



## Marriage-Family Relations on the Frontier of South-Ukrainian Lands in the 17<sup>th</sup> and 18<sup>th</sup> Centuries

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### ABSTRACT

The daily marriage-family relations of Ukrainians have been disclosed on the pages of the works of historian Natalia Dvoryanska (Mirza-Avakyants). The researcher was far ahead of her time. Thus, the elements of the history of everyday life - the direction of historical studies, which is now gaining in popularity - are reflected in her works, written in the 1920s and 1930's. N. Dvoryanska (Mirza-Avakyants) analysed the influence of customary and secular law on the regulation of marriage and family relations of the South Ukrainian lands. She proved that in the second half of the seventeenth century, family conflicts were often resolved by customary (traditional) law, not written law. The great merit of the scholar is that she characterized the Ukrainian woman in the background of military conflicts, Cossack riots, wars and tragedies.

**Keywords:** Historian Natalia Dvoryanska (Mirza-Avakyants), Marriage-Family Relations, South Ukrainian Lands, Women's Status, Marriage and Divorce

## Introduction

The formation of the Ukrainian state and the progressive development of society were significantly dependent on the strength of marriage-family relations. These relationships are in turn influenced by social policy, as well as economic, cultural, educational conditions that enable the family to reproduce itself as a social community and a follower of norms of morality and law. For a variety of objective and subjective reasons, marriage and family relationships have long been beyond the professional interests of researchers. However, studying their specificity makes it possible to understand not only the social, cultural, and moral values of the past, but also some patterns of the present.

Taking into account the historiographical achievements of scholars who in their writings analysed marriage and family relations, revealed their peculiarities at a certain stage of development of society, and studied the degree of their state, church, and social regulation these tendencies become relevant. This is especially true of the scientific heritage of Natalia Dvoryanska (Mirza-Avakyants) (1889-1940?), a renowned Ukrainian historian, archivist, professor, and head of the Department of History of Ukraine, Kyiv State University (now Taras Shevchenko National University of Kyiv). She was arrested in 1938 and the exact location of her shooting and burial is unknown (circa 1940)<sup>1</sup>.

The historian Natalia Dvoryanska (Mirza-Avakyants) left a rich scientific heritage, without which it is impossible to imagine the Ukrainian historiography of the 20-30's of the 20<sup>th</sup> century. Unfortunately, her name remains unknown to the general scholarly community of our days. N. Dvoryanska (Mirza-Avakyants) studies have in no way lost their relevance today. Some of her works were even ahead of their time in depth of coverage and elaboration of sources, theoretical comprehension, generalization of facts, and use of different approaches, especially regarding the debatable problems in the history of Ukraine. For example, in her book "History of Ukraine in relation to the history of Western Europe"<sup>2</sup>, she demonstrated a pioneering attempt in writing the Ukrainian history within the Western European context; she also analysed the process of integration of Ukraine into Europe, primarily through Poland and the Czech Republic. In Dvoryanska's work the main line of argument rested upon the unity of the Slavs.

The purpose of this article is to cover the history of marriage and family relations of Ukrainians in the South Ukrainian region in the works of Professor Natalia Dvoryanska (Mirza-Avakyants) in the context of everyday history, to identify the features of the researcher's approach to the study of marriage and family, divorce, and marriage-family legislation.

Natalia Dvoryanska's (Mirza-Avakyants') field of scholarly interests was diverse and broad: the socio-economic history of Ukraine, peasant history, social history, history of everyday life,

1 Iryna Petrenko, *Istoryk Nataliia Mirza-Avakiants (1888–1940?): zhyttia i naukova spadshchyna*, Poltava: PUET 2014, p. 188.

2 Nataliia Mirza-Avakiants, *Istoriia Ukrainy v zviazku z istoriieiu Zakhidnoi Yevropy*, Kharkiv, 1929, p 246.

local history, history of law, history of women, works on the methods of teaching history, etc. A special place in her works was occupied by problems of the history of marriage and family relationships. Although she did not devote separate, independent studies to this issue, various aspects of it nevertheless appeared on the pages of her books and articles.

