHNIC PROCESSES OF SIXTEENTH CENTURY LITHUANIA

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Women's role in ethnic and nation-building processes is an absolutely new topic, acquiring increased attention¹. In the introduction to their volume, Anthia and Yuval-Davis² suggest, that there are five major ways in which women are involved in ethnic and national processes:

1. As biological reproducers of members of an ethnic collectivity.
2. As reproducers of the boundaries of an ethnic group.
3. As participating centrally in the ideological reproduction of the collectivity and as transmitters of culture.
4. As signifiers of ethnic /national difference as a form and symbol in ideological discourses used in the construction, reproduction and transformation of ethnic/national categories.
5. As participants in national, political and military struggles.

This article intends to justify the validity of further investigations and to profile the direction of research, basing arguments on women's legal rights. The analysis of female legal position establishes the framework of possibilities which women had while acting in the public realm. Their strong legal position made them influential social and political actors, and had to be considered as a factor shaping cultural, political and religious orientations.

The theme of women in Lithuanian history has not been scrupulously investigated. The focus has been more on their place in familial property regulation and their position with regard to property.³

Double compensation for a woman in the Statutes of the Grand Duchy of Lithuania (GDL) (First — 1529, Second — 1566, Third — 1588) is a rather puzzling issue, since in the surrounding cultures there was no similar contemporary law.⁴ A similar practice was fixed in early medieval laws. The Salian law of the Franks requested triple compensation for women who were already mothers (who already had given birth to a child).⁵ German and Bavarian customary laws of the sixth-ninth centuries also request double compensation,⁶ whereas in the thirteenth century Saxonian and Shvabian "mirrors" only one-half of the man compensation for the woman appears.⁷ According to the analysis of I. Lukšaitė, traces of similar custom were found in Poland Minor and Masovia in the fourteenth and fifteenth centuries, but there it did not acquire much influence. However, among Prussians, ethnically close to Lithuanians, the custom was more expressed - it became the norm of written law. Thus, Lukšaitė argues, it emerged in ancient Prussia independent of Polish law and was the norm of ancient Prussian customary law in the fourteenth and fifteenth centuries.⁸

Most probably double compensation for woman was common to the laws of Balt tribes. There is no evidence from fifteenth century Lithuanian legal practice of double compensation. The Statute of 1529 points that *naviazka* (compensation for injury, offense, robbery and the like) and *golovschina* (compensation for homicide) for a woman not from the noble estate is double⁹, and does not mention compensation for noble women. The Second Statute of 1566 speaks of double compensation for bound women and noble women¹⁰ and it is repeated in the Third Statute of 1588.¹¹ There is double compensation even for Tartar women who live in the GDL¹² and for women who live in towns,¹³ regardless whether it has the right of Magdeburg (autonomy) or not.

Keeping in mind that the GDL was a multiethnic state, it would be interesting, though very difficult, to investigate the area where these chapters of the law were applied and how long they remained in effect. According to the observations of I.

Lukšaitė, double compensation was most prevalent in the northwestern part of the country and was vanishing by the turn of the eighteenth century.¹⁴ Presumably this law was for the protection of home and family, and to protect women as the basis of reproduction of the population (especially remembering that the Lithuanian population for 200 years faced very intensive wars with Crusaders). For women who were occupied with the trading of alcoholic beverages it did not apply,¹⁵ but was so strongly rooted in the consciousness that for women trading alcohol, double compensation was nonetheless applied in practice.¹⁶

A woman was able to make decisions for herself concerning her wealth,¹⁷ take part in court proceedings,¹⁸ sell her property,¹⁹ make donations to churches alone²⁰ or with the consent of a son²¹ or husband,²² and dispose of her late husband's estate.²³

The power of women can be illustrated by the case of Duchess²⁴ Beata of Ostrog. She became a widow rather young in life and preferred not to remarry, but wished to live independently - "from unknown custom she together with her daughter Elizabeth wished to rule Kuzminsk volost on their own, which was deserved by my father, duke Constantine" - by these words her father-in-law in 1546 appealed to the Grand Duke.²⁵ Nevertheless, she continued to enjoy freedom and her servants as well, so that the influential magnate Gregory Chodkevich, storosta (elder) of Kaunas, in 1553 repeatedly asked the king to decrease her influence.²⁶

