

Women's History Today

The journal of the Women's History Network

SPECIAL EDITION: EARLY MODERN WOMEN



Articles by:

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Doing Women's
History

Five Book Reviews
In Profile

From the Archives

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Women's History Network
Annual Conference
'Addressing the Nation'
2 -3 September 2022

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(Due to the ongoing Covid crisis, the conference will again be online, via Zoom)

Autumn 2022 marks the centenary of the BBC. From almost the very start, women worked in many capacities including behind the scenes, making programmes and speaking on air. This conference will explore how women across the world were 'addressing the nation' and other political and social communities. Not just as broadcasters but also, for example, as activists, actors, journalists, writers, cartoonists, orators, storytellers and public figures. It encompasses all places and time periods.

More details about the conference, and how to submit an abstract, will be available in the New Year at <https://womenshistorynetwork.org/the-womens-history-network-annual-conference/>

Welcome to the Winter 2021 edition of *Women's History Today*. This is a special edition of the journal, concentrating on early modern women. As a scholar working within the contested chronological parameters that we call the Early Modern era and moreover, as one of the many researchers presently involved in locating and amplifying the previously muted voices of marginalised historical individuals and groups, I am thrilled to be able to organise a journal issue that explores female agency and its effect on the early modern global stage.

While not entirely neglected in early modern historiography, the voices of women do not possess anything like the same resonance as the tones of their male counterparts, whose presence dominated this world. Unlike proceeding eras however, where sporadic soundbites of women's voices managed to permeate the persistent male oration, the Early Modern period (1350-1750), with its philosophical crusade known as Humanism, the almost simultaneous rise of literature pertaining to and created by women and the continuing theoretical and theological debates on women's roles and qualities, provided a unique milieu that permitted more women to speak.

With the understanding that the Early Modern era marked a new advent of female agency - one which reaches beyond patrician, privileged and high-profile females - this journal issue has attempted to reflect this variation by bringing together six separate articles that, when considered as a whole, illustrate how women from every strata of society were able to encourage, promote and effect change in their own environments - often extending this sphere of influence to those within their familial and social ambits.

As Ann Hughes has generously provided an introduction to the half-dozen scholarly articles included within this issue, I shall refrain from discussing them further. However, I must extend profound thanks to our diligent and patient contributors, whose informative and fascinating studies represent a broad cross-section of the types of early modern women's history investigations that are presently being conducted globally.

This edition also includes three articles that make up some of our regular columns: Angela Zhang of the University of Toronto has contributed an insightful and thought-provoking article to our 'Exploring the Archive' section; Karen Limper-Hertz and Andrea Clarke bring exciting news of the current 'Elizabeth and Mary: Royal Cousins, Rival Queens' exhibition at the British Library



Cover Image:
Artemisia Gentileschi, *Clio the Muse of History*, 1632,
oil on canvas, Palazzo Blu,
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to our public engagement column, 'Doing Women's History'; and our readers get to know Erin Newman of Nottingham Trent University, courtesy of our 'In Profile' section.

This issue also contains a number of book reviews. Geographically and chronologically diverse and with subject matter ranging from women of the Viking world to women R.A.F. engineers, the reviews provide a varied assortment of titles with wide-ranging appeal.

Finally, if I can bring your attention to the WHN Seminar Series and the WHN Blog. I hope that these sessions and electronic articles, alongside the content of this edition, encourage you to consider submitting articles on any aspect of women's history to *Women's History Today*, the journal of the Women's History Network. Please contact us also with your suggestions for future special editions of the journal.

The editorial team (Kate Murphy, Angela Platt, Laurel Forster, Helen Glew and Kate Terkanian) and I sincerely hope that you enjoy the issue.

Samantha Hughes-Johnson

The six stimulating articles published here demonstrate very effectively the vitality and variety of early modern history. They encompass social, economic, intellectual, religious and legal history, addressing developments across continental Europe and the colonial societies of Spanish America, as well as English and Italian themes. Some are in effect micro-historical

studies, using a precise focus to discuss general aspects of women's experience. Daniel Patterson's 'The story of Lucy Browne: Women's Agency, "Voices", and the Evidence of Chancery Depositions', uses a single case to explore a murky world of debt, misfortune and makeshift as a resourceful widow seeks to deal with the chaos left by her drunken, seafaring husband; while Carlo Scapecchi's, 'The Technical Contribution of Women to Weaving Goat Hair in the Spedale degli Innocenti', uses institutional records and visual evidence to assess the skills young women developed during ten years in a Florentine charitable institution. Covering broader periods, Amanda G. Madden and Robert Daniel address, in different ways, how women's familial relationships were entangled with legal, political and religious conflict. Madden's 'Women, Vendetta and the Will in Sixteenth-Century Italy' demonstrates that women might be chosen as heirs to family property, in order to avoid the confiscations that followed men's involvement in violent vendettas, while Daniel's "'More difficult for me to bear": Persecution, Child Loss and Nonconformist Mothers in Seventeenth Century England', deploys a rich body of manuscript and printed material to show the harassment women suffered when they challenged religious orthodoxy. There are also two more synthetic pieces. Elizabeth Ann Mackay's 'Early Modern Zenobias: *Ars Historica*, Crafting Women's Histories and Composing Women's Imagined Communities', provides an arresting account of how history as a genre, was being 'shaped' or 'reshaped' in the early modern period by women in Europe and the Americas, as well as by the better-known learned men. Claire Burgess's 'Colonial Law and the Indigenous Women of the Spanish Americas: Strategies, Barriers, and Shifting Norms' is a subtle, self-conscious survey, alert to the limitations as well as the value of synthetic and comparative methodologies. It gives a compelling account of the ambiguous engagements of indigenous women with colonial law.

