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Countering the Law: reactions by noblemen to State Justice and social repercussions in Venetian-ruled Crete (16th-17th cent.)

ABSTRACT

This paper examines how powerful families reacted against attempts by the Venetian administration to enforce state law on Crete during the last two centuries of Venetian rule. The Serenissima attempted to convince its subjects of the legitimacy of law and orient them towards it, if occasionally in vain, as the state faced staunch resistance from local lords. One indication of this was an increase in conflicts noted among noble families on the Venetian Mainland (*Terraferma*) in the 1570s, in reaction to the bid by Venice to enforce Venetian law in resolving differences. Members of powerful families felt they had lost the prestige derived from earlier practices of administering justice, not only as they were perceived individually, but as the law applied to them privately. In addition, they lost their primacy in various aspects of life, while new groups emerged and asserted their right to participate in power.

When it came to the upper socioeconomic classes of Venetian and Cretan noblemen as well as the prominent group of *cittadini*, things were probably not very different in Crete. The powerful seem to have realized that by accepting a unified law for all social strata, they would lose their power in everyday life (in the fields of administration, the economy and justice) and consequently in the island's politics. Reactions were a matter of course. Quite often, official public and state justice were bypassed. On several occasions it was the justice of the streets that prevailed, a taking of the law into one's own hands, public conflicts or other extra-institutional practices that applied in resolving differences. Manifestations of resistance to the imposition of state law included the public demonstration of power, contempt for justice and its institutions, the creation of relations of dependence, bribery, perjury, maintaining outlaws and henchmen as a form of bodyguards, and conflicts with other powerful families. When the local elite felt that their interests were at stake, they had no qualms about confronting Venetian power and its representatives, often by manipulating the lower classes to reap benefits for themselves.

By examining the case of Crete, our intention is to touch on a series of questions that show ruptures and instability mainly on the part of the rulers (both Venetians and locals). The attempt to research these questions will shed light on social ferment on the island during the latter part of Venetian rule.

KEYWORDS: Venetian Crete, rule of law, 16th-17th centuries, centre-periphery power relations, Giacomo Foscarini, nobles, cittadini, factions, vendettas, parallels with the Venetian Mainland

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INTRODUCTION – QUESTIONS

The reason for this paper is a series of conclusions reached by historians delving into Venetian history: in the late 16th century (specifically as of the 1570s), there was a noticeable increase in conflicts involving noble families on the Venetian Mainland (*Terraferma*), in response to an attempt by Venice to impose the law in dispute resolution. This was because the members of powerful families felt they were losing the prestige bestowed upon them by earlier practices of dispensing justice, in the way perceived and applied by each of them privately. As a result, the Republic's intentions and efforts to convince citizens of the legitimacy of law and enforce it on the ground were to meet with staunch resistance from ruling groups, who considered recourse to justice and the intervention of the Venetian authorities an insult to the honour of the *famiglia* and the clan.

Codes of honour and retribution were fundamental to medieval society. Their principles were supported by groups who exercised control over economic means in the agricultural sector, which in turn led to rivalry between noble houses for the control of villages. The families concerned enjoyed political autonomy, which manifested itself in terms of suppressing and preventing intervention by the Venetian courts in the Metropolis. The nobles based their power on clientelism and various forms of dependence.

Furthermore, the illustrious families who dominated public life up until the 1570s were to lose their primacy in various aspects of social and political life, whereas new groups were to emerge, laying claim to a share of power. A new ruling group thus took shape, connected to the Venetian governor, who was the key authority in the administration of justice, and an intermediary between the rulers and the population (Povolo 1992-1993).

In this study we will attempt to trace developments in Crete over the same period, and raise questions and assumptions open to further research. Our efforts focus on the following questions:

1. Did the Venetian administration make any effort to enforce state law on the island, and when exactly did this occur?
2. What stance did the rulers adopt towards state law and how did they react to attempts at enforcing it? Here we refer to those groups who played a leading role in local politics and enjoyed a prominent social status through nobility, landed property, offices, wealth or education.
3. How did Venice and public officialdom react to the insubordination of the powerful? How were those who committed arbitrary acts treated, even though they held public office?
4. Do we note a redistribution of power, as was the case on the Venetian Mainland, and when? What did such a situation mean from the point of view of the powerful, in shaping relations and balance among them? What relations were formed between the powerful elite and the rest of the population?
5. Did the law of Venice finally prevail or did the law of the ruling families continue to apply, and to what extent?