Women were deemed dangerous when free in their actions - this conclusion can be drawn from the case, and this freedom was guaranteed by their legal and property status in the GDL. The First Lithuanian Statute for wives of noblemen fixed some guarantees for certain economic independence. The husband had to grant his wife *veno* (part of his land) in return for her dowry. He could not dispose of the *veno* without her consent.²⁷

Mykolas Lietuvis disliked this article, since women "became impudent, losing their morals, do not follow the advice of tutors, parents, husbands and contemplate how to hasten death for the living...²⁸ Our [women] do nothing, they go from house to house and take part in men's meetings." For him Tartars were a good example, because they "keep women closed at home."²⁹ Moreover, "noble Lithuanian women ride to church or ride with guests in coaches, i.e. a swinging cart, harnessed with six or eight of the same color horses," whereas Tartars, "although they have many horses, do not allow women to harness a coach, even for their duchess to cart."³⁰ Women's freedom was deemed dangerous for the state as well, not only indirectly, because of the decline of morals, but also directly: "Women's rule in a family is shameful; they rule in our country castles, which are situated near the border with Moscovia, Tartars, Turks and Valachians, though these castles should only be entrusted to wise men." ³¹

According to A. Wollan's chronicle, women are keen on expensive things and decorating themselves. "One of the main vices of white heads³² is acting willfully, which is expressed in expensive clothes and body adorning; soon all the money of the Commonwealth will be spent on women's ornaments."³³

Wolan also complains that women do not like to sit at home, but rather enjoy riding in the streets, visiting each other and taking part in conversations, though he holds, relying on ancient authorities, that "the most honorable activity for women is to sit at home and keep silent as much as possible."³⁴ The satiric composition *Women's Diet* (parliament), created in 1586 by Martin Bielskij,³⁵ reflects the opinion that the freedom of women could lead to the diet of women, and how silly, dangerous and inappropriate that could be.

The laws of the GDL did not provide equal rights with men. The only right was the trade of the dowry for the *veno*.³⁶ A husband could not take his wife's property without her consent. The Second (V. 17) and Third (V.17) Statute established the requirement that a woman's written consent is not valid; she was required to "stand" personally in front of the court and confirm that she allowed her husband to dispose of her dowry (*veno*).³⁷

In 1507 the GDL Diet confirmed the Statute of Military Service and the collection of taxes for war. "Widows" participated in this Diet - "all society of *szlachta* agreed, that is Lords, Counsellors, palatines, dukes, widows and all *szlachta* society, who took part in the Diet." ³⁸ This is the only known mention of women as participants in the Diet, though in the Universals concerning war or collecting new taxes for war, widows were listed as well.³⁹

Valikonytė concluded that women in the GDL were not citizens,⁴⁰ though the First Statute (IV, 15) established the right of women to marry freely (p. 59), but a girl married without the consent of her parents or relatives lost not only her dowry, but also any right to matrimony (IV. 10 ir 11, p. 58).

In 1507 a suit arose over the Kobrin property between two ladies: Venslava Kostevich and Jurja Pacevich. Another property, Jershevichi, was given to Venslava as a grant because she did not follow her previous husband, Fedor Bielskij, who revolted against the Grand Duke and then escaped to Moscovia.⁴¹ The case of Anastasja Msiclawska was similar. She was the widow of Duke Semion of Sluck. She was a widow from 1505 until her death in 1523. She came from an Orthodox family and married into the hereditary family of Kiev's dukes (Olelkowichi),⁴² which was one of the strongest Orthodox families.⁴³ During the revolt of Glinskij, which was aimed against the Grand Duke, she refused his marriage proposal and did not collaborate with him. When the puzzled Glinskij attacked Sluck, she successfully fought back. For that reason Grand Duke Sigismund the Senior granted her the manor Lishkiava in 1509.⁴⁴

The middle of the sixteenth century saw war with Russia, union with Poland, Reformation, and land reform in only a few decades. In a stormy ideological climate, where various faiths fought for influence, there was no consistency in the religious policy of noblemen. That is why the religious orientation, and through that the cultural and ethnic orientation of a wife, and especially mother, could well be a decisive influence.