As in Burgess's article, there are several perceptive discussions of methodology and authors are alert to the complexities and limits of their available evidence. We cannot be sure, for example, whether Lucy Browne was a straightforwardly capable widow, or whether she was an accomplice in some kind of fraud. It is clear that at the heart of the complex legal proceedings was a conflict between women, between Lucy and the wife of the man, who had allegedly defrauded Browne of his wages, rather than between the men who were ostensibly the protagonists. All the articles are anxious to stress women's capacity for agency in unpromising circumstances. As a sailors' wife, Lucy Browne was used to fending for herself and well-placed to fight her corner as a widow, by fair means or foul. The prevalence of the vendetta in Modena opened up 'new spaces' for elite women and gave them 'a greater say in the economic and political fortunes of their family'. The young women in Florence's Spedale degli Innocenti inhabited 'a system conceived and controlled by men', but as increasingly skilled artisans, they played their part in technical innovation. Mackay explains that women wrote history as artfully as men, appropriating male humanist genres, but also writing in their own fashion - stitching together their own traditions of female authorship across

time and space, to create an imagined community of female history makers to inspire their female readers. All the articles stress women's artfulness and their 'shrewdness', in Burgess's aptly chosen term. However, there are some important cautions too. Burgess demonstrates how, in the first periods of Spanish colonialism, women defended themselves through strategic employment of different legal codes and traditions, often using the new Spanish codes to protect themselves. But in the later colonial period, as racial hierarchies and western gender norms were solidified, legal processes stressed the duties of strong husbands to protect submissive wives, rather than enabling independent indigenous women who were looking after their own interests. And Daniel's moving account of the sufferings of pregnant women and mothers, deliberately focuses on women's domestic and personal lives, in contrast to earlier 'triumphalist' accounts of women as founders and leaders of religious sects. He is alert to the ways in which publicising women's suffering was a means of highlighting and defending the 'public plight' of their causes. However, he reminds us that the phrase 'nursing mother' was not always a metaphor for the nurturer of a congregation, but often identified the vulnerability and 'personal tragedies' of actual women. Accordingly, in a search for autonomy and agency we should not ignore the ambiguities, constraints and precariousness of early modern women's lives.

Ann Hughes

Professor of Early Modern History, Emerita

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EARLY MODERN ZENOBIAS: ARS HISTORICA, CRAFTING WOMEN'S HISTORIES AND COMPOSING WOMEN'S IMAGINED COMMUNITIES

Elizabeth Ann Mackay

Associate Professor, University of Dayton

Midway through *An Essay to Revive the Antient Education of Gentlewomen* (1673), Bathsua Makin (writer, educator, and tutor to royal women) mulls over a curious tradition, namely, that throughout history, female figures have engendered and shaped classical learning. Makin writes:

It may now be demanded, by those studious of Antiquity, why the Vertues, the Disciplines, the Nine Muses, the Devisers, and Patrons of all good Arts, the Three Graces; should rather be represented under the Feminine Sex, and their Pictures be drawn to the Potraictures of Damosels[?] . . . Why should the seven Liberal Arts be expressed in Womens Shapes? Doubtless this is one reason; Women were the Inventors of many of these Arts, and the promoters of them, and since have studied them, and attained to an excellency in them: And being thus adorned and beautified with these Arts, as a testimony of our gratitude for their Invention, and as a token of honour for their Proficiency: we make Women the emblems of these things, having no fitter Hieroglyphick to express them by.¹

For Makin, such representations not only prove women are the inventors and emblems of classical arts, but they also prove that throughout history, women have 'knowledge of Arts and Tongues, and by their Education, many did rise to a great height in learning'.² As further evidence for these arguments, Makin frames the above passage with an impressive catalogue of learned women from mythology, antiquity and the early modern present. On the one hand, her catalogue illustrates a vibrant history of women; on the other hand, Makin argues that in knowing this catalogue of women's history, the women of her own time will receive significant benefits, especially as they carry on this women's history by making it themselves.

Among the accounts in the *Essay*, Makin weaves in Zenobia's story. As Makin explains, Zenobia was an ancient Palmerian queen, described by Makin and other historians as composing an 'elegant abridged history of contemporary events' and also of 'strange and exotic places'.³ It is through her history-writing that Zenobia made her 'Countrey famous'.⁴ Several early modern women, including Christine de Pizan, Laura Cereta, Sor Juana Inés de la Cruz and Anne Bradstreet, turn to Zenobia as an exemplary model for many reasons: she is a well-educated, virtuous and chaste wife; a skilled warrior who created an empire; an exceptional ruler of that empire; a capable writer of histories. Thus, Zenobia frequently figures as a pattern for early modern women writers who

were recording and preserving women's histories. To be sure, during the early modern period, women writers presented themselves as 'Zenobias': women actively participating in the early modern practice of *ars historica* by composing their own histories.