### **A Woman in the Southern Ukrainian Lands**

One direction of the scientific research of N. Dvoryanska (Mirza-Avakyants) was the history of women in Ukraine. The researcher actively worked on various aspects of the phenomenon of everyday military life of women of the "Ukrainian" border of the 16th and 17th centuries<sup>3</sup>, such as military and support services of everyday life (this refers to wars and armed conflicts, as well as the reality of support services that accompanied them, like quartering of troops, requisitions, military preparations, and military-sanitary activities, etc.)<sup>4</sup>, and investigated issues of the participation of Ukrainian women in local armed conflicts among the border nobility (assaults, as well as in country), voivodship and regional militias of the early modern era<sup>5</sup>.

N. Dvoryanska (Mirza-Avakyants), as a follower of the views of well-known Ukrainian historian, Orest Levytsky and Polish-Ukrainian historian Joseph (Anthony-Joseph) Rolle, was one of the first in Ukrainian historiography to show the influence of the military variable on the daily marriage and family relations of the Ukrainians, and drew attention to the status and character formation of the Ukrainian woman. All these works came out at a time when the image of this everyday life was ignored or considered as worthless to study. During the Cossack military campaigns, victories and defeats, N. Dvoryanska (Mirza-Avakyants) managed to notice, identify and show everyday marriage and family relations.

The history of wars, campaigns, and conflicts that took place in the Ukrainian lands in the 16th and 17th centuries were mainly revealed and portrayed through the eyes of men and were embodied as a belligerent man-at-arms. N. Dvoryanska (Mirza-Avakyants) described women in the background of military everyday life, characterized their role in public life, showed the female being as a fully-fledged subject of the historical process, and revealed complex and contradictory marital-family relations. On the Ukrainian border these relations were characterized by democracy, ignoring church marriage and family regulations.

3 Oleksandr Kryvoshyi, «Amazonkyky i «amazonstvo» v ukrainskii folklorinii tradytsii ta istoriohrafii druhoi polovyny XIX – pershoi tretyny XXst.», Kyivska starovyna, 2012, № 6, pp. 66.

4 Oleksandr Kryvoshyi, «Zhinky na viini ochyma zhinky-istoryka (malovidoma pratsia N.Iu. Mirzy-Avakiants «Ukrainska zhinka v 16-17 st.» yak dzhherelo do vyvchennia povsiakdennia zhinok rannomodernoï Ukrainy v umovakh voien ta zbroinykh lokalnykh konfliktiv)», Zhinka v nautsi ta osviti: mynule, suchasnist, maibutnie: materialy p`iatoi mizhnarodnoi naukovy-praktychnoi konferentsii Ukraina, m. Kyiv, 3-5 lystopada 2011 r., Kyiv, 2011, pp. 299-300.

5 Oleksandr Kryvoshyi, «Zhinka-voiovyntsia v ukrainskomu istoriohrafichnomu dyskursi XVI-KhlKh st. Dvi storony odnoho obrazu», Voienna istoriia Pivnichnoho Prychornomor`ia ta Tavrii: zbirnyk naukovykh prats, Kyiv, 2011, pp. 128-136; Oleksandr Kryvoshyi, «Zhinka zi zbroieiu na storinkakh viiskovoi istorii Ukrainy XVI – pershoi polovyny XVII st. Konteksty proiavu», Voienna istoriia Naddnyprianshchyny ta Donshchyny: zbirnyk naukovykh prats, Kyiv, 2011, pp. 70-78.

Such an approach, as O. Krivoshiya justifiably remarks, allows modern researchers to “form an idea of new contexts of the presence of ‘feminine’ in the cultural space of early modern Ukraine and to trace the evolution of historical and feministic views on the unique experience of participation of women from upper social classes in armed confrontations of the 16<sup>th</sup> and first half of 17<sup>th</sup> centuries”<sup>6</sup>.