A very influential woman, Ona Kiškiene, widow of the third richest magnate Kiška, already had a protestant priest in 1549 at her manor in Kėdainiai.⁴⁵ She supported antitrinitarianism and organized synods in 1565 and 1568 on her own properties in Vengrov and Ivija. She influenced her son who continued his support for antitrinitarianism after her death.⁴⁶

Though in the political arena adult men ruled, the role of the family has been underestimated. Researchers omit from their scope that the very first education and life experience was given by women. Boys until 5-7 years old lived under their mother's protection,⁴⁷ and from a psychological point of view this is the time when primary values are laid in a child's head. It has been considered that Aukštaičiai, inhabitants of the eastern part of the Lithuanian tribal area, were not so foreign to Christianity and opposed it less than Samogitians because the children of tribal nobility were brought up by Christian nuns, enslaved women from Orthodox lands.⁴⁸

Traditionally women in pre-industrial society were perceived as "homebodies."⁴⁹ Their sphere of action was predominantly in the private arena. Interventions into the public domain were based on traditional home space directives and perceptions. But they were often weak in this new public space because, as women in Daukša's words are depicted, once they enter the public space, they do not have directives for further action. Noble women in sixteenth century Lithuania tried to escape from their private space because it was insufficient for their psychocomfort, and then they became more vulnerable and open to various influences in the public sphere. Daukša, Canon of Vilnius, associated the spread of protestantism with women. The "political emancipation" of noble women did not touch the lower strata of nobility. The latter were more homebodies and preservers of tradition. Jeulašeuski, author of sixteenth century memoirs and subjudex of Nowgorodek, adopted Calvinism, despite the fact that his mother and wife remained Orthodox.

The most important influence of women at that time was in the marriage market. The desire for a marriage partner presupposes the influence of that partner. If membership in the national collectivity depends on one's being born into it, then those who do not share the myth of common origin are completely excluded. The only way outsiders can conceivably join the national collectivity is by intermarriage.⁵⁰ The family is a kind of kindred community, and in the Middle Ages the ethnic identity was familial type - the common myth of common ancestors, the importance of the blood relationship - and women and family images had a large role in this identification, and in the GDL women and familial aspects played a considerable role. In a multiethnic and multireligious state like the GDL, marriages between members of different religions were not rare, and this is how new generations could change their ethnic and religious leanings.

In mixed marriages both husband and wife ideally could have the church of their own confession. This is complicated by the fact that both Orthodox and Catholic nobility had possessions in different parts of the GDL, and their subjects were both Catholics and Orthodox. The usual policy was co-existence, and provisions were made for both confessions, irrespective of the confession of the patron.

Hieronim Chodkevich, being Orthodox, married a Catholic Ona Šemetaitė; their children were more open to new trends and quickly adopted Catholicism. Their son John in 1559 married Kristine Zborovska, the daughter of the Castellan of Krakow,⁵¹ who was then a Calvinist. John adopted Calvinism, but then was one of the first converts to the Catholic faith and played an important role in the settling of the Jesuits in Vilnius and the founding of their University of Vilnius. His son, John Karol Chodkevich, according to an eighteenth century Jesuit monk, was so religious that he even beat himself with whips.⁵² In 1613 John Karol, together with his wife Sofia Mielecka, founded with Michael Radvila ("the Orphan") the Jesuit monastery in Kražiai. In 1619, also together with his now-dying wife Sofia, he founded the monastery of the Bernardines in Kretinga. With another wife, Anna Aloyza of Ostrog, John Karol was even more "successful" - she was Catholic and very religious. Ironically, her father, Konstantin of Ostrog was an eager defender of Orthodoxy in Ruthenian lands. Anna greatly influenced the victory of Catholicism in the GDL.⁵³

Women of high nobility were quite active in the public arena. Before the Reformation not many women acted freely. The Reformation shook the traditional scope of activity, and more women became transmitters of new directives. They were influential and their decisions as well as actions were of considerable importance, since they had guaranteed property status and since they were perceived by men as influential. Therefore their openness to new cultural and religious trends influenced their children's cultural and ethnic orientation. However, women of lesser nobility, being less involved in public life, maintained tradition, though that could not stop children from new influences once they left the home space.

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2 N. Yuval-Davis, F. Anthia, 1989. *Woman-Nation-State*, London: Macmillan Press, Ltd, p. 7.