A survey of written works typically classified as 'women's genres' illustrate how and why women writers made their histories, by working on and against historiographical theories developed by male humanists like Giovanni Gioviano Pontano, Niccolò Machiavelli, Jean Bodin, Raphael Holinshed and others. These women's genres include women's diaries, letters and other forms of life-writing, mother's advice books and legacies, closet dramas, romances, religious and spiritual writings, among others. For the purposes of this essay, I will limit my discussion to three interconnected, often overlapping genres: 'female worthies', pamphlets of the *querelles des femmes* debates (debates on 'the woman question') and treatises defending women's rights to formal education. More specifically, as I will show, what connects these genres are the writing strategies European and American women used to compose history, as they pieced together the lives and intellectual legacies of exemplary women of the past and present moments. Thus, early modern women can be understood to 'make' history—or rather, to unmake history in order to remake it—in ways Michel de Certeau has articulated in *The Writing of History* (1975). Early modern women adopted a symbolic, performative process to transform the past 'into a textual product', using that past's own 'materials' and organising those materials into 'intelligible discourse' through rhetorical 'manipulation' and 'analysis'.⁵ The past becomes their product, a product of the historiographer's own 'current events', social 'conditions' and political 'will to produce history'.⁶ The early modern women writers surveyed here demonstrate a will to remake history so that it is re-gendered and therefore allows for women's stories, practices and experiences. In this process, the writers implicated themselves in the past they made through the textual and rhetorical strategies they shared. Although these women lived in different places and sometimes different eras, they can be understood as collaborating with their historical subjects and with each other and as making a historical community through historiographical practices.

In this essay I investigate this collaborative process of transhistorical, transnational women historians who wrote women's history. I identify the product they made as an 'imagined community', one among many other imagined communities on the rise in early modern Western Europe.⁷ Through my methods of rhetorical and genre analyses, feminist formalism and cultural materialism, I looked for writers' modes of evidence

of their collaborations in their historical writing and rhetorical strategies, arguing that women historians positioned themselves as crucial links in a chain of women's writing and other historical and intertextual networks. I also suggest that by reading these women's texts together, we see fruitful interplay in their historical contents and also see the writers as co-creators of a women's history. In their efforts, women writing women's histories therefore shaped a unique imagined community where women of the past come together when they are joined by writers in texts. These textual communities are, like the past itself, products women writers made through their 'collective identity' and 'consciousness'. And in this investigation, we might also come to understand how re-assessing women's histories might help us re-assess and remake our own scholarly understandings of history and historical knowledge.

ARS HISTORICA

In *What Was History? The Art of History in Early Modern Europe* (2007), Anthony Grafton tells a compelling story about the developing tradition of early modern *ars historica*, the art of history or art of history-writing. As Grafton tells it, *ars historica* originated in the fifteenth century, taking 'shape in the middle of the sixteenth century [when it] assumed canonical form', an endeavour that continued apace into the mid-eighteenth century.⁸ *Ars historica* was a humanist project that transformed history into a genre, with writers and theorists working out its forms, conventions, arrangements and styles, as well as its rules and aims. As it took shape, *ars historica* became a site of lively debate among European humanists. Specifically, these humanists were debating the role and place of rhetoric in history-writing, wondering to what extent *ars historica* should engage with eloquence and its ornaments. Yet no matter which side they took on this matter, historians consistently imagined *ars historica* as always joined to *ars rhetorica*, imagining these arts as figurative spouses or companions, even sometimes others or foes. Early modern historians may have understood history and rhetoric as inseparable because they took their cues from Cicero. For example, his argument that only through rhetoric—'the force of human genius'—can 'professors of other arts speak more eloquently on their own subjects'.⁹ Only the orator, that 'great master of language,' is capable of writing history, of 'tell[ing] the truth' and preserving 'the memory of public events'.¹⁰ Perhaps the one other thing early modern historians agreed upon was the Ciceronian commonplace that history was *magistra vitae* ('teacher of life', or rather, 'directress of life'), a commonplace evoking another of Cicero's sayings: that rhetoric must delight, teach, and move.¹¹ By putting on these 'Ciceronian garments,' as Grafton writes, even in the midst of their hot debates, early modern historians ultimately presented themselves as 'professional rhetoricians' who understood *ars historica* as a rhetorical 'production,' one they 'wove . . . out of older chronicles and contemporary diplomatic dispatches,' a production always requiring them to address 'issues of style,' 'presentation' and narration, precisely because history, like rhetoric, also must delight, teach and move.¹²

Noticeably, Grafton's story of *ars historica* is overwhelmingly about the histories of men that early modern male writers made for their male readerships. There is not a single mention of women in *What Was History?* If we accept Grafton's story at face value, women are not the subjects or content of *ars historica*, nor its readers, nor its writers. I can almost hear early modern women humanists taking umbrage with Grafton's story. 'What of Asfiotea?' 'Where should we place Cleobulina?' 'Where Barsine?' 'Where Cornelia?' Lucrezia Marinella would ask.¹³ Anna Maria van Schurman would lament that in Grafton's narrative, 'the monuments of our name seem no greater than the traces of a ship passing in the sea'.¹⁴ Furthermore, van Schurman would insist that without the stories of women, history lives in 'captivity'.¹⁵

