

Introduction

In late September 1434, a suit of dowry restitution was brought before the civil justice in the city of Valencia on behalf of Teresa Dauder, the wife of a barber. In her petition, Teresa claimed that her husband Tomàs had fallen into debt and penury, and had alienated part of her dowry without permission. For these reasons, Teresa sought to have her dowry immediately restored, in order to protect its financial integrity. Four witnesses testified on Teresa's behalf, including her former mistress and three neighbours of the couple. According to their testimony, in the five years since Teresa and Tomàs were married, he had 'caused many and diverse debts ... owed money to many people and had fallen into penury'.¹ In the end, the justice was convinced by the arguments put forth on Teresa's behalf, and ordered Tomàs to return her property.

In many ways, Teresa Dauder was typical of lower-status wives in late medieval Valencia. As a teenager, she had immigrated to the city from her natal town of Sogorb to work as a servant in the home of Maria and Francesc Oviet. After seven years of service, Teresa had earned twenty-five pounds, which she added to a ten-pound gift from her master Francesc, and a five-pound donation from her father, to create the forty-pound dowry which she donated to Tomàs Dauder at the time of their marriage. Her natal family was not present at Teresa and Tomàs's nuptial celebrations, but her employers, the Oviets, played the parental role and hosted a feast for the couple in their home. Once married, Teresa and Tomàs set up their own household using her dotal assets as an economic foundation. But, within five years of marriage, Teresa was before the court, demanding that Tomàs return the dowry, the administration of which he had been entrusted.

Teresa Dauder's story, as told through the civil court records relating her suit of dowry restitution, exemplifies the central argument of this book: that labouring-status wives such as Teresa were able to exercise agency not only in the projects of marriage, choosing a spouse and gathering dotal assets, but also in controlling this property after they wed. Although the prevailing legal code in Valencia, the *Furs*, appeared to give wives little authority over these assets, they were still able to negotiate a measure of control. In these actions, labouring-status wives exercised agency by protecting their marital goods from harm, utilizing legal statutes to their own advantage. The key factors in this argument are the immigrant and labouring-status background of these women. Like Teresa, many had

immigrated to Valencia on their own, from smaller towns and villages throughout the kingdom of Valencia, as well as from Castile, Catalonia and Aragon. In doing so, these women moved outside of their natal families' sphere of influence, making them less embedded and subject to the authority of their kin relations. Second, artisan and *llaurador* women (wives/daughters of small farmers who lived in the city of Valencia or the surrounding countryside) often married after their fathers were deceased. These women married later than women of elite status. They made their marital choices independently, as over three-quarters of labouring-status men did not reach the age of 50.² Lastly, artisan and *llaurador* women such as Teresa worked themselves, most often as servants, to generate the necessary funds for their dowries. All three of these factors gave wives of this status greater agency than elite women in contracting their marriages, providing dotal assets and challenging their husbands' authority over this property in dowry restitution cases. Without the influence of their natal families in making marital decisions, these wives were able to act independently in controlling their marital property, negotiating the structures of patriarchy to their advantage.

Yet this agency must be viewed as limited for a number of reasons. As Rebecca Winer has argued, 'no woman [in pre-modern Europe] made her choices alone.'³ On the one hand, women such as Teresa Dauder lived in a patriarchal system that, regardless of social class, defined them as mentally, physically and morally weaker than men. Thus each woman was circumscribed in her actions by a society that saw her as unfit to make her own decisions and so she was 'continually negotiating a system of gender ... that she could never control.'⁴ Women's agency in this context was therefore shaped by societal norms as defined by legal statutes, theological texts, religious leaders, legislators, judges and political leaders. At the same time, Winer's point can be taken literally, in that kinship and community ties meant that all women were embedded in social networks of various kinds. Elite Valencian women were members of extended marital and natal kin groups, both within the city of Valencia and the wider kingdom of which it was a part. For labouring-status women, familial ties may have been less evident, as many of them were immigrants. These women nevertheless developed strong neighbourhood networks as well as connections through guilds and other economic bodies.