3 V. D. Spasovich, 1890. "Ob otnošenijach suprugov po imuščestvu po drevnemu polskomu pravu"; in: *Soc. Sankt-Peterburg*, T. III, p. 147-160.; Skitskij I. I. 1907. "Nevenovannyje vdovy po Litovskomu Statutu i po tolkovaniju Senata (opyt komentarija § 4, 5, 6 i 7. s. 1157, T. 10., I chast.)" in: *Zhurnal*

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- 4 J. Jurginis, 1958. "Lietuvių šeima XII-XIV amžiais", in *Iš lietuvių kultūros istorijos*. Vilnius, p. 248-260.; Lukšaitė, I. 1968. "Ob obychnae dvojnogo vykupa za zhenshchinu po litovskomu pravu"; in: *Sovetskaja etnografija*. N. 2, s. 114-120; Valikonytė, I. 1977. "Dviguba išpirka už moterį Lietuvos Didžiojoje Kunigaikštystėje XVI a. pirmojoje pusėje", in: *Aukštųjų Mokyklų Mokslo Darbai (AMMD). Istorija*. N. 17 (2), p. 51-64; Valikonytė, L., Jaksebogaitė, I. 1989. "Vykup za enšėinu po Litovskomu Statutu"; in: *1588 metų Trečiasis Lietuvos Statutas: Respublikinės mokslinės konferencijos, skirtos Trečiojo Statuto 400 metinėms pažymėti, medžiaga*, Vilnius, p. 85-95.
- 5 *Salicheskaja Pravda*, 1950. Moskva, XXIV, § 6, s. 28.
- 6 Koranyi, K. 1963. *Powshechna historia panstwa i prawa*, T. II, *Sredniowiecze*, cz. I, Warszawa, s. 177.
- 7 *Hrestomatija pamiatnikow feodalnogo gosudarstva iprava stran Evropy*, 1961. Moskva, s. 370.
- 8 Lukšaitė, I. 1968. "Ob obichae dvojnogo vykupa za zhenshchinu po litovskomu pravu"; in: *Sovetskaja etnografija*. N. 2, s. 116.
- 9 Jablonskis, K. (ed.) 1960. "Statut Velikogo kniazhestva Litovskogo 1529 goda", Minsk, XI, 4, s. 115; XI, I, s. 114.
- 10 "Statut Velikogo kniazhestva Litovskogo 1566 goda". 1855. in: *Vremennik Imperatorskogo Moskovskogo obshchestva istorii i drevnostej Rosijskich*, T. 23, Moskva, XI, 13, s. 157; XII, 1; XII, 2; s. 166; XII, 6, s. 168.
- 11 *1588 metų Statutas*, Lappo, I. T. II, Kaunas, 1938; XI, 27, s. 409; XII, 3; XII, 4; XII, 5; XII, 6, s. 447-449; XII, 10, s. 452.
- 12 "Statut 1566 g."; XII, 6, s. 168; *1588 metų Statutas*, XII, 10, s. 452.
- 13 *1588 metų Statutas*, XII, 6, s. 448-449.
- 14 Lukšaitė, I. 1968. "Ob obichae dvojnogo vykupa za zhenshchinu po litovskomu pravu"; in: *Sovetskaja etnografija*. N. 2, s. 118.
- 15 *1588 metų Statutas*; XII, 6, s. 448-449.
- 16 *Akty izdavajemyje Vilenskoju archeografičeskoju komisijeju (AVK)*, 1890. Vilna. T. I, gl. III, X, 1617 g., s. 286-288.
- 17 Semkowicz, W. 1932. *Kodex dyplomatyczny katedry Wilenskiej*, 1, T. 1-2, resz (1387-1501), Krakow, N. 291, 394, 395, 402.
- 18 *Archiv jugo-zapadnoj Rossii (AJZR)*, N. 78, p. 66 (1525); N. 61, p. 48 (1516); Nr. 44, p. 34 (1506).
- 19 KDKW, Nr. 273, p. 319.
- 20 Valančius, M. 1972. *Raštai 1-2*, Vilnius; table: founders of the churches in Medininkai (Samogitia) in 1514, Saločiai — Piečkaitė Barbora; in 1500, Linkuvos — Kotryna from Žeimiai, in 1661, Laižuva — Pacaitė, Ona Važinskienė; altars — in 1504, Betygala — Višginaitė, Mita, 1646, Skuodas - Škliarskaitė, Bog. Interesting that no women foundations were made in next 100 years. Only in 1771 was the altar in Plateliai church funded by Šiliauskaitė, Marta. For other donations in the Vilnius Bishopric see: KDKW, N. 255, 302, 306, 310, 311, 314... and others.