Ukrainian women of the South Ukrainian lands in the 16<sup>th</sup> and 17<sup>th</sup> centuries did not remain behind men: they also participated in wars, often leading even a military unit. On this occasion, one of the heroes of the story N. Dvoryanska (Mirza-Avakiants) for older school children ‘On the Crosses’ said: “And you know there are women, they are no worse than real soldiers”<sup>7</sup>.

The researcher thoroughly explored the assembly books and drew several conclusions on the status of the Ukrainian woman. Obviously, N. Dvoryanska (Mirza-Avakiants) was planning to write a general history of Ukrainian women. Dvoryanska emphasised the characteristics of the Ukrainian woman in history, particularly her independence and rightfulness, contrast with a Moscow (Russian) woman, although it was mostly true of aristocratic women. Analysing the social status of a Russian woman, Natalia Dvoryanska (Mirza-Avakiants) concluded that “even marriage, this border to a new life, the most intimate event in the life of every person, especially a woman, was decided not by her, but by her parents, without her wish and consent, and the girl went to get married often never seeing her groom”<sup>8</sup>.

The participation of women in everyday life in the cultural space of the “Ukrainian” border becomes especially noticeable amid wars and local armed conflicts of the 16<sup>th</sup> and 17<sup>th</sup> centuries. This was especially true for southern Ukraine, close to the steppe. Living conditions heavily influenced the female characters, making them energetic, active, independent, because “more than once a woman went with her husband to find out about the enemy, took part in hikes, she commanded raids, that often ended in bloody fights”<sup>9</sup>.

The cultural space of the Lower Dnieper region, saturated with scenarios of female activity, was obviously one of the catalysts that led to the emergence of a discourse about a strong, military noblewoman of the “Ukrainian” border. In such circumstances, where power was the rule of law, weapons, rather than the law, resolved most of the disputes. People were strong, energetic and predatory, they could defend themselves. Such circumstances of life should have affected not only men, but also women, and therefore “the Ukrainian woman at that time showed a general rudeness and inclination to violence, and in her character we notice the same strength and energy as that of a man”<sup>10</sup>.

6 Oleksandr Kryvosnyi, «Sylna zhinka zi zbroieiu» v ukrainskomu istoriohrafichnomu dyskursi XVI-XIX st.», Kyivska starovyna, 2012, № 1, pp. 29.

7 Natalia Mirza-Avakiants, «Na kresakh», Chervoni kvity, 1924, № 10, p. 8.

8 Natalia Mirza-Avakiants, *Ukrainska zhinka v XVI-XVII st.*, Poltava, 1920, p. 5.

9 Natalia Mirza-Avakiants, *Ukrainska zhinka v XVI-XVII st.*, Poltava, 1920, p. 25.

10 Natalia Mirza-Avakiants, *Ukrainska zhinka v XVI-XVII st.*, Poltava, 1920, p. 12.

Describing marriage and family relations in the early modern times, N. Dvoryanska (Mirza-Avakyants) emphasized that “family relations are one of the best pages of the harsh life of that time when practicality and selfishness prevailed, almost the only sphere where a person displayed the best features of her soul”<sup>11</sup>.

Marital and family relations of the 16th and 17th centuries were mainly governed by customary and written law. Family relations were largely under the control of the community and local authorities. Customary law continued to function even when it was contrary to the mainstream of secular and ecclesiastical politics. This was explained by the fact that customary law was objective and deeply rooted in all spheres of society.

The social order in the village depended on individual deviations from the traditional, established norms of each member of the village community. In a traditional society, the moral behaviour of every member of the rural community (in particular, the violation of sexual norms) was publicly condemned and punished.