The above questions will be elucidated in relation to social ferment on the island in the latter part of Venetian rule.

RIVALRY AMONG THE NOBILITY – GIACOMO FOSCARINI (1574-1577) AND HIS REFORMS

In the second half of the 16th century, there were noble families in Crete with considerable autonomy and the power to counter state influence, as was the case in the Venetian Mainland. At the local level they had to deal with the emergence of new leading groups which were to jeopardise their power. Just as in other parts of the Venetian state, rivalry among noblemen and powerful figures on the island was due to land ownership, political and financial clout, and other bones of contention. Noblemen strove to acquire power and influence over local society mainly via the high economic status derived from land ownership, by holding offices and participating in the island's Councils, controlling the means of production (e.g. mills), collecting taxes and trading products. This clearly often resulted in a merciless struggle for power and prevalence within the echelons of nobility and the powerful elite at large.¹

We believe a pivotal point in the directives that Venice intended to impose so as to control the autonomy and power of the nobles was the appointment of Giacomo Foscarini as General Governor and Inquisitor of Crete (*Provveditore Generale et Inquisitor di Candia*) in 1574. Wielding supreme power, he tried to implement a series of reforms and regulate issues concerning the administration of justice during his term of office (1574-1577). Several of his reforms reveal the intention of Venice to impose its will and secure its rule. Foscarini toured the island, held hearings and castigated arbitrary acts by noblemen including both public officials and prominent families (Venetian and Cretan noblemen and feudalists²), who often exercised their power over the rural lower classes in an abusive and exploitative manner.³ For instance, reports on the abuse of power and violence led to the trial and conviction of Zuan Antonio Diedo, local Governor (*Rettore*) of Sitia (Tsiknakis 2004). In Foscarini's reforms and verdicts one can see clearly the need for Venice to impose official law, control local autonomy and curtail the traditional manifestation of power by illustrious families (both Venetian and Cretan).

It should be noted that a few years earlier, in 1571, the province of Rethymnon was ravaged by a peasant uprising against the oppression and injustice suffered at the hands of public officials, feudalists and other powerful people in the region. The events coincided with the siege and

¹ More evidence regarding competition and the conflicts among the *árchontes* (prominent island families) in political and economic life is to be presented in my forthcoming book on violence in Crete and the Ionian islands from the 16th to the 18th century. The book is based on a broad post-doc project I was the principal researcher for, entitled "History of social violence in Crete and the Ionian islands during the early modern and modern period (15th-18th cent.)", Ionian University, Corfu (2012-2015). Action: "Supporting Postdoctoral Researchers" (GSRT – Hellenic Republic, Ministry of Education, Lifelong Learning and Religious Affairs) – Operational Programme: "Education and Lifelong Learning", co-financed by the European Union – European Social Fund and the Greek State (NSRF 2007-2013). Scientific Direction: Nikolaos E. Karapidakis, Prof. of History of the Medieval West, Ionian University. Collaborator: Andrea Nanetti, Associate Professor in the School of Art, Design and Media at Nanyang Technological University (Singapore). Research conducted in the State Archive of Venice.

² Concerning the nobility in Crete see Lambrinos 2011.

³ On the actions of Giacomo Foscarini in the countryside see Tsiknakis 2018. The researcher makes no analogous correlation between what took place in the Venetian Mainland and in Crete of the same period.

looting of the town of Rethymnon by the Turks. The local population did not respond to calls by the authorities to offer help. On the contrary, taking advantage of the upheaval, the peasants showed their hatred towards the Chioza family, powerful Cretan nobles in the region (Zoudianos 1960, 245-247; Giannopoulos 1978, 131-139). In the same period, attacks including pillaging and murders of incredible cruelty were launched against other Cretan noblemen in the broader region (Tsakiri 2014a, 361-364). At this point we should also mention that in the late 16th and early 17th century Cretan nobility titles were bestowed in abundance by the local authorities, resulting in subsequent abuses of power. At times Venice would try to control this situation by means of acts and regulations, though not always successfully. During his term of office, Foscarini proceeded to remove titles which had not been ratified by the authorities in the Metropolis (Lambrinos 1999, 85-91).