- 21 KDKW, N. 312.
- 22 KDKW, N. 274, 278, 286, 294, 333, 335... and others.
- 23 KDKW, N. 271.
- 24 Dukedom after Vytautas' subjugation of influential dukes of GDL provinces in the second part of the fifteenth century and first part of the sixteenth century meant merely blood origin from a highly descended person. See: Suchocki, J. 1983. "Formowanie się i skład narodu politycznego w Wielkim Księstwie Litewskim późnego średniowiecza", in: *Zapiski Historyczne*. T. 48, z. 1-2, s. 30-79.
- 25 AJZR. N. 114, p. 120-123.
- 26 AJZR. N. 128, p. 137.
- 27 "Statut 1529 g.", IV, 7.
- 28 Lietuvis, Mykolas. 1966. *Apie totorių, lietuvių ir maskvėnų papročius*. Vilnius, p. 55.
- 29 Lietuvis, M. p. 53.
- 30 Lietuvis, M. p. 39.
- 31 Lietuvis, M. p. 40.
- 32 Common term for women of that period in public documents.
- 33 Wolan, A. 1859. *O wolnosci Rzeczypospolitej albo szlacheckiej ksiazka godan ku czytaniu. Przedtem od niemalego czasu od p. Andrzeja Wolan, sekretarza K.J.M. pisana, a dopiero nowo z lacinskiego jezyka na polski przelozona od St. Dubingowicza* (1606). Wydanie K. J. Turowskiego. Krakow, s. 73.
- 34 Wolan, A. s.74.
- 35 Bielski, M. 1889. "Sejm niewiesci"; in: *Satyry*. Wydal dr. Wl. Wislocki. Krakow, s. 55-95.
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- 37 "Statut 1566 g.", p. 111; *1588 metų Statutas*, p. 296-297.
- 38 *Akty odnosiaschchiesia k istorii Zapadnoj Rossii (AZR)*, 1848. T. II. Nr. 12, s. 9.
- 39 See Valikonytė, I. "Ar Lietuvos Didžiojoje kunigaikštystėje XVI a. moteris buvo pilietė?" (forthcoming.)
- 40 Valikonytė, I. "Ar Lietuvos..."
- 41 AJZR., T. 1, 1863, N. 43, p. 33-34.
- 42 Dworzaczek, W. 1959 *Genealogia*. Warszawa, T. 1-2. table 162.
- 43 According to the military service register of 1528, Jurij Olelko, son of Anastasja, was the fourth richest magnate in the GDL.
- 44 AJZR., N. 49, p. 37.
- 45 Vilnius University Library, Department of manuscripts, (VUB RS); F-4, -16063. (A-205).
- 46 Bumblauskas, A. 1987. *Reformacijos genezė LDK*; ist. m. kand. disertacija, vad. prof. S. Lazutka. Vilnius, p. 182.
- 47 *1588 metų Statutas*, V, 11, p. 293-294: "a little child for better and comprehensive education should not be taken by their guardian from their other, but have to stay with the mother - for a girl until she marries, for a man - until the year he is suitable to be sent to school, i.e. of 7 years.
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- 49 Hanavalt, A. Barbara ed. 1991. *Women and work in preindustrial Europe*, Indiana University Press, Bloomington, introduction, p.viii.
- 50 Yuval-Davis, N. 1992. p. 628.
- 51 Boniecki, T. 3, s. 25.; Ychliński., T. XI.
- 52 *Imagines heroum... Joanni Nicolao Chodkiewicz., Vilna*. 1766.
- 53 Blasczyk, G. 1985. "Fundacje i fundatory klasztorow diecezji zmdskiej w XVII i XVIII wieku," in: *Lituanio-Slavica Posnaniensia*. Poznan. 1985, T. 1. s. 118.