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Marriage Strategies and Sequels: Prosperity or Conflict between Relatives (Romania, 18th century)

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Abstract

This article analyses matrimonial strategies and practices in the noble and rural classes in Romanian society of the eighteenth century, with special emphasis on two aspects: the father-daughter relationship and the relation between dowry and patrimony. Under the law and according to the moral tradition, the head of the family had a duty to marry off and provide endowment for all his children, and thus he needed to recourse to various strategies and solutions inherent to the hereditary and marriage practices. Conflicts naturally arose between relatives, and my main argument is that besides the financial reasons there was a strong emotional side involved, generated principally when fathers sought to continue to protect their daughters even after marriage.

Marriage as a fundamental social practice encompasses all social groups, while it is structured and defined by practices and patrimonial strategies as well as by customs and ecclesiastical law. Moreover, peasants and boyars, merchants and burghers try to enhance their social standing, wealth or business by contracting good marriages. An abundant secondary literature deals with this connection between marriage arrangements and social or economic advantages, or between marriages and inheritance systems (Claverie, Lamaison, 1982; Collomp, 1983; Stone, 1984; Erikson, 1990; Klapisch-Zuber, 1990; Rogers, 1999; Lynch, Viazzo, 2002). In eighteenth century Romanian society, marriage is of particular interest because of special traits, such as the high marriage rate, the legal obligation to marry and endow all children and the low marriage age (14/15 for girls, 19/20 for boys). Furthermore,

although monastic vocation was a matter of personal choice, the church found other ways to impose a series of legal impediments, which subsequently put limitations on the matrimonial market. Considering all these factors, the present investigation will examine matrimonial strategies and their effects on household economies in the Wallachian/Romanian context.

Paternal authority and domestic tyranny

The church organises its strategies of control to secure social order within the parish through direct control over families. On the lowest rung are the children, who owe respect and have to be compliant to their parents even after they come of age and sometimes even after they part with their family and move into another one. A young man becomes “independent” after reaching his age of majority, legally set at 25 years by the “Law projects” of Mihail Fotino and the “Caragea Code of law” in 1818 (Zepos, Georgescu, 1982, 487-488; Caragea, 1953, 8). Once they reach legal age, sons and daughters become “masters” over their own possessions and are free to administer their wealth and to behave “as they wish” as long as they obey the law.

The legal power granted by adulthood theoretically provided offspring of either gender with the right to choose a spouse according to their own wishes. Fotino however stipulates that only a son “who has attained majority can marry without his parent’s consent”, and thus the legislator ignores similar situations when a daughter becomes officially a grown-up (Zepos, Georgescu, 1982, 456). Since in practice most marriages were concluded before this age, children were under the economic and social control of their families; the head of the household decided the marriage strategies, and the consent of the young bride and groom¹

¹ The Council of Trent imposed consent as „the prime matter of sacrament”, while also trying to enforce church marriages as opposed to clandestine ones. Although the consent of parents was no longer necessary in theory, it was still so in practice due to the requirements for banns, the presence of the priest and of two or three witnesses, and the recording of the marriage in the parish register. In England these issues were first regulated only by the

practically did not exist or was manipulated by the Romanian Orthodox Church according to its interests. Women were on the second rung of this legal construct. Customary law and church canons prescribed the status of a wife strictly: faithfulness and obedience were the two crucial elements for the conjugal bond.

At the top, we find the head of the family, holding responsibilities towards each member of the household. He in fact controls domestic order; therefore, church and central authority alike endow the *paterfamilias* with full power over his wife and daughters, full authority over his sons until their marriage; this can be extended in cases of misbehaviour and misconduct, of breaking the unwritten social code that regulates daily life. The cohesion of a social system can be secured, at least temporarily, by imposing strict social rules on individuals. Fathers and heads of families do exert an extended power and control over their families but at the same time, they are immediately penalised when they were considered “weak”, unable to control their households.