But to be fair to Grafton, women do 'shew' (to use an early modern term) in his interpretations of *ars historica*, frequently, though subtly. Indeed, I find Grafton's analysis of early modern *ars historica* as nuanced and inclusive because, in fact, it creates discursive space that enables further study of women's roles in *ars historica*, especially as its writers and producers. Therefore, in what follows, I re-examine several key features and conventions of *ars historica*, using figural historiography as one method for analysing its story, as it is depicted in both early modern men's history-writing and Grafton's narrative. Such a method is described by Carla Freccero, whose literary histories trace the 'movement of figures across times and places', as she investigates how and why certain figures, with their unique affective, tropic and mediating forces, repeatedly 'shew' in historical texts.¹⁶

Like Freccero, I too, am invested in tracing movements of figures throughout history, but I am concerned with rhetorical matter, that is, with rhetorical figures of speech—or the 'ornaments' of writing—and their material agencies, shaping forces and especially persuasive effects. Therefore, to re-assess the practice of *ars historica*, and to do so in order to show how it allows for women's participation, I will illustrate that the rhetorical (and gendered) figure at stake in early modern *ars historica*—and in Grafton's narrative of it—is *Historica* herself. In *Method for the Easy Comprehension of History* (1566), Bodin best exemplifies the ways men thought of history as a personified woman, writing History has had 'many eulogists' who 'have adorned her with honest and fitting praises'.¹⁷ Bodin complains that the use of rhetoric has 'frightened many away' from history; readers 'flee from the [rhetorical] approach' to history, Bodin says, because its path is 'half closed by brambles and thorns'.¹⁸ But Bodin is not immune to using rhetorical embellishments, as when he deploys the figure of speech, *prosopopoeia* (personification), to define History, or when he metaphorizes history books as 'patterns' that 'intice' men to virtue.¹⁹ This kind of figuration may seem unremarkable, but it matters in *ars historica* and the kinds of arguments writers used historical content to make. What we see here is that historical texts bear traces of women, even when women are not (do not seem) present. To think of *ars historica* in these ways matters then, because *Historica* becomes an important figure for both men and women writing history and developing, though separately, historiographical theories.

But to the matter at hand: what is *ars historica*? This was an art form made through the arguments of early modern male writers. I use the word, 'made,' deliberately for the variety of associations it calls up, especially those connected to its Latin roots: *-poeia* (a thing or creation 'I make'), as in *prosopopoeia* ('the person I make') and *poiesis* ('the creative production' of something, especially an art, like poetry or history).²⁰ The making or fashioning of *ars historica* in early modern Europe signals one of its primary features: its origins or prototypes. As Grafton shows, early modern European writers took up their development of *ars historica* with vigour, but because this project was so new, writers needed good models or patterns to fashion their own texts. So, early modern historians turned to ancient Greek and Roman writers such as Thucydides, Plutarch, Livy and Tacitus, but also sometimes Homer, Virgil and Ovid, for the kinds of histories they sought to write. More specifically, by using ancient texts as their patterns, early moderns also sought to show their own countries and cultures as 'on a par with that of the ancients'.²¹ For example, Maiolino Bisaccioni argues that Tacitus is an exceptional historian who 'not only describe[s] what happened' in the past, but also 'writes a commentary on his own narrative'.²² Francesco Robortello believes Thucydides offered an example of how to write history vividly.²³ Bodin includes a chapter in his *Method* entitled, 'The Choice of Historians,' wherein he lists many classical writers who tell *Historica*'s truths with credibility and integrity; among the best of these writers is Polybius.²⁴ Justus Lipsius praises Curtius for his history's 'felicity,' 'charm' and 'indescribable eloquence'.²⁵

A prevailing metaphor in historians' treatises, the pattern suggests a variety of important meanings. According to the *Oxford English Dictionary*, a pattern is 'a model, example or copy', 'something shaped or designed to serve as a model' for something yet to be made, such as an ancient writer's history book that offers a useful 'prototype' or 'likeness' for a history book of a new era. But the *OED* also suggests a pattern can be a 'set of instructions to be followed', as in 'sewing or knitting an item' or imitating a 'decorative or artistic design' or 'style' in making a project. These secondary meanings are those Grafton draws on in his writing of *What Was History?* For Grafton, as with early modern writers, history is not merely an event, a narrative, a text, or an art; it is fabric. Thus, Grafton writes history is a 'variegated,' 'bold tapestry' made of various 'threads' historians weave together to make their 'attractive and instructive' histories.²⁶ Grafton draws upon the representations of history from his early modern sources. For instance, Juan de Mariana collects materials from other sources to shape the 'fabric' of Spain's history he 'desired to raise'.²⁷ Such language choices evoke Linda Woodbridge's arguments that history is a 'patchwork', that the historian is more quilter than writer in the ways s/he gathers and stitches together historical knowledge, materials and source information. These old materials 'gather power from reuse' as they produce a new fabric—a tapestry, quilt, or chronicle—material that in being patched and stitched becomes stronger, protective, more capable of being preserved.²⁸ Patchworks are connected to the wider range of arts that (re)use paper, fabrics, threads, needles or other

organic materials. Though both early modern men and women certainly participated in these kinds of crafts, they have long been the particular domain of women. And the products of such crafts are themselves historical records, as Woodbridge and other material historians argue.²⁹ In turn, it is possible to understand these patchworks too, as patterns for writing history and for theorizing history-writing.