Legal constraints could also create limitations for a labouring-status woman's control of her marital assets. While the *Furs* recognized that a woman's marital property was solely owned by her, it gave complete administrative control of it to her husband for the duration of their marriage. A wife was able to challenge her husband's legal authority over

these assets if she felt their financial integrity was being threatened, and the justices almost always supported these claims; however, a woman's ability to regain control of this property once it had been awarded to her is uncertain as there is evidence that in some cases, women had difficulty doing so. Additionally, the *Furs* only worked to protect those women that married under the prevailing marital property system based on dowries. Women who chose, for a variety of reasons, to utilize a second regime, known as the *germanía*, had little recourse to protect the assets which they brought to their marriages. While the *germanía* system has been described by historians as giving greater equality to women in marriage than the dotal regime, as it proposed a strictly equal division of conjugal assets at the dissolution of the marriage, the lack of legal recognition and protection for wives under it has led me to question its perceived egalitarianism.

Not only did labouring-status married women face some limitations in their exercise of agency, they were also subject to certain negative consequences. While the lack of natal kin present in the city of Valencia may have given immigrant women greater freedom in their marital choices, it also left them without a support network if they were faced with difficult situations, such as economic hardship or abuse at the hands of their husbands and employers. Eventually labouring-status women were able to utilize systems of support created with friends and neighbours for aid in dealing with such problems, but these connections took time to develop. In the meantime, immigrant women could be placed in very precarious situations.

Furthermore, although being of labouring-status certainly gave these women some agency, particularly in terms of controlling their marital property, this went hand in hand with desperation. The dowry money that many of them earned as servants rarely exceeded twenty-five pounds, funds obtained after as many as ten years of labour. Living in the household in which they worked, female servants, some from the age of 7 or 8, worked long days with little leisure time.⁵ For some servants, the families they worked for replaced their blood kin and, in such situations, these young women were treated as quasi-daughters by their masters and mistresses. For others, their subordinate position as servant left them open to abuse, both physical and sexual, at the hands of their employers, leaving them, in the end, even more vulnerable and desperate.⁶

Widows, more than any other group of women in the medieval period, demonstrate the double-edged nature of agency.⁷ On the one hand, widows were legally independent, able to conclude contracts and conduct business entirely on their own. In possession of the dowry

and counter-gift, and often holding usufruct rights to their deceased husbands' property, widows could be prosperous and therefore exercise a great deal of agency. On the other hand, widows often represented the poorest sections of medieval society and were the most common recipients of charity. Indeed it was believed that widows had an unquestioned entitlement to poor relief.⁸

To a large extent, social status determined a woman's experience after her husband had died. Isabelle Chabot and Christiane Klapisch-Zuber have argued that higher-status widows were often helpless victims in clashes between their natal and marital families who each wanted control of their persons and property.⁹ While these kinds of struggles likely took place among higher-status families throughout southern Europe, elite widows were also able to live with a certain amount of economic autonomy, if they were in possession of their dowries and other property, and were not subject to familial pressures.¹⁰ This was not necessarily the case for labouring-status widows. Even if they were able to regain their dotal assets from a previous marriage with relative ease (and evidence from Valencia and other areas of Europe demonstrates that this could be problematic), their dowries were often not worth enough to support themselves and any surviving children they had. Frequently, widows retained usufruct rights over their deceased husbands' goods, but, as their spouses were labouring-status men, this property may not have amounted to much. Some lower-status widows were able to turn to their families for help, but those that were immigrants did not have such support networks. Friends and neighbours likely aided these women in the short term, but to survive, many of them remarried. All in all, for wives of labouring-status, whether *donzellas* or widows, agency did not always come without negative repercussions. My argument therefore is for limited or constrained agency, by which I mean that labouring-status women were able to create some manoeuvrability for themselves within the patriarchal structures of late medieval Valencia, using the frameworks available to them to exercise some self-determination in their marital choices.

Women, marriage and property in southern Europe

The historiography of women, marriage and property in southern Europe has traditionally focused on the experiences of elite women, especially those living within the Italian city states of Florence and Venice. These scholars emphasize the central role of families in choosing a spouse, gathering dowry assets and controlling this property once the marital

union was created; however, historians such as Christiane Klapisch-Zuber, Julius Kirshner, Thomas Kuehn, Diane Owen Hughes and Stanley Chojnacki debate the question of how much ‘independence of action, influence and self-determination’¹¹ elite women had in their marital choices. For example, Diane Owen Hughes has argued that men used the rights they held over women to assert or compete for status, using a daughter’s dowry to make alliances for the family.¹² Christiane Klapisch-Zuber also presents wives as pawns in the hands of their husbands and fathers, remarking that they were viewed as merely ‘an object of trade’.¹³

While Stanley Chojnacki has explored the ways in which urban patricians controlled spousal choices for their daughters, using marriage to cement important political alliances, he also argues against portraying elite women as entirely controlled by the patriarchal structures of medieval and early modern European society. The work of Julius Kirshner and Thomas Kuehn has demonstrated how the wives and daughters of elite men were able to work within Roman law, judicial institutions and marriage as actors for their own rights, particularly in terms of their marital property. Yet, at the same time, these scholars still present elite women as embedded within kinship relations, working to protect family interests in their legal actions.