The head of the family holds the leading role in the household economy; he has to work for the benefit of all. This position of main provider grants him first of all power of control over his wife: the husband has the right to punish her, with punishments ranging from slaps to killing if she was adulterous. This right is sanctioned in the codes of law, approved of and supported by the church and accepted by the woman (Ghițulescu 2004, 252-320). However, a father’s authority is illustrated more strongly in the relationship to his children, before and even after these enter marriages. A father’s main duty consists of raising and feeding his

Marriage Act of 1753: the publication of banns, the marriage licence, the consent of parents in case of minors and the church ceremony. See Bologna, 1995, 223-228; Stone, 1977; Menchi, Quaglioni, 2001; K. Ritzer states that the Orthodox Church did not have „*une manifestation formelle du consentement*”, explaining also that „*de telles déclarations du consentement (écrites ou orales) ont lieu avant que les époux se présentent à l’église ; ou bien l’Eglise grecque considérait le consentement de l’homme et de la femmes comme suffisamment exprimé par le fait qu’ils se soumettaient aux rites de l’Eglise*”. Ritzer, 1970, 212).

children, of endowing and marrying them, a responsibility which is part of the collective mentality and is restated by the central power when deviations occur. Thus, when Metropolitan Cozma discovers in 1792 that there was an alarming raise in the premarital relationships and births out of the wedlock, he scolds the parents and primarily the fathers. He advises them to make sure that they follow the right steps towards marrying the children, that girls are provided with dowries and married to “suitable” men (Urechia, 1896, 101-105)². Domestic tyranny is justified by the father’s ownership of the patrimony. Documents speak of the father who decides the fate of their children “as master over all his belongings”. He chooses the spouses, accepts proposals, negotiates dowry or inheritance, and signs the nuptial agreements. Under these circumstances, financial and economic interests dominate marriages, and sons and daughters alike have no other choice but to obey. Otherwise, they stand to lose their dowries or their share of the inheritance.³ State authorities do not condone any attempts to break away from this paternal domination. Thus, when Stan from Măgurele village in Ilfov county brings a claim against Petre because he would not agree to Stan’s marriage to his daughter Ilinca (who had already consented to the marriage and had entered a sexual relationship with her suitor), the judge issued a sentence according to the Code of law chapter 254, namely that “the marriage of a girl against her parents’ wish is to be stopped” (BAR, mss. 4024, f. 190^v, 11 February 1799)⁴. The implicit blessing of the parents is closely related to the economic principles that surround weddings and marriages. In cases of widowhood or divorce, the dowry, the wedding present and the third of the husband’s fortune to which the

² Ordinance reissued consistently until 1829. See Urechia, 1896, 428-429, 4 July 1792, 24 August 1805. DANIC, mss. 139, ff. 194^r-195^v, f.l. f.z. 1793; BAR, mss. 3935, ff. 65^{r-v}, ff. 227^v-228^r, ff. 230^{r-v}; mss. 4027, ff. 95^{r-v}, 15 October 1819, 16 April 1822, 10 December 1822, 12 February 1829.

³ See the case of Costandin from Vălenii de Munte, Prahova county, banished by his father, Moise vătaful, for being engaged without his consent and to a person who did not part of the father’s plans. After only a short resistance, the son obeyed his father and broke the engagement, arguing that “he has nothing, but his father was feeding and providing for him”. BAR, mss. 642, ff. 67^r-70^v, 14 June, 5 July, 16 September, 5 October, 9 October 1795.

⁴ While the father has his will, he is obliged to marry his daughter “to whom he would please” within the following four months.

wife is entitled can only be recovered if such public support and consent of the families had been given.

Marriage Strategies and familial interests

From my own research into this field, I conclude that a variety of matrimonial strategies can be identified, as strong testimonials for each family's interest to conclude "a good marriage", but especially to "maximise economic and symbolic profits associated with the establishment of a new relationship" (Bourdieu, 1980, 250). Criteria in choosing a spouse are many, dictated by the long-term interest of each *paterfamilias* but also by custom and society.