The discourses of patterns in the theorizing of *ars historica* gesture toward one of the three aims of history-writing: history must delight its audiences and to do so, must be written in a style that is always captivating, never dull. Early modern writers and theorists devote a great deal of energy to explaining that history should be 'lively, joyful and entertaining'.³⁰ In 1480, one of the earliest published chronicles of England says historical records should be written so 'every man may see and shortly fynde such mater as it shall please hym to see or rede'.³¹ Machiavelli too, believes his audience will 'read [and] take delight to heare the variety' of historical events in his *Discourses on Livy* (1517).³² Bodin is also concerned with the pleasures history offers, insisting readers will be 'captivated and won over by [its] delights' of 'her sweet embrace'.³³ Therefore, even despite some scepticism and discontent with rhetoric, historians embraced style and arrangement (two of rhetoric's five canons) to 'achiev[e] history's entertainments'.³⁴ *Historica* had to be suitably decorated and carefully crafted if she was to be enjoyable for readers. Thus, in his dialogue, *Actius* (1499), a foremost discussion of *ars historica* in the period, Pontano argues that although history writing must be 'austere' because its purpose is 'to tell the truth rather than decorate it', he also argues history should be adorned with 'amplifications', 'digressions' and a 'variety of matter,' in order to 'move [readers'] passions'.³⁵ What Pontano argues here about historical ornamentation and style is addressed by Erasmus some years later in *Copia* (1511), where he tells writers to 'employ variation in language, expressing the same sentiment in different words and different figures of speech', also recommending that writers look to classical historians like Sallust, Livy and Valerius Maximus to 'borrow' such stylistic devices.³⁶ *Sententiae* (sayings or quotations) from other historians were counted among history's ornaments and so, the best historians needed to collect, then 'reassemble ... testimonies from many sources' to make the historical composition believable.³⁷ To adorn history seems 'anathema to modern ... empiricist historiographers', but for early modern history writers, stylistic devices enabled them to seek historical truth, which is not exactly the same as historical fact.³⁸

Style is also importantly linked to arrangement in *ars historica*. Arrangement (*dispositio*) was a special obsession of all early modern writers, because they wanted the order of words, parts of speech and sentences to mirror the order writers wanted to impose upon or see in their world. In *The Art or crafte of Rhetoryke* (1535), Leonard Cox insists that writers 'set every thyng in ... due place'.³⁹ Here, Cox is writing about rhetorical *dispositio*—arrangements required for persuasive argumentation—but *dispositio* is as crucial for good history-writing (itself an argument). As Cox notes, there are many *topoi* (topics or parts) of history: geographical and topographical

descriptions of the country; accounts of a country's historical origins and peoples; individual people's lives, actions, and speeches; digressions; quotations from source materials and the writer's historiographical analysis, among others.⁴⁰ Juan Luis Vives describes these various parts of history as 'detached pieces' a historian must 'weave ... together' to form a 'connected whole'.⁴¹ Leonard Bruni likewise says order must be kept because 'history ... requires at once a long and connective narrative, causal explanation of each particular event and the public expression of one's judgement about every issue'.⁴² Writers and theorists agree then, that histories' topics must follow a set arrangement: a chronological, linear order. Chronology, says Vives, is the most 'apt and suitable' order because 'it is easier to see the face of the world and the arrangement of its parts one by one and to understand how each is placed'.⁴³ Chronology is, after all, God's order, says Philip Melancthon.⁴⁴ Over time in the early modern period, concern with structure, order and arrangement was 'becoming more tightly organised', a result of history's connections to artful writing, so that arrangement was another means for the historian to demonstrate his rhetorical skill, style and mastery.⁴⁵ By carefully reading male chroniclers' theories of history-writing, what emerges is a dialectical understanding that history and rhetoric are mutually shaping and mutually reinforcing arts. What also emerges is an emphasis on the *art* of history, or more specifically, a sense that history is a craft, again, that like sewing or knitting, it also depends on artful designs or style.