For Spain, growing interest in women’s history has produced some work by Spanish and Catalan scholars, mining rich archival material to detail the lives of women in the medieval period in various ways.¹⁴ Like scholars whose research focuses on Italy, Spanish and Catalan historians highlight both women’s independence *and* lack of self-determination in marriage. For English-language scholars of medieval Iberia, Heath Dillard’s *Daughters of the Reconquest: Women in Castilian Town Society, 1100–1300* demonstrates how legal codes provided urban women with agency in marital relationships; however, her foundational study does not consider the practice of law in any way and thus does not comment on whether or not wives in the frontier towns of high medieval Castile were able to utilize these legal statutes successfully.

Analysing how the law ‘categorized and defined’ women in the late thirteenth and early fourteenth centuries, Marie Kelleher’s *The Measure of Woman: Law and Female Identity in the Crown of Aragon* goes beyond the examination of legal codes to look at how women actively participated in ‘the formation of the legal culture that sketched out the boundaries of their lives’.¹⁵ Much like I am in this book, Kelleher is interested in exploring the spaces within the patriarchal system of law where some women were able to negotiate status for themselves. In doing so, Kelleher discusses topics such as sexual transgression and violence as well as a chapter on

women and property. She argues that in pursuing legal cases against their husbands or their husbands' families, wives were subject to gendered legal assumptions which greatly affected how they could present themselves before the law; thus these women were not necessarily vulnerable victims but 'legal actors developing strategies to preserve the household property in ways that actively engaged with broader legal ideas about women'.¹⁶ Kelleher's book raises many important questions about how women interact with and utilize the law, both adhering to gender norms while simultaneously searching for areas within legal practice that allow them a measure of independent legal identity and authority.

Due to the nature of her sources, Kelleher is not able to infer much about the social status of the women who participate in the legal cases which form the backbone of her book.¹⁷ The civil prosecutions and criminal inquests from late thirteenth- and early fourteenth-century Crown of Aragon rarely indicate a woman's background, beyond her position as wife, widow or daughter of a certain man.¹⁸ This study of women, marriage and property in the early fifteenth century is not affected by such limitations, as my sources allow me to identify the socio-economic background of the women who utilized both notaries and the civil courts of late medieval Valencia. In doing so, it is clear that socio-economic status and immigration greatly influenced women's marital strategies, providing labouring-status women with the ability to act on their own behalf in choosing spouses, gathering marital assets and protecting that property once married.

Use of agency theory

Although often utilized by historians to characterize the actions of those deemed powerless in the past, agency theory is inherently problematic in many ways. Most notably, the concept of agency carries with it distinct tones of resistance by the subjugated and contained within it, is the idea that agents should have the ability to effect some changes on the societies where they live, that is, to transform, to some degree, the dominant structures in which they are embedded.¹⁹ In reference to the experiences of labouring-status wives in late medieval Valencia, at no time is the idea of resisting hegemony, resisting the dominant social group, resisting patriarchy, present. There is no evidence that these women were attempting to fight explicitly or implicitly against the hegemonic patriarchal constructs that defined them as mentally, physically and morally weaker than men. One cannot argue, therefore, that artisan and *llaurador* wives were transforming late medieval notions of marriage, or even patriarchy. As Judith

Bennett has argued, medieval society should be viewed as a ‘patriarchal equilibrium’ because wives may have gained short-term benefits, getting their dowries restored to them in civil court for example, but over the long term, their status remained the same.²⁰

Labouring-status wives cannot be described as attempting to resist and change patriarchy, but they can be seen as manoeuvring within the structures of it for their own advantages. As Sherry Ortner has explored, theories of agency encompass more than simply the binary of dominance and resistance. While this definition of agency is questionable in considering the experiences of labouring-status wives in late medieval Valencia, Ortner’s ‘agency of intentions’ works quite well for a consideration of how these women negotiated within these patriarchal structures. ‘Agency of intentions’ consists of ‘culturally constituted’ projects, purposes and desires that infuse life with meaning and purpose.²¹ The agent seeks to accomplish these projects within a framework of social structures in which they are already embedded.²² Ortner argues that such projects can be used as a method of empowerment or for constructing identity.²³ This conception of agency is more apparent for labouring-status women in late medieval Valencia if we consider the act of marriage and the garnering and protection of dotal assets as culturally constituted projects.