The desire for control over public life becomes abundantly obvious in the rivalry between Venetian and Cretan noblemen that seems to have peaked in the 17th century. The competing groups had distinct demands, priorities and interests. The Venetian noblemen considered themselves socially superior, and sought to safeguard their prerogatives, a view not shared by Cretan noblemen who often pursued the same offices and privileges. It should be noted that the offices offered to noblemen – whether Venetian or Cretan – and to members of the middle (*cittadini*) and lower (*popolani*) strata were predetermined.⁴ The two opposing parties were driven by conflicting interests and rivalry, as titles of nobility, honorary distinctions, offices and primacy meant social recognition, a place in local power networks and a significant role in public life (Lambrinos 2019). A new concept of nobility, reinforced by the shift in the interests of noble families towards the towns and their participation in the wars in Italy, presented the opportunity for many to gain appointment to military offices, thus creating a more elaborate sense of honour. These changes brought about new terms in the rivalry among the noblemen, their desires and also the manifestation of *vendettas* in the 17th century (Povolo 1992-1993, 115). Archive material from Crete (decrees, reports, diplomatic missions, briefs, memoirs) yields examples of long-lasting feuds over the exclusivity of public and military offices or the status of prestige and power in public issues, as well as a strong desire to flaunt such power.

Reactions by the Venetian noblemen in Rethymnon were typical when, in 1576 and in the context of the reforms already mentioned, Foscarini empowered Cretan noblemen to hold the office of *condottiero* (cavalry commander) in one of the town's two cavalry companies. In addition to being particularly important to the defence of Crete, this military office had previously only been open to the island's Venetian noblemen, and was a symbol of their social supremacy. It brought honour and prestige on the social level and bestowed social power and recognition on its holder. Actually, there was fierce competition among the Venetian noblemen themselves as to who should occupy any given office (Lambrinos 2019, 163 and following).

It is clear that on the one hand Foscarini's move reduced the power of groups that had dominated the town up until then, in the hope of bringing about a redistribution of power, as had happened on the Venetian Mainland. On the other hand, it marked an attempt to woo

⁴ On the election and appointment of officials in Crete in the 16th and 17th centuries see Karapidakis [1983]; Papadaki 1986.

the Cretan noblemen of Rethymnon, who were numerically superior to the Venetians, thus securing their active participation in defending the town and strengthening the defence system,⁵ which in turn served the interests of Venice. The move gave rise to long disputes between the Venetian and Cretan noblemen in Rethymnon, with petitions and diplomatic missions to Venice. The former made a display of their superiority not only via their demands, but also in their derogatory remarks about Cretan noblemen (Lambrinos 2019, 164-166; 170-174).

Similar disputes revolving around a particular office or other titles and the desire to dominate the political, economic and social life of the Cretan cities continued throughout the 17th century. A typical case in the early 17th century was that of the feudalist and holder of Venetian nobility Ioannis Callerghis, and his unsuccessful attempt to acquire a title from the Venetian Republic that would add to his prestige. In a strongly competitive and polarised environment amongst powerful nobility factions in the city of Chania, he engaged in a conflict with the family of the Cretan nobleman Ioannis Chioza, which resulted in an assault against the latter and Callerghis' committal to trial. His changing, complex relations with the Venetian leadership and the Metropolis were particularly impressive and would on several occasions lead to a fragile balance of power – what could be termed a love-hate relationship, intermingled with fear directed at his own person on account of the influence he wielded over the population (Vincent 2001).

Claimants of offices were members of powerful Venetian or Cretan families with wealth and social prestige, who exercised influence over the local nobility and jockeyed for position in the public domain. They were favoured by Venice nonetheless, as on many occasions they had offered important services to the Serenissima. It should be noted that although appointment to an office was meant for a limited term, in practice many of the powerful noblemen on the island even managed to remain in their posts for decades, with the approval of the Venetian authorities (Tsakiri 2018, 102-103, 107-109; Lambrinos 2019, 163, 165-166, 169).⁶ These circumstances yielded them large profits, legal or illegal, as many of them exploited the population or dealt in illicit activities such as smuggling (Tsakiri 2018).⁷

Furthermore, over the course of the 16th century and particularly in the 17th century, a new group of middling socioeconomic status emerged in the urban and rural social hierarchy (the so-called *cittadini*), mainly by means of the wealth they had accumulated (through commerce, investments, renting out land, money lending etc), with their sights firmly set on entering the ruling class (Lambrinos 2011, 226, 230-231, 233, 236, 239).