N. Dvoryanska (Mirza-Avakyants), have thoroughly investigated the “Act books of the Poltava city government of the 17th century” in which, on specific material, she identified the characteristic features of the court practice of the Poltava regiment. Act books recorded real facts of life. Having considered the cases, the researcher quite rightly focused attention on the large role of the community in the Poltava City Court. This trait was not an accident, but a consequence of socio-economic circumstances. She revealed that the peculiarities in this region of land tenure - small and medium, not large - prevailed, and “Poltava Cossack and peasant, feeling a strong economic foundation, was a full citizen, not dependent on the lord. So, the community, as an influential unit of daily social life, has not yet been pushed back by the senior government, fully and vividly speaking in the practice of the Poltava Court”<sup>12</sup>.

N. Dvoryanska (Mirza-Avakyants) analysed examples of solidarity, community advocacy in marriage and family matters. Exploring marriage-family affairs, the historian emphasized that the degree of community influence differed territorially and chronologically, losing its influence from the end of the 17th-18th centuries. In the Poltava region, the role of the community was marked by long-lasting influence and remained even until the end of the eighteenth century.

The historian N. Dvoryanska (Mirza-Avakyants), having carefully studied the act materials, came to the conclusion that even in the second half of 17th and beginning of the 18th centuries, in the Hetmanate the courts relied mostly not on written law (the Magdeburg Law and the Lithuanian statutes), sentencing more often on the basis of customary (Cossack) law. Only the Codes remained valid, from which judges sought advice and assistance, but constantly departed from the norms of these Codes if they were contrary to customs. The researcher illustrated this with numerous marital and family affairs.

11 Natalia Mirza-Avakians, *Ukrainska zhinka v XVI-XVII st.*, Poltava, 1920, p. 36.

12 Natalia Mirza-Avakians, «Narysy z istorii sudu v Livoberezhnii Ukraini u druhii polovyni XVII stolittia», Naukovyi zbirnyk Kharkivskoi naukovo-doslidchoi kafedry istorii ukrainskoi kultury, 1926, № 2-3, pp. 81-82.

## Conclusion

The everyday marriage and family relations of the Ukrainians found their coverage on the pages of Natalia Dvoryanska (Mirza-Avakyants') works. Analysing them, the researcher was in many ways ahead of her contemporaries. In particular, elements of the history of everyday life - the direction of historical studies, which is now becoming popular - are found in her articles, written in the 1920s-1930's. One of the components of the history of everyday life is marriage and family relationships, which the scholar has paid great attention to. N. Mirza-Avakyants showed the influence of customary and secular law on their regulation. She proved that in the second half of the seventeenth century family conflicts were often resolved through customary (traditional) law, not written law. The researcher has considered the status of the Ukrainian woman, compared her with her Moscow (Russian) counterpart, and given examples of women's activity in the Cossack era. Her great merit was that she characterized the Ukrainian woman in the background of military conflicts, Cossack riots, wars and tragedies.

On this occasion, N. Dvoryanska (Mirza-Avakyants) wrote: "The Ukrainian woman did not avoid participation in the revolutionary struggle: the oppressed Ukrainian women, keenly feeling with the men the demand of the ruling strata and the bond of serfs, did not seldom compete for liberation together with their husbands, brothers and parents»<sup>13</sup>.

Natalia Dvoryanska (Mirza-Avakyants) was one of the first in Ukrainian historiography to portray the Ukrainian woman not just as a bride, wife, or mother, but as a woman-warrior who had a good command of weapons, led military and industrial units, often became a merciless fighting companion and fought against all sorts of attackers beside her husband.

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Natalia Mirza-Avakiants, «*Ukrainska selianka v revoliutsiinii borotbi 1905 roku*», Chervonyi shliakh, 1931, № 1-2.

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13 Natalia Mirza-Avakiants, «*Ukrainska selianka v revoliutsiinii borotbi 1905 roku*», Chervonyi shliakh, 1931, № 1-2, pp. 140.

Natalia Mirza-Avakians, *Ukrainska zhinka v XVI-XIX st.*, Poltava, 1920

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