Late medieval society viewed marriage as the ultimate goal for all women, if they could not join a convent. Numerous didactic manuals, such as Francesc Eiximenis’s *Lo llibre de les dones*, conceptualized the structure of women’s lives around marriage, viewing them as ‘maids, wives and widows.’²⁴ Such prescriptive literature never discussed women’s lives outside of this trinity as it upholds the argument that the purpose in life of all women was to marry and produce children. Popular preachers frequently expounded upon similar themes in their sermons. For example, in a sermon from 1412, Vicent Ferrer told the story of a woman who, seeing another man gift his wife with two dresses, asked her own husband for one, crying ‘I brought as good of a dowry as she did’. Her husband insists that they have no money to pay for such things, but she bothers day and night until he capitulates, financially ruining himself in the process. Ferrer ends his sermon with St Paul’s admonition that the man was to be head of his wife, not ruled by her.²⁵ In this sermon, Ferrer’s fictional wife insists that the dowry she brought entitles her to gifts, such as the dress, from her husband. In another homily, concerning nuptials, the preacher rails against weddings and the sins they encourage, stating at one point that ‘women think of the dowry and say: How much has that bride brought as dowry?’²⁶ Ferrer utilizes this comment to demonstrate the sin of avarice that is inherent in nuptial celebrations, but both

sermons raise important links between a woman and her dowry in late medieval Valencian society. Reflecting the realities of the world in which he lived, Ferrer's sermons identified a woman's value with the assets she brought to marriage.

Due to their labouring-status and immigrant background, women such as Teresa Dauder exercised agency in fulfilling the marital projects of choosing a spouse and garnering the necessary dotal funds, as well as protecting these assets once married. As the families of these women were not often present in the city of Valencia, and their fathers were likely deceased, they had influence over their choice of spouse. Unlike the dowries of elite women which were donated largely by family, those of labouring-status women came from a variety of sources, often including income they earned themselves. Evidence from the civil court demonstrates that these women were more than willing to protect their dotal property before the courts if their husbands attempted to diminish it in any way. Labouring-status women in late medieval Valencia negotiated a variety of opportunities to create honourable and viable marriages. Networks of friends, neighbours and employers were used to the fullest extent in order to form successful marital households in the absence of blood kin. Due to their lower socio-economic status, these women were able to foster particular kinds of connections not available to elite brides who were closely supervised by their families. Labouring-status women therefore can be seen as exercising 'agency of intentions', as choosing a spouse, the accumulation of one's own dotal assets and protecting this property from harm are projects accomplished within the framework of medieval social structures that defined these women as married, or to be married. This form of agency is much more subtle than 'agency of power', but it still infuses the lives of these women with meaning and purpose that is closely tied to the development of their own identities.

Sources and chapters

This study is based on hundreds of notarial and court records held in the *Archivo del Reino de Valencia* (ARV) and the *Archivo de Protocolos de Patriarca de Valencia* (APPV). I examined twenty years of notarial instruments from 1419 to 1439, including: 367 dotal contracts, 88 *germanía* contracts, 94 *donaciones inter vivos* (donation contracts), 190 testaments, 61 domestic service contracts, 84 *apochas* (receipts) as well as approximately 25 miscellaneous notarial contracts (apprenticeship, dowry return, transfer of usufruct, etc.). I have also examined 220 cases of dowry restitution from the court of the civil justice (Justícia Civil) and 50 cases from the

court of the governor (Gobernació) from 1420 to 1439. For both courts, my analysis is based on all extant cases of dowry restitution involving still-living husbands. Both the records of the tribunal of the Justicia Civil and that of the Gobernació contain numerous suits of dowry restitution involving widows suing the executors of their husbands' estates to have their dotal property returned. My concern in this book, however, was solely with those suits brought by wives against their husbands.

