

Aus den Archiven

Notarial Archives Relating to the Greek World: A Chaotic and Vastly Unexplored Wealth

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Notarial deeds appeared in the Byzantine lands by the late Middle Ages, but in most areas of the Greek world the tradition died out after their integration into the Ottoman Empire.¹ This, however, was not the case in regions that came to be either directly ruled by Venice (notably Crete and the Ionian islands), or under its strong economic and cultural influence (notably the Aegean islands of the Cyclades). The extant remains of this notarial activity are impressive. For example, abundant records – as yet largely unexplored – are to be found in the Ionian Islands,² while significant numbers have survived in the major Cyclades (Naxos, Santorini, Andros, Syros and Mykonos).³

The wealth of material then is obvious, but the rest of the title of this report requires some explanation. I used a roundabout way to describe my object, rather than simply speaking of ‘Greek archives’ because a large part of the documents are dispersed in foreign collections. This partly explains the ‘chaotic’ element, in the sense that each location has its own system of classification and its own priorities. In archives and libraries such as those of Genoa, Malta or Marseilles, there are unknown numbers of dispersed notarial documents pertaining to Greeks, which require laborious and time-consuming searches to gather together. The notable exceptions, the *State Archives of Venice*, where the section “Notai di Candia” comprises some 300 fascicles containing records that the

1 For a comprehensive picture, see Heleni G. Saradi, *Il sistema notarile bizantino (VI–XV secolo)*, Milano 1999.

2 For example, the local archives of Corfu contain registers drafted by almost 800 different notaries (1472–1869), while the count for Kefallonia is 739 (1536–1889).

3 These are much more dispersed. A large part of them is deposited in the *General State Archives* in Athens, while many more are to be found in public, ecclesiastical or private collections, locally, in Athens or elsewhere.

Venetians took with them when they handed over the island was to the Ottomans (1669); and the Vatican Library, where the section conveniently labeled “Codices Graecae” contains much (but not all) the material concerning Greece.

The notion of chaos applies even more dramatically to the situation in Greece itself, for reasons that cannot be explained fully here. Briefly, one of them is the checkered history of Greek lands, which was marked by successive waves of conquest and change of rulers, not to mention destructive earthquakes or fires.⁴ Another is that, in their tumultuous course, the Greeks were a predominantly agrarian, nonliterate society, with the literate, mostly mercantile, element constantly on the move. They obtained a state of their own only in 1830, and the original tiny kingdom took more than a century to reach its present-day size. In other words, the Greek nation had neither the time nor the inclination to develop a sense of the importance of keeping or preserving written records. The anecdotal evidence of the house proud mayor of Milos,⁵ who at the turn of the 19th century decided to clear up all ‘useless’ antique papers piled in his town hall is in character with plenty of other accounts of documents lost or destroyed through ignorance, indifference or neglect.⁶

Notwithstanding the lack of appreciation from the authorities or the general public, there have always been enlightened scholars that pioneered the editing and studying of historical documents. Such were, for example, Konstantinos Sathas and Spyridon Lambros, active in the latter part of the nineteenth and the first decades of the twentieth century, but it is significant that both of them were well-acquainted with the cultural trends in other contemporary European countries, where they had spent time studying and researching.⁷

What use have researchers made of notarial sources since that time? Until recently, publication of individual documents was the norm: a single, quaint marriage contract, clusters of acts concerning a specific personality, a now defunct monastery, a particular craft, and so on. Undoubtedly all this has added to our pool of knowledge and has encouraged further research, but the wider picture was missing.⁸ Some pioneering efforts to fill this gap were made in the 1950ies and 60ies by legal historians. A case in

4 Characteristic, although extreme, is the case of the rich archives of the island of Zakynthos (Zante), containing among other things thousands of notarial records: they were totally destroyed by fire following the major earthquake of 1953.

5 Milos – a small island that experienced flourishing commercial activities in the early modern period.

6 However, recent years have witnessed some significant improvements, such as the foundation of a number of local archives throughout Greece and the installation of the vast holdings of the *General State Archives* in Athens in purpose-built premises.

7 Konstantinos Sathas edited, among other things, the nine-volume “Mesaioniki Vivlothiki [Documents] inédits relatifs à l’histoire de la Grèce au Moyen Âge”; Spyridon Lambros published documents in several volumes and in his journal “Neos Hellenomnemon”.

8 For collected articles and reports (mostly, but not exclusively, in Greek) relating to research conducted in the Venetian Archives, see “Thesaurismata” (1962ff).

point is Iakovos Visvizi, who edited a 16th-century notarial register and a series of judicial records, while in numerous other studies edited selectively individual acts. However, his purpose was not to offer snippets of new information; but to give evidence in support of a thesis, in studies that are sharply focused on concrete enquiries, such as the property relations of spouses, or a comparative examination of contemporary marriage contracts from various localities.⁹

In the two last decades the publication of entire notarial registers, both early ones drafted in Latin and later ones in vernacular Greek, has begun in earnest.¹⁰ And as increasingly more archives are becoming accessible and more material is being published, more and more people are working on it and producing mainstream or more innovative studies.¹¹ It appears that the time is ripe for a more wide-ranging and systematic effort to tame and make usable this vast and heterogeneous material, and the only promising way forward is through very specific and well-organized projects, for which people of various disciplines will join forces.