Firstly, these strategies are devised from within communities, social categories, business partnerships, neighbourhoods and friendships. Peasants prefer not to leave their village, and even when they do, they choose a community close to their home. Priests tend to build "dynasties" by serial alliances, which often involve sending their daughters to a remote village or having a daughter-in-law from a different community.⁵ Town dwellers have a wider choice, because the city (i.e. Bucharest and Iași) gathers a mixed populace, rural and urban alike, drawn in from all over, even as far as the Balkans. Even here however, a successful artisan or shopkeeper sets his eyes on a fellow tradesman, a possible partner for the future, for a marriage arrangement between offspring. Boyars build more complex marriage strategies, while the social stakes are higher: they want to become connected to a certain network, rise another step on the social ladder, create a network of support for potential social climbing (Bolovan, 115-117; Ghițulescu, 2004, 106-117; Nicoară, 2001, 155-157, Vintilă-Ghițulescu, 2006, 18-59). Rich merchants are in a similar position, their goal however being entry into a different social class. They imitate the aristocratic lifestyle and acquire offices in order to

⁵ Orthodox priests have to be married when they are ordained, under strict conditions: it happens only once in a lifetime and the bride must be a virgin. Widowerhood does not allow priests to remarry, and divorce theoretically leads to defrocking.

reach the status of high nobility. The strongest strategy for arrival among and acceptance by the boyars remain marital alliances with the nobility (Lazăr, 2007, 233-293).

Secondly, social differences are strongly marked; therefore, the social position of each person places him/her in a strict hierarchy of accepted values within the society. Consequently, any straying from them is visible and immediately penalised, first through gossip, then through the intervention of the community or even in the court of justice. It is the bitter truth that Dina from Bucharest learned from her own experience, well aware of the social differences that made her marriage impossible: “I was neighbour with the abovementioned, and many times he impudently came over to me, lured me by all sorts of means and with promises that he would marry me, *but I always pushed him away, knowing that he is the son of a merchant and I am poor, unfit for him. But he kept saying that even though he is the son of a merchant he wanted to take me. I never accepted his requests* [emphasis mine, C.V.-G.], knowing, as many others do, that he is a bad sort” (BAR, mss. 3934, ff. 27^r-28^r, 25 November 1802). Similarly, Voichița Cireșeanca Văleanca, petty noblewoman from an ancient and respected family in her market town, refused a *mésalliance* for her daughter, whose hand was sought by Costandin, the son of Moise the steward, recently ennobled “by the back door” thanks to his job (BAR, mss. 642, ff. 66^v-67^r, 5 July 1795). The community is quick in showing contempt when boyar Răducan Topliceanu, with the help of the brothers, kidnaps the daughter of Tudorache the furrier from Râmnicu Sărat. The girl’s father was reminded, aggressively, of his social position, inferior to that of the young man. In this story, there was no place for the feelings of the lovers for one another or those of the family (BAR, mss. 653, ff. 41^v-42^r). Sanda, a peasant from Poiana Lungă, Dâmbovița county, is told by the Metropolitan that love and hopes were not nearly enough for marrying hadji Ioniță son of the merchant hadji Tănase. She acknowledges her own inferior standing: “*and after the advice his Holiness has given me,*

coming to my senses and seeing that I could not marry him, because he was not of my kind, we reached an agreement” (BAR, mss. 641, ff. 122^v, <23 February 1795 – 26 February 1795>).

The woman is an important piece in play for matrimonial strategies. From the primary sources, it is evident how she moves along social hierarchies upwards or, more often, downwards, by obeying a decision already made, fulfilling an interest or ambition. Marrying persons with inferior social positions occurred more frequently within the social and political elite. The royal ordinance of Ștefan Racoviță from 30 July 1764 tried to regulate marriages between local noble families and “Greek” merchants on one side, and alliances between locals and foreigners who came with or without a “trade” to Wallachia (Ghițulescu, 2004, 127-129). Later this mandate was incorporated into the *Pravilniceasca Condică* (1780) code of law, where it stipulated a punishment for those who marry their daughters or sisters “to bad or ill famed” persons, “without regard to the honour of their family”. This policy was however beneficial to both parties: the father or the brother could keep the dowry, the groom accepted a smaller dowry in exchange for alliance to a prestigious family, and the marriage eased his way into society (Pravilniceasca, 1957, 95-96). Knowing that norm and practice do not mirror one another, boyars and rich merchants alike included *mésalliances* in their marriage strategies. These arranged marriages however cannot entirely stifle social pride: women more often than men reminded their constantly of their inferior standing. Tensions and dissensions lead to insults and verbal attacks, namely that “he is low born”, “she is of better family than him”.