The search for dowries in notarial records, in particular, has limited somewhat my sample of contracts beyond those dealing directly with marriage. I therefore did not examine in any detail property transactions and other types of business contracts concluded by women which may have involved dotal and non-dotal assets. In terms of dowry restitution, the lack of extant church court records for the bishopric of Valencia has left me unable to examine what happened to couples once a wife's dowry had been restored to her. In the conclusion, I speculate on the consequences of dowry restitution, but I cannot make any concrete arguments as to the effects that these kinds of cases would have had on a couple's marriage.

The six chapters of this book are organized to follow the journey of a labouring-status woman in late medieval Valencia as she negotiated the projects of marriage and then utilized the legal system to protect these assets once marriage went wrong. It begins by looking at the city of Valencia in the fifteenth century and the experiences of immigrants as they arrive in this urban centre. The second part of this chapter sets the theoretical framework for marriage in late medieval Valencia by considering what made marriages valid in the eyes of the canon law, civil law and community opinion. It explores canonical legal strictures regarding marriage in the medieval period and then more specifically looks at synodal legislation from the bishopric of Valencia. The next section of this chapter focuses on the civil contract drawn up between a couple, and examines the secular legal precepts that governed marital property. Lastly, this chapter analyses the social definitions of a marital union using witness testimony from dowry restitution cases. These criteria both complemented and differed from those defined by canon and secular laws.

Chapter 2 examines the marital choices of artisan and *llaurador* women in late medieval Valencia and argues that because of their socio-economic and immigrant background, labouring-status women exercised agency in the first 'project of marriage': choosing a spouse. Some of these women were influenced by family members in their marital decisions. For others, the lack of familial presence in Valencia, and the fact that many

of their fathers were deceased, had an impact on the ability of labouring-status women to make their own spousal choices. At the same time, these women were influenced by friends, neighbours and employers. While families looked for marriage alliances that could augment their economic resources and cement social ties within neighbourhood and guild structures, these factors were also considerations for women themselves as they sought husbands with whom they could create economically and socially viable households.

The economic aspect of marriage is the focus of Chapter 3, looking specifically at the amount and type of property given as dowry and how this varied according to economic, familial and marital background. Women of labouring-status largely had dowries that were valued at twenty to forty pounds, consisting primarily of cash, household goods and jewellery; however, widowhood and the loss of a father could affect these patterns, in both a negative and positive manner. Legally, Valencian wives had no control of this property while married, as their husbands held administrative rights. Husbands also controlled the *creix*, given to women in exchange for their virginity. My evidence demonstrates that the type of property women received as marital assets was similar across socio-economic status in many ways, as it consisted largely of moveable goods but elite women tended to bring more investments as part of their dowries while labouring-status women's assets were primarily cash, household goods and jewellery.

Chapter 4 moves away from the dotal regime to explore another system of marital assigns utilized in late medieval Valencian society, known as *germanía*. This regime stipulated that all of a couple's assets would be held together as a conjugal fund for the duration of the marriage. When one member of the couple died, the survivor received half of the assets, with the other half devolved upon their children. If there were no offspring, the survivor received the entirety of the fund. This type of marriage contract was not formally recognized by the *Furs*, although a large minority of lower-status Valencian women utilized this system. Historians have argued that women who married under a regime such as the *germanía* had greater equality in marriage; however, this chapter argues that the absence of legal protection could place these wives in difficult situations.

Labouring-status women who married in late medieval Valencia gathered their marital assets in two ways: earning them through work or receiving them from outside donors. Chapter 5 explores the methods by which these women earned their marital property, looking at how artisan and *llaurador* women provided their own dowries and share of the

conjugal fund from income earned through service and bequests prior to marriage. While families were often closely involved in marital property donation, by no means were they exclusively so. Immigration had a great effect on how labouring-status women earned their dowries as, in the absence of family, these women turned to other means to generate such assets. The evidence therefore suggests that labouring-status women retained a great deal of agency in cobbling together the assets needed to marry according to their status. Men who married under the *dotal* and *germanía* systems also received marital donations. The types and sources of these gifts reflected, rather than challenged, gendered notions of property as they supported inheritance trends prevalent in late medieval Valencia.