DOMINATION OF FACTIONS

It was in the context of this competition that factions were formed in an effort to control the towns and the countryside. The moment local rulers felt that their interests were at stake, they had no reservations about opposing Venetian authority and its representatives, often

⁵ On the numerical superiority of the Cretan nobles of Rethymnon and their use in the Venetian state apparatus, see Lambrinos 2019, 162-163.

⁶ Similarly, on the offices intended for the lower strata see Papadaki 1986, 111.

⁷ There are many such cases of ill-gotten gains by dignitaries, as revealed by my research on the project detailed in note 1.

manipulating the lower classes so as to reap benefits for themselves. One characteristic example comes from the Venetian feudalist Francisco Barozzi, who reports on the arbitrary acts of the Cretan noblemen Zorzi da Chiozza and Francesco Lombardo, and the problems they created not only for other noblemen and *cittadini* in Rethymnon, but also for *Rettore* Luca Falier in 1593-1594. Through devious machinations the two men succeeded in hampering the official's work, and even managed to have him recalled and an inquiry launched against him. Quite often, then, official functionary and formal justice were bypassed. Barozzi explicitly mentions that the particular «insubordinate houses are hated all over the town» (*certi Lombardhi e Chiozi, capellazzi seditiosi et hodiosi a tutta la città... detta seditiosa seta de Lambardhi et Chiozzi*). Related by marriage, the two families tried to dominate Rethymnon by controlling the authorities, holding public offices and using relatives and followers. In this lawless behaviour of theirs, they found a supporter in the shape of *Rettore* Bartolomeo Pesaro, successor to Falier. Pesaro and Chiozza put pressure on the members of the Council of Nobles (*Università*), and whoever dared to stand up to them experienced their relentless revenge. When Barozzi took legal action against the two families over a financial difference, he provoked the ire of Pesaro, who victimised him and threatened him with a dishonourable penalty for a nobleman. Barozzi accused Pesaro of favouritism, factionalism and partiality in exercising power and dispensing justice. Pesaro arrested and imprisoned Venetian noblemen, and was accused of tyrannical behaviour against the peace-loving inhabitants of Rethymnon, «having committed many acts of injustice and partiality, persecution and tyranny» (*haver commesso molte ingiustitie, partialità, persecuzioni et tirranie*). Discrimination by him even led to discord among the population (*ha fatto in quella nascer tante dissensioni et messo tanto fuoco et fiamma*) (Gialama 1990, 323-333, 382-394). The Venetian officials, then, were not impartial in these disputes. Overlooking Venetian law, several of them continued to abuse their power and mistreat the population.

THE CHARACTERISTICS OF CONFLICTS

Making public displays of power, showing disregard for justice and its institutions, forming relations of dependence, engaging in bribery and perjury, keeping outlaws and henchmen as a form of bodyguards, and maintaining conflicts with other powerful families were just a few of the ways those in power reacted against state law. Testimonies from the late 16th and 17th centuries are revealing: wishing to display their power publicly, members of powerful families with political influence in the town and honorary distinctions from Venice would turn up in the town square (which had been the scene of many representations of the myth of Venice) or the main streets with their armed followers (Tsakiri 2014b, 23-35, 35-40). Sometimes they took advantage of the absence of the local governor, often precipitating his return to restore order. A typical example is that of the Cretan noble Mattio Gribbia, scion of an illustrious Rethymnon family, who appeared in town in 1636 escorted by a strong group of armed men (Lambrinos 2019, 173).