Marriage, prosperity and conflict between relatives

In Romanian society of the eighteenth century, the marriage of a daughter cannot happen without the proper dowry, with a value differing from one social category to another. The economic sacrifices of each family are high, especially where daughters outnumbered the male descendants. In popular sayings and in collective thought, girls are called “millstones”, difficult to get off the shoulders of the family, difficult to settle down and a burden to the household. Written norms, marriage customs and ecclesiastical rules sketch the paths followed by peasants and boyars alike in carrying out their duty.

Customary law prescribe the system of inheritance: equal division of the patrimony between all sons, girls are only entitled to their dowry, and the youngest son has the right to remain in the family home (and this stay has rather a symbolic than an economic value). The endowment of sons and daughters takes place at two crucial moments: at their marriage and on the death of their parents. The privileged moment when each child receives a share of the paternal wealth is nevertheless marriage.

As Bourdieu has argued, “marriage is not the product of an ideal rule but the result of a strategy” (Bourdieu, 1972, 1107), the system of inheritance described above is not static and allows many alterations. When the necessity of marrying off daughters is stringent, the rules of not endowing the girls with immovable goods or of cutting them a smaller share compared to the male side of the inheritance are often broken. In such cases, fathers have to face opposition from the other members of the family, who consider that they are injured in their rights. Boyar Mareş negotiated the marriage of his first daughter, Catrina, to Eftimie Ghezdoveţ, a captain of mercenaries, and promises to give a generous dowry. His investment is worth his while, because the future son-in-law belongs to a wide network of alliances,

which will serve Mareş to marry off his other children. They sign an agreement, but the father dies before the wedding takes place. In his will, the boyar gives his entire estates to his wife on condition that this marriage is fulfilled and that the remaining eight children are married as well. These paternal decisions are immediately challenged by three sons, who disagree with the size of the promised dowry and with their stepmother becoming the executor. They raise a claim according to their “right over the patrimony” and for “the necessity to marry the other three sisters suitably” (Urechia, 1896, 440-445, 24 May 1794)⁶.

The death of the father put his sons in charge of the endowment and of marrying the girls in the family. Despite written contracts with the groom’s family and the testament, the brothers avoided carrying out the promises made by their father. Ştefan Bărbătescu, a noble man, asks his brother-in-law for a new delay before he initiates a formal lawsuit, pledging to pay the balance of the dowry even though it was his brother who was in debt. The siblings were involved in a judicial trial, because none of them wanted to take responsibility for endowing their sisters. When their father suddenly passed away intestate, they took advantage of the situation: they refused to deliver the dowry promised to the first-born daughter and to marry the second daughter of the family. (DANIC, Achiziții Noi, MMDCCCLXXXIII/69, 5 December 1795). This situation is not singular; even in cases when fathers do leave behind a last will with strict instructions to their heirs, problems occur. Thus, although Hera received along with the entire family fortune the obligation to endow his sister, he denied responsibility and pushed the mother to give up her dowry (DANIC, Achiziții Noi, CLXXVIII/2, 20 December 1714).

⁶ The sons do not win their case in the court, because the last will has legal power. The ecclesiastical tribunal decides that since the father has gathered his fortune with his own labour and effort, he has the right to dispose of it as he wishes. The last will and testament is a powerful instrument for the strategies of the fathers, because it had full authority.

Conflicts surrounding the dowry are quite numerous. They oppose fathers-in-law and sons-in-law, the latter being joined by their new brides who thus become enemies of their original families. Let us see the steps taken in the ritual of marriage. In order to marry off his daughter, the father offers a dowry. The payment though takes place in various stages. On the day of the formal engagement, the groom is offered the dowry list as a sign of entering the agreement, an official inventory written in front of many witnesses: the parish priest, the bride's father and brothers, blood relatives, neighbours and friends. Their signatures validate the document, but their presence is also a guarantee for the finalisation of the marriage agreement.⁷ Dowry payment begins the day after the wedding celebrations, but according to the law, the father or head of household has two years at his disposal to fulfill the dotal agreement. (DANIC, mss. 143, ff. 211^v-213^v, 27 May 1793). Disputes often start even on the following day. Going to court is also preceded by negotiations and renegotiations over the dotal list; fathers find themselves forced to give away land (part of a vineyard or half an orchard) to make good on their part of the agreement. When the parties cannot reach a mutually satisfactory arrangement, they go to court. Sons-in-law are favoured by the legal provisions and by social practice. Deacon Gheorghe from Căpșuna Village, in Vlașca county, is summoned to court by his son-in-law Ion, who claims that parts of the dowry had been overdue for six years. The court decides that he is entitled to receive from his father-in-law "a horse, a pig, some plum trees and one row of vines" as soon as they return to their home village; the local rector is called to be a guarantor for the sentence (BAR, mss. 637, ff. 222^{f-v}, 29 iunie 1785). In other cases, sons-in-law face complaints that they abused the confidence of their in-laws and took over goods that were not promised or written down in the dotal agreement. Pârvan accuses his son-in-law, priest Tudor from the village of Negrei, Olt county, of deceiving him. When the dotal inventory was drafted twelve years previously, the groom had written down 100 parcels