I have elsewhere discussed the positive and negative aspects of notarial documents,¹² and here I will only say that the advantages and disadvantages are largely specific to the direction of the enquiry: is it data on land property or the size of dowry one is mostly after? Is it commercial networks, standards of living, intrafamily relations, gendered property rights, indebtedness, social stratification or even emotions? For all this and much more there may be information to retrieve, but its quality will depend, among other things, on the type of questions posed. For example, somebody attempting to recreate perceptions and feelings should constantly beware of particular pitfalls: at times notarial documents purport to record the actors' personal views, or to quote their very words, a feature notably encountered in wills and marriage contracts or in eyewitness accounts. The rare and exciting insight into the actors as individuals or representatives of social groups may lead to the belief that here we have an approximation to the reac-

9 Most of the studies of Iakovos Visvizi are to be found in "Epeteris tou Kentrou Erevnis tis Istorias tou Ellinikou Dikaiou" [Annals of the Research Centre for the History of Greek Law] or in "Archeion Idiotikou Dikaiou" [Archive of Private Law].

10 For bibliographical information on published legal documents, see Post Byzantine Law on the Web, <www.geocities.com/ekeied/index.html>, which is being systematically updated and added to.

11 For bibliographical information on published documents, cf. Post Byzantine Law, see note 10. Extensive use of notarial evidence in: Aglaia Kasdagli, *Land and Marriage Settlements in the Aegean: A Case-Study of Seventeenth-Century Naxos*, Venice 1999. Examples of innovative work based on notarial records are Sally McKee, *Women under Venetian Colonial Rule in the Early Renaissance: Observations on their Economic Activities*, in: *Renaissance Quarterly*, 51, 1 (1998), 34–67; Eva Kalpourtzi, *Syngenikes scheseis kai stratigikes antallagon. To paradeigma tis Naxou ton 17o aiona* [Domestic Space: Kinship and Strategies of Exchange with Reference to the Example of 17th-Century-Naxos], Athens 2001.

12 Aglaia E. Kasdagli, *Notarial Documents as an Historical Source*, in Siriol Davies and Jack L. Davis eds., *Between Venice and Istanbul: Colonial Landscapes in Early Modern Greece*, Princeton, N. J. 2007 (forthcoming).

tions of real people; however, there are also counterbalancing considerations, such as the problem of notarial formulae. After all, notarial deeds are heavily dependent on stereotypical expressions, continuing with little variation an ancient Roman tradition, but again, this, is not to say that all notaries follow a single pattern, in blind imitation of a model. The final version of each text will be influenced by the point in time, the effectiveness of the administration, the general cultural level, but also the education, experience, even the personality of each notary or scribe. In the end, the reader will have to weigh all indications and decide for herself to what extent may the text be attributed to an empty standard repetition or be seen as a product of a traditional system of values prevalent in the specific place and time. If the act is, say, a testament, what part may be an expression of the testators' will? Other lines of enquiry might question the form that notarial interference might assume or the uses of wills as indicators first of social ideological trends and second of personal emotions.

While I think that it is important to start asking such questions, even if tentatively and without expecting definite answer at this early stage, this slow searching in the semi-dark has made me keenly aware that the notarial acts and their great potential have still a long way to go. To make headway I started posing a variety of questions to the material and exploring it in different ways and from different angles. Up to now the results tend to confirm my belief that any series of such documents can be used to illuminate a great range of questions – or at least to point at possible directions for investigation.

In this context I have been working in recent years on two projects, under the common theme “Notarial Records and their Uses”. The first is entitled “Greek Marriage Contracts, 1500–1830” and it involved the collection of printed documents and the construction of a custom-tailored database, covering the widest practicable range of parameters; this is currently being fed with data drawn from marriage contracts from all over Greece, will be later supplemented by a sophisticated thesaurus and it is hoped that it will be used by scholars of various disciplines.¹³ As for my personal enquiry, it concerns the gendered aspects of dowry (which in certain parts of Greece was given to both daughters and sons under identical terms), initially in an interregional and later in a wider perspective.

The second project will develop on similar lines but has a wider focus – on geographical mobility and the dissemination of knowledge – but will cover a more limited area (only the Aegean islands) and a narrower chronological span (the long 17th century).

13 The two projects are under the aegis of the *Institute of Mediterranean Studies*, Rethymno, Crete. Further details at <www.ims.forth.gr>.