The same people were accompanied by servants and bodyguards on their trips to and from their country houses. In his memoirs of the late 17th century (1694-1696), Ioannis Papadopoulos mentions the ambush that nobleman Zuan Antonio Muazzo set against his opponent, Cesarini

[sic], «of a very good family and great wealth» (*di nascita civile e di ricchezze grandi*). At this point we need to note that Papadopoulos' memories cover the best part of the 17th century, since he was born in 1618 and was at the focal point of events, serving as an extraordinary and then a regular assistant in the Ducal Chancellery in Candia. Upon going to his villages escorted by four henchmen, Muazzo accosted Cesarini, who was returning to town from his villa together with one of his peasants. The ensuing conflict resulted in Muazzo eventually succumbing from his wounds, which was a source of joy for other noblemen whom Muazzo had harassed throughout his life with countless acts of violence and arrogance (Vincent 2007, 21-28, 70-72; Vincent – Deligiannaki 2013, 17-37, 62-64).

Cases when the justice of the streets, self-redress, public conflict and extra-institutional practices such as the *vendetta* were applied in resolving disputes were not uncommon. One example was the dispute among three important families of Chania in 1576, for reasons which are not made clear in the documents beyond a vague reference to «rivalry and enmity» (*garra et malivolentia*). Those involved were the Lafachis, Maderos and Fassidonis families (Tsakiri 2007, passim; for their conflict see especially 159, 165-169 and elsewhere);⁸ all three are recorded in the 1644 census among the *cittadini* of the town, whereas a branch of one of them (the Maderos) is also registered in the list of Cretan noblemen (Manoussakas 1949, 53, 54). The rivalry between them may have been political or economic in nature, since the accumulation of wealth in certain families predictably aroused the jealousy of the others. According to Ioannis Papadopoulos, the people of Chania lived in relative comfort compared to those in the other towns of Crete, owing to sea trade between the town and the major trading centres of the Mediterranean, such as Venice, Alexandria and Constantinople (Vincent 2007, 214).

This enmity led to insults, abusive language and threats from all parts. The members of the broader families rallied with dependents and Italian soldiers, organizing groups. Clashes took place outside the town, finally erupting into violent armed conflict with all kinds of weapons (swords, knives, bows and even firearms). It is evident that competition was not restricted to a particular group of Venetian or Cretan noblemen or *cittadini*. People from different social groups who derived direct or indirect benefits were involved in the rivalry over the exercise of power. In this way we can see interdependence relations being shaped among relatives by blood or marriage and friends, as well as straightforward dependence relations among different classes and groups, and between powerful and less prominent families (Tsakiri 2007, 165-172; Eadem 2014b, 26-35).

Servants and outlaws sided with individuals and families in these conflicts. Evidence by Francesco Morosini, *Provveditore Generale* of Crete (1625-1629), concerning two noble families of Candia,⁹ testifies to this in 1629. The official refers to the murder of Cavalry Commander (*conduttier*) Antonio Querini by three paid killers, henchmen of Zorzi Fradello. A servant of his gave the order for the murder, which took place in a central part of the town (Aghios Franghiskos Square) in the presence of the garrison (Spanakis 1950, 104-107; Vincent – Deligiannaki 2013,

⁸ See also the documents concerning the case, published in appendix, 183-189.

⁹ It should be noted that the Querini and Fradello families are registered among the Venetian noblemen in Candia in the 1644 census (Manousakas 1949, 45).

205-206). The conflict between the two families was probably motivated by rivalry over politics or the office of cavalry commander, since the instigator of the murder, Zorzi Fradello, had previously held the post (he is reported as *condutier* [sic] in 1616, Vincent 2001, 242). The henchmen were assisted by others in escaping from Candia; Fradello was arrested and stood trial, but only for the specific event, despite the fact that he had also been involved in acts of violence and tyranny in the town and the villages, kept henchmen and attempted to corrupt justice at every opportunity. He was condemned to death by decapitation (Spanakis 1950, 104-107; Vincent – Deligiannaki 2013, 205-206).