The final chapter of this book uses evidence from the court of the civil justice and the court of the governor to examine wives' claims against their husbands for the restitution of their dowries. It begins by looking at the laws allowing for dowry restitution as well as the ways in which the courts functioned in these suits. The chapter then turns to an examination of the cases themselves, looking in depth at labouring-status women as instigators of these suits and the types of evidence they utilized to prove them. The vast majority of witnesses that testified in dowry restitution cases were neighbours, indicating the impact that immigration had on definitions of kin in late medieval Valencia. Dowry restitution cases present the greatest evidence of women's agency in protecting their marital assets from errant husbands. Although the law restricted the access of wives to this property while married, dowry restitution provided women with a method to negotiate patriarchal structures such as this to their advantage.

The key factor in my argument about married women's access to and control of marital property in early fifteenth-century Valencia is socio-economic status. As labouring-status women, they were affected by patterns of immigration, lack of living fathers and work, issues which never had an impact on the lives of elite women in the same manner. Considerations such as these have allowed me to examine the ways in which artisan and *llaurador* wives in late medieval Valencia worked within legal and social norms to protect and maintain their marital assets, in particular their dowries, which were so integral to their own identities. By negotiating these normative patriarchal structures, labouring-status wives were able to generate some agency for themselves in a society which defined them solely in terms of their husbands and families. In the chapters that follow, I will explore these negotiations, looking at the choices that artisan and *llaurador* wives made in conferring and protecting their marital property.

Notes

- 1 Archivo del Reino de Valencia (hereafter ARV) Justicia Civil Peticiones 3723 m. 14, f. 8r. sig. f. 35r. a 38v. (30 September 1434).
- 2 Antoni Furió, *Història del País Valencià* (Valencia: Edicions Alfons el Magnànim, 1995), p. 192.
- 3 Rebecca Lynn Winer, *Women, Wealth and Community in Perpignan, c.1250–1300: Christians, Jews, and Enslaved Muslims in a Medieval Mediterranean Town* (Burlington, VT: Ashgate, 2006), p. 4.
- 4 *Ibid.*
- 5 María Teresa López Beltrán, 'La accesibilidad de la mujer al mundo laboral: El servicio domestico en Málaga a finales de la Edad Media', in *Estudios históricos y literarios sobre la mujer medieval* (Malaga: Diputacion Provincial, Servicio de Publicaciones, 1990), p. 133.
- 6 For a discussion of the sexual tension that could exist between female servants and employers, see Christiane Klapisch-Zuber, 'Women Servants in Florence during the Fourteenth and Fifteenth Centuries', in Barbara Hanawalt (ed.), *Women and Work in Preindustrial Europe* (Bloomington: Indiana University Press, 1986), pp. 72–73; Dennis Romano, *Housecraft and Statecraft: Domestic Service in Renaissance Venice, 1400–1600* (Baltimore: Johns Hopkins University Press, 1997), pp. 52–53; p. 213.
- 7 Scholars of medieval Valencia have yet to explore the experience of widows in any detail. For other areas in the Crown of Aragon, see Equip Broida (Olga Bravo Ortega, Pilar Gallego Garces, Margarida González i Betlinski, Montserrat Marsiñach i Tirvio, Nuria Muñoz i Soria, Anna Rubio i Rodon, Elisa Varela Rodriguez and Teresa-María Vinyoles), 'La viudez ¿triste o feliz estado? (Las últimas voluntades de los barceloneses en torno al 1400)', in C. Segura Graiño (ed.), *Las mujeres en las ciudades medievales* (Seminario de Estudios de la Mujer, Universidad Autónoma de Madrid: Madrid, 1984); María García-Herrero, 'Capítulo X: Las Viudas de Zaragoza', in *Las mujeres en Zaragoza en el siglo XV* (Zaragoza: Ayuntamiento de Zaragoza, 1990), vol. I, pp. 317–377; María García-Herrero, 'Viudedad foral y viudas Aragonesas a finales de la edad media', *Hispania: Revista Espanola de Historia*, 184 (1993), pp. 431–450; María Isabel Pérez de Tudela y Velasco, 'La condición de la viuda en el medioevo castellano-leonés', in *Las mujeres en las ciudades medievales*, pp. 87–108.
- 8 Sandra Cavallo and Lyndan Warner, 'Introduction', in Sandra Cavallo and Lyndan Warner (eds), *Widowhood in Medieval and Early Modern Europe* (New York: Longman, 1999), p. 23; Agustín Rubio Vela, *Pobreza, enfermedad y asistencia hospitalaria en Valencia del siglo XIV* (Valencia: Institución Alfonso el Magnánimo, 1984), p. 14.
- 9 Isabelle Chabot, 'Lineage Strategies and the Control of Widows in Renaissance Florence', in Cavallo and Warner, *Widowhood in Medieval and Early Modern Europe*, pp. 127–144; Christiane Klapisch-Zuber, 'The "Cruel Mother": Maternity, Widowhood, and Dowry in Florence in the Fourteenth and Fifteenth Centuries', in *Women, Family and Ritual in Renaissance Italy* (Chicago: University of Chicago Press, 1985), pp. 117–131.
- 10 For example, see the work of Stanley Chojnacki on patrician widows in Venice; 'Getting Back the Dowry', in *Women and Men in Renaissance Venice: Twelve Essays on Patrician Living* (Baltimore: Johns Hopkins University Press, 2000), pp. 95–111.
- 11 Jennifer Carpenter and Sally-Beth MacLean, 'Introduction', *Power of the Weak: Studies*