Style and arrangement do not just shape history's delights; taking care to decorate and correctly order one's writing 'assists the audiences disposition to learn,' Erasmus counsels.⁴⁶ Delight was but one aim of history; instruction was another, which, for early moderns meant that history was a practical art with moral use-value. The belief was history had to be captivating to do its real work: for readers to gain knowledge of the past and then use that past as a model for their present ways of living. The past shows readers how well (or not) they were conducting themselves piously, prudently and correctly. To promote this learning, writers pressed upon the historical exemplar, that is, the historical figure (pattern) demonstrating excellence. As Thomas Blundeville puts it in *The true order and Methode of wryting and reading Hystories* (1574), the historian must take care in choosing his subject matter, knowing historical exempla should 'bee followed for their excellencies in vertue'; therefore, the writer must include public persons and notable citizens—emperors, sovereigns, governors and nobles—people 'worthie of fame and memorie'.⁴⁷ Bisaccioni, in fact, defines history as 'a narrative of the actions of princes and great men,' going on to say 'one learns from those'.⁴⁸ Machiavelli explains that readers must use 'ancient patternes', for, to be ignorant of history's exemplars results in the "evill" that comes from 'idlenesse accompanied with ambition'. By writing history, Machiavelli promises to help his readers avoid such 'errour', so that instead, they 'reape th[e] profit' of historical knowledge, by imitating 'the good of these old'.⁴⁹ Strikingly, this emphasis on exemplars does not exclude infamous persons. Historical theorists also clarify that books should include examples of 'those who should be

studied to avoid [their] excellencie in vice'; this is the best means for achieving credibility, balance and objectivity in one's historical composition.⁵⁰ One need look no further than Holinshed's *Chronicles* (1577) for a bad example one should avoid: Richard III was a 'usurper' and 'miser', 'unnatural' in his embrace of 'mischiefe, tyrannie, and unthriftinesse,' as well as 'murther', an 'example[] of more vehemenice, than mans toong can expresse'.⁵¹ Exemplars, both good and ill, should 'inspire' readers of history 'to perform acts of virtue' themselves.⁵² Thus, John Le Clerc calls history his readers' moral 'compass'.⁵³ *Historica* is, as Cicero exclaimed, *magistra vitae*—'directress of life'—and as this teacher, she comes into her full argumentative force.

The final aim of *ars historica* was to move audiences to some sort of action or passion through successful persuasion. The persuasive force of *ars historica* was to engender within people a love of their nations and fellow citizens. As the tradition developed over time, it became clear that histories were a persuasive means and textual site where the early modern 'nation' was being produced as another rhetorical form.⁵⁴ In their goal of writing history to define and magnify the nation, early modern chroniclers demonstrate the nation-building process Benedict Anderson brilliantly describes in *Imagined Communities* (1983).⁵⁵ Places like early modern Spain, France, Germany and England were only just beginning to understand themselves as nations. Telling stories of these newly-formed nations' pasts and historical glories, as well as their kings, heroes and some figures of the middling sort helped shape nations' characters. Through the rhetorical figures *prosopopoeia* and *ethopoeia* (the making or producing of a character's *ethos*, so that a character becomes capable of garnering loyalties) early modern nations became yet another pattern for history's readers. Bruni tells the story of Florence's 'celebrated' and 'admirable exploits,' its 'internal struggles,' and how its character formed in relation to its Italian neighbour city-states.⁵⁶ Holinshed's *Chronicles* demonstrate England as a nation without peer or parallel.⁵⁷ Mariana writes about Spain's national endurance: its history begins after the Great Flood described in Genesis and remains an 'Empire . . . blessed with Plenty and Prosperity'.⁵⁸ Early modern national histories illustrate what is required for the 'nation-ness' of a place: *cultural roots*, an imagined community's iconography, architecture, monuments and other artefacts invoking the origins and ideals upon which a nation's character is formed; *national consciousness*, which allows people to develop ties to others not related to them by kinship or biology; and *national sovereignty*, which is shaped through cultural roots and national consciousness in such ways that nations can 'command ... profound emotional' and imaginary authority over people.⁵⁹ In the early modern period, these qualities of nationness were achieved through published histories and chronicles, which became some of the cultural artefacts largely responsible for the 'deep attachments' individuals developed for their nations.⁶⁰ Made into 'a permanent form,' published histories were 'capable of virtually infinite reproduction'; they were very present in book markets and were highly rhetorical documents arguing for nations' pre-eminence and worth.⁶¹ Again, it

was *Historica* and *Rhetorica*'s collaborative work—which is to say, 'women's work'—that crafted these history books and brought early modern nations into their being.

CRAFTING WOMEN'S HISTORIES

If this developing tradition of *ars historica* held important functions for male writers, it was perhaps all the more crucial for early modern women writers. In their written works, we can see women in Western Europe and the Americas responding to the issues of their day. To be sure, there is a wealth of evidence suggesting that women were closely observing *ars historica* as it was taking its shape; yet because women's written works do not often assume the expected form and genre of traditional history-writing, scholars have not identified or classified the forms and genres that women write as 'history'.⁶² Noticeably, women writers tended to either embed their histories of women in many other forms or would employ other genres to present their histories. Because the tradition of *ars historica* was itself fashioned over time throughout the early modern period, I argue that we might re-assess certain kinds of women's texts as histories by looking closely at their engagements with *ars historica* for the historical and rhetorical work they do.