It should be pointed out, however, that even when justice was served by state officials, the retribution and penalties meted out on those in power differed from what was imposed on their followers (many of whom, as we saw, came from the lower classes). Despite the severity that Venetian officials wished to display, the perpetrators were usually punished leniently and later set free (Tsakiri 2007, 172-175). The granting of pardons was left to the discretion of the judges, in keeping with public interest (*come a Noi parerà che si convenga*), as is stated in such verdicts (Tsakiri 2003; Eadem 2007, 176-181, for the quotation see 180, 188). Or, we may wonder, was it perhaps in keeping with the interests of Venice? In several instances the state relied on the services of powerful families, with whom it developed relations of various forms (Tsakiri 2014b, 40-44; Eadem 2015, 185-195). We should also note that members of the local powerful families sought ties with the Venetian noblemen in the towns, often forming relations by marriage, though also by becoming best men or godfathers (Tsakiri 2007, 159 and note 9, 180-181). Others had placed themselves in the service of Venice (for example, during the Ottoman-Venetian wars), as was the case with members of the Fassidonis family, who won distinction in the service of Venice during the Fourth Ottoman-Venetian war (1570-1573). Indeed, they continued to maintain good relations with the Venetians when the abovementioned case went to trial (Tsakiri 2007, 159 note 9, 175). It is clear, then, that reality was in sharp contrast with the attempts by the Venetian governor to control conflicts and enforce Venetian law.

We should not forget the great influence the feudalists exercised on the population within their jurisdiction. It was they who mediated between the people and the authorities in times of turmoil. For example, in the events of 1571, peace in Rethymnon was restored via the mediation of people's representatives and negotiations among them, the *Rettore*, and the Callerghis, the foremost family in the region (the only one in the island on whom the Venetians had bestowed a title of nobility, and who exercised significant influence on the population). The situation was finally settled thanks to the intervention of the feudalist Mattheos Callerghis, who toured the villages of the area – several of which were his fiefs – and demanded the loyalty of the population (Zoudianos 1960, 245-247; Giannopoulos 1978, 131-139). In the 17th century Ioannis Callerghis exercised similar influence on the populations of the area he ruled over (Vincent 2001, *passim*).

This interdependence reveals a layered and negotiated structure of governance, where power was not simply imposed from above but constantly redefined through local dynamics. It is particularly striking how a similar complexity of power networks emerges in Crete under Ottoman rule: groups – including actors within the local administration, such as the Janissaries – and families operated as autonomous centres of authority, pursuing their own interests

through distinct mechanisms of protection, influence, and negotiation; the various stakeholders – Ottoman officials, Janissaries, and French diplomats – employed strategies of diplomacy, alliance-building, threats, and even violence to advance their agendas; moreover, the central administration in Constantinople often depended on local elites to maintain order (Spyropoulos 2025). Such situations reflect broader historical patterns and suggest a meaningful dialogue between different periods and systems of rule.

CONCLUSION

To sum up, the overall impression gained from our research so far is that, as far as the upper socioeconomic classes of Venetian and Cretan noblemen were concerned, things for both the distinguished *cittadini* and the up-and-coming groups who laid claim to a role in public life were not dramatically different in Crete from what is known about the Venetian Mainland in the same period.

In the closing decades of the 16th century, Venice attempted to convince the population of the legitimacy of the law and orient its subjects towards it. These efforts were occasionally in vain, however, as local rulers put up staunch resistance. It may be stated, then, that in the appointment of Giacomo Foscarini we can see the moment when Venice attempted to regulate relations between the Metropolis and the provinces in Crete, just as it had done with its Mainland.

However, despite the efforts by Venice, the local elite insisted on administering justice privately, in the manner it had been perceived by illustrious families up until that time. Class distinctions augmented the trend for powerful families to dispense justice immediately and extra-institutionally. A further, even stronger trend that emerges from our research is a desire for conflicts among them and with Venetian officials.

Extra-institutional and illegal acts by public officials and the powerful were not eliminated, since enormous profits were reaped from public offices either in towns or the countryside. Oppression of the lower classes, mainly farmers, was not eradicated either.

On the other hand, Venice allowed for the possibility of pardon, or treated the members of illustrious families leniently if not favourably, thus weakening its intention to impose state law and discrediting any efforts by Venetian officials to that end. Or, looked at another way, was it perhaps a state that ultimately managed to manoeuvre depending on the circumstances? The long presence of the Venetians in the Greek world makes us rather inclined towards such an assumption. Our quest calls for the continuation of research and dialogue with colleagues who study Crete under Venetian rule.

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