⁷ During this period, neither notaries nor parish registers exist in Romanian society. The presence of the priest was therefore strongly required, he was considered to have the authority of legal guarantee for authenticity.

of land instead of the 60 which was dictated (DANIC, Achiziții Noi/ MMDCCLXXXIII, 28 September 1792). Priest Lupu finds himself at odds with both his sons-in-law, whose sides are taken by his daughters too. In this particular instance, the conflict is stirred by the fact that the father wants to leave his entire estate to his only son. The malcontent sons-in-law start rumours that the father-in-law was in debt towards them, and the daughters try to forge ownership papers on different parts of the estate. In his last will, the father describes the situation of each child, when and how he endowed them, the repeated threats and extortion attempts and the false claim of his daughters: “and if my daughters, Mihalcea and Vișa, produce letters alleging that I gave them land Pârscovu, it should not be believed, because I testify on my very soul that I have not given them a single piece of land” (DANIC, Episcopia Buzău, XLVIII/168, 8 January 1716).

Prosperity does not depend solely on the wife’s dowry and the husband’s wealth. It also needs harmony and agreement between partners about the division of labour and the role of each gender in the household economy. Moral support and emotional connections to the other members of the family groups are also crucial. However, parental meddling in the life of a married couple is a reality that struck William Wilkinson, the English consul to Bucharest: “Les parents ont la coutume, en Valachie, d’intervenir dans les affaires de famille de leurs enfants mariés, et d’exercer après leur mariage presque la même autorité qu’ils avaient auparavant” (Wilkinson, 1821, 135-136). This daily interference has negative effects on the partners and inevitably influences the couple’s prosperity. Alongside economically motivated complaints, the judicial archives contain a large amount of court material, lawsuits caused by the interference of parents-in-law, brothers-in-law, sisters-in-law, uncles and aunts in the decisions of the married couple. While the woman keeps strong ties to her own family, she also lets herself be influenced by their opinions, eventually refusing to integrate into the

husband's kin. Some couples even draw a visiting schedule between wife and relatives (BAR, mss. 4024, ff. 149^{r-v}, 21 iulie 1798), others are granted court orders to diminish the interference of in-laws. (Ghițulescu, 2004, 262-268).

Patrimony sparks conflict between blood relatives but also between relatives by marriage. (Durães, 2000). The scrutiny of the judicial archives in eighteenth century Wallachia shows that court cases concerning patrimony were the most widespread. Almost all noble families were involved in litigation over properties, estates, dowries or inheritance; peasants are confronted with a similar situation. Explanations for these tensions lie in the marriage strategies, devised to satisfy only the interests of some people. In an economy where cash is short, dowry is almost always converted into immovable goods (land, orchards, vineyards); this practice in turn creates discontent among the male members of the group, who are the privileged beneficiaries of the inheritance system. In a society where there is a high marriage rate and endowing each child is an obligation, the patrimony is not sufficient for everyone. Thus families face situations in which promises cannot be honoured by the appointed term, or brothers refuse to give over shares of the inherited wealth for the dowry of their sisters. Eventually the patrimony is disintegrating with each generation.

When faced with a high number of legitimate heirs and the permanent shortage of ready cash, the head of the family devises compensation aimed at pleasing everyone. He offers his heirs social and symbolic capital, which becomes more important than material capital for the sons' social ascent. A family's prosperity is based therefore on several pillars: economic capital, social capital, symbolic capital and harmony within the domestic group. Conflicts between relatives are not caused exclusively by economic troubles but also have a strong emotional

component. These emotional discords are a strong factor in undermining the wealth and material prosperity of a family.

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