As male writers and theorists were fashioning *ars historica*, early modern women also began writing about and imagining *Historica*, taking their cues from men's historiographical theories, but frequently with difference. Thus, women were making their own theories and arguments about what *ars historica* should be and do. Like male writers, women argued that it was necessary to look to classical, ancient texts upon which to model their histories. However, compared to men's histories, women's texts argue that most women of antiquity have been misunderstood or maligned, which has led to the slandering and defaming of women of the past and in the early modern present. Women theorise a (re)turn to ancient history to set these problematic views to rights, so they accentuate the role of recuperation, a project beginning with Christine de Pizan's *The Book of the City of Ladies* (1405). In the book's opening chapters, Reason teaches Christine to use the rhetorical figure, *antiphrasis*, the 'interpreting [of] something that is negative in a positive light, or vice versa'.⁶³ Here, Reason encourages Christine to look again at the books she has been reading, books that present misogynistic attacks on women throughout history. Then, Reason tells Christine to remake these accounts: 'turn them to your advantage,' Reason insists, 'no matter what the author's original intention was'.⁶⁴ Other women writers similarly deploy *antiphrasis* as a persuasive figure, often in a universal approach that has the goal of recuperating all of womanhood in all ages. Cereta, for one, writes how she is 'impelled to show what great glory' women have achieved and how they have 'exalted in every age'.⁶⁵ Likewise, Marinella seeks to prove 'the female sex is, in its actions and transactions, more singular and excellent than the male sex'.⁶⁶ Even as they universally recuperate women throughout the ages, women historians turn to specific examples of female figures needing this kind of interpretative turn. A good example of a historical woman who benefits from

antiphrasis is Semiramis, an ancient Assyrian queen. Of Semiramis, Christine admits 'some authors have criticised [her] for having married her own son,' but she goes on to defend Semiramis, who has been anachronistically (and so unfairly) judged by Christian male writers.⁶⁷ Perhaps having read Christine's account, Bradstreet also re-interprets Semiramis, explaining she was 'a brave virago [who] played the rex/ And was both shame and glory of her sex', turning Semiramis' reputation around by arguing her 'shame' was deliberately crafted by male writers: 'the Greeks this slander on her cast,/ As on her life licentious, and unchaste', but 'that undeserved' and so 'they blurred her name and fame/ By their aspersions'.⁶⁸ Women historians recuperate the women of the past, but do so also to argue that women of the present age are just as in need of champions and defenders. *Antiphrasis*, therefore, can make all women into appropriate subjects of *Historica*. And women of all ages and times are certainly important enough to be recorded in history, especially the women reading these histories, although the writers make clear their audiences must see 'knowledge of past matters' as their 'mirror' to warrant their place in history.⁶⁹

Looking to the past and recuperating women brings women writers and theorists to the two aims of *ars historica* discussed above—its delights and teachings. As with men's theories of *ars historica*, women's aims depend upon the role of the historical exemplar or pattern. In their reading of women's history, women will be delighted in the knowledge that their history exists. 'My ladies, you have every reason to rejoice,' writes Christine, 'at seeing the completion of this new city', which, in her allegory, symbolizes both her published book and the women's histories it contains.⁷⁰ Imagining their audiences as desiring knowledge and information, women writers believe their histories will fill these audiences with 'Honour and Pleasure'; women have an 'innate desire' to know and to know more, so 'satisfying this [desire] is the greatest pleasure' history can take.⁷¹ Furthermore, in reading and learning about their history, women of the present will themselves become 'admired and adorned'.⁷² As this last point suggests, by (re) learning women's history, readers can pattern their own lives and behaviours after exemplary women of the past and present and in turn, have opportunities to become patterns for future generations of women. For example, in Book I of *The Book of the City of Ladies*, Christine includes several chapters illustrating 'examples of women who had fine minds and were extremely erudite', including Cornificia, Proba, Sappho, Leontium, Thamaris, Irene, Sempronia and more. Gathered together in Christine's City, such excellent patterns shape a 'new legacy' for women, one in which readers see themselves 'reflected' in the City's 'virtuous material', while they also learn to 'conduct themselves in a moral fashion and [to] be [as] meritorious and forbearing' as the exemplars.⁷³ Although de la Cruz claims in her *Respuesta* (1691) that she has 'no need of exemplars,' she belies this claim as she names twenty-nine women throughout the ages that have enabled her own learning in 'sacred as well as secular letters'.⁷⁴ Van Schurman is particularly invested in women of the recent past or of the current moment; in fact, she frequently explains Elizabeth I and Lady Jane Grey were

more 'illustrious' than the 'illustrious women of ancient Greece and Rome' and so they should be models for the women of her own time.⁷⁵