- on Medieval Women* (Chicago: University of Illinois Press, 1995), pp. xi–xix; p. xv.
- 12 Diane Owen Hughes, 'From Brideprice to Dowry in Mediterranean Europe', in Marion A. Kaplan (ed.), *The Marriage Bargain: Women and Dowries in European History* (New York: Haworth Press, 1984), p. 43.
- 13 Christiane Klapisch-Zuber, 'Zacharias or the Ousted Father: Nuptial Rituals in Tuscany from Giotto to the Council of Trent', in *Women, Family and Ritual in Renaissance Italy*, p. 67.
- 14 Teresa-Maria Vinyoles, *Les barcelonines a les darreries de l'Edat Mitjana (1370–1410)* (Barcelona: Fundació Salvador Vives Casajuana, 1976); María Francisca Gámez Montalvo, *Régimen jurídico de la mujer en la familia castellana medieval* (Granada: Editorial Comares, 1998); Jaume Codina, *Contractes de matrimoni al Delta del Llobregat (XIV a XIX)* (Barcelona: Fundació Noguera, 1997); García-Herrero, *Las mujeres en Zaragoza en el siglo XV*.
- 15 Marie A. Kelleher, *The Measure of Woman: Law and Female Identity in the Crown of Aragon* (Philadelphia: University of Pennsylvania Press, 2011), p. 1.
- 16 *Ibid.*, pp. 78–80.
- 17 *Ibid.*, p. 8.
- 18 *Ibid.*
- 19 William H. Sewell, Jr, 'A Theory of Structure: Duality, Agency and Transformation', *American Journal of Sociology*, 98(1) (July 1992), p. 20. For a recent discussion of the agency debate, see Cornelia Hughes Dayton, 'Rethinking Agency, Recovering Voices', *American Historical Review*, 109(3) (June 2004), p. 827. Dayton is responding to two articles contained in a previous issue of the *American Historical Review* by Caroline Castiglione and Giovanna Benadusi. Both shy away from using the term 'agency' in their discussions of the efforts of peasants in eighteenth-century Rome and servant women in seventeenth-century Arezzo to exert their wills upon the dominant group in their respective societies. See Castiglione, 'Adversarial Literacy: How Peasant Politics Influenced Noble Governing of the Roman Countryside during the Early Modern Period', pp. 783–804; Benadusi, 'Investing the Riches of the Poor', pp. 805–826.
- 20 Judith M. Bennett, 'Theoretical Issues: Confronting Continuity', *Journal of Women's History*, 9(3) (autumn 1997), p. 74 and *History Matters: Patriarchy and the Challenge of Feminism* (Philadelphia: University of Pennsylvania Press, 2006), pp. 54–81.
- 21 Sherry Ortner, 'Specifying Agency: The Comaroffs and Their Critics', *Interventions* 3(1) (2001), p. 79.
- 22 *Ibid.*, p. 80.
- 23 *Ibid.*, p. 81.
- 24 See Francesc Eiximenis, *Lo llibre de les dones: Volums I i II* (Barcelona: Biblioteca Torres Amat, 1981).
- 25 Vicent Ferrer, *Sermons: volum segon*, ed. Josep Sanchis Sivera (Barcelona: Editorial Barcino, 1934), pp. 42–43.
- 26 Vicent Ferrer, *Sermons: volum cinquè*, ed. Gret Schib (Barcelona: Editorial Barcino, 1984), p. 8.