There are differences in how women theorise the role of the historical exemplar and how it can delight and instruct *Historica's* readers. In women's history-writing, most exemplars are verifiable—real women who lived, acted and died—although some are mythological, even fictional, figures. Knowing that for male writers and theorists historical truth was privileged over fact, women historians include exemplars in their writing that can best illustrate historical truths for their audiences. Therefore, figures like Nicostrata (Carmentis), Helen, Hecuba, Manto of Thebes, Diotima and other women of mythology, legend or questionable provenance, consistently appear in the histories written by women and are depicted by writers as no less real than Deborah, Susannah, Cornelia, Corinna, Zenobia, Elizabeth of Bohemia, Isotta Nogarola or Marie le Jars Gournay. For women historians then, the exemplar need not always be 'real' to fulfil *ars historica's* principle aims. In this regard, women can be understood to draw on men's historiographical strategies while also making those strategies more expansive. Indeed, it is not so unusual to see male historians turn to ancient sources with questionable reliability and accuracy as their patterns for writing history: sources like Plutarch's *Lives*, Lucan's *Pharsalia*, Homer's *Odyssey* and Virgil's *Illiad*. What matters for women writers is that their exemplars possess or have been granted their own histories. Women writers recognize this historiographical impulse: that exemplars' histories, like *ars historica* itself, have been made, told and interpreted over time, even if the content of those histories is factually uncertain. The telling and interpreting of their stories serves to legitimate and authorise them as historical figures, while also demonstrating how women read and thought about their historical patterns. It also offers some insight into why historians would include exemplars in their texts.

As with their male counterparts, women's pressing upon the 'pattern' shows women historians as concerned with matters of style and arrangement, though an important difference is that women developed theories-in-praxis, showing rather than telling their ideas about these rhetorical canons. In women's histories it is clear the female exemplars are *ars historica's* ornaments. Christine notes her allegorical narrative is made of 'virtuous material which shines so brightly'—the virtuous material being the many women whose stories she tells in her book.⁷⁶ Marinella, too, says her women's history has been adorned with 'countless examples'.⁷⁷ Given the sheer number of women adorning these books, there is something sumptuous and luxurious about them. Other women employ a variety of rhetorical figures in their writing. As one example, Bradstreet's encomium of Elizabeth I uses *enargia*, a rhetorically powerful, visual description that uses a variety of rhetorical embellishments to vividly recreate something or someone in a text. Through *enargia*, Bradstreet brings Elizabeth to life, further arguing that Elizabeth is herself an historical ornament, a queen of 'wondrous worth', 'glory' and 'excellence'; a figure that 'hath wiped off th' aspersion of her sex' and is 'argument enough to make you mute'

because she is 'such a Phoenix' for which there is 'no fit parallel'; a queen who is 'the pattern of kings'.⁷⁸ Bradstreet is also the only woman I cite here who presents her history in verse, and more specifically, in iambic pentameter. Most of the women writers I sample employ rhetorical naming and cataloguing as their primary stylistic devices. As with men's theories of *ars historica*, the women who write women's histories agree that history must be written to be memorable, delightful, instructive and moving.

Marinella explains how important it is to 'render' historical writing 'in an elegant fashion so that it is clear and accessible to diligent readers', aligning her sense of history-writing with men's theories.⁷⁹ Yet when it comes to the arrangement of historical content, women historians reject the notion that chronological order is necessary or even beneficial. The women compiling histories of women demonstrate that different kinds of arrangements can better reveal the necessary links between past, present, and future. It is not unusual, then, to find in something like Bathsua Makin's *Essay* the stories of Lady Jane Grey, Elizabeth I and Anna Maria van Schurman while Anne Bradstreet interwove her work with stories of Sappho, Cornelia, Hortensia or Hildegard. When biblical women's histories are included in texts, the women of Old and New Testaments appear alongside women of the apocrypha, sometimes in the order in which they appear in the Bible's narrative but, more often without a clear, linear arrangement. Such organisation of women's histories might seem arbitrary at first glance. However, the women whose stories are chronicled in these books are grouped thematically and through rhetorical choices that work at the intersections of *ars historica*, *ars rhetorica* and *ars oikonomia* (the ordering of the household, which included the domestic arts).⁸⁰

The arrangements shaping women's histories serve different argumentative purposes than men's history-writing. Jane Donawerth has argued that early modern women adapted classical rhetorical theory by 'modelling discourse on [their] experience in conversation rather than on men's experience in public speaking'.⁸¹ Drawing on, but expanding, Donawerth's study, I suggest that early modern women do not simply adapt, but (re) theorise both classical rhetoric and history-writing by modelling their histories on their experiences of creating, using, reading and interpreting a wide range of persuasive materials (as well as their of experiences working together in collaboration) to create, use, read and interpret materials. Having observed discourses of patterns, patchworks, and weavings that underwrite the practice of *ars historica*, women historians compose their texts through the arrangements of gendered forms and 'textualities'—embroideries, needlework samplers and collages—the kinds of 'works' with which women ornamented their homes and furnishings.⁸² Thus, women's historical order alludes to the *process* of needleworking rather than the product, patterning their histories in the ways embroiderers would make samplers: initially collecting patterns, designs, and styles from a wide variety of sources, such as natural histories, herbals, emblem books, bibles, classical translations; then discovering the historical motifs and women's stories they wanted, like the stories of Eve, the Queen of Sheba, Esther, Judith, and

Deborah (who were among the most popular subjects of women's work); finally reproducing patterns and motifs in their own work, but altering them with difference. The process of collage was similar to that of needlework, as Juliet Fleming explains, in the ways it organised one's 'researches' (materials), arranged them, then pasted them onto walls, in texts or in other media. Thus collage, like embroidery, can be understood as an 'intellectual gesture' because what it produced both preserved and made anew surviving 'textual fragments'. Through needlework, collage and other crafts, women brought 'back to life' old, often discarded materials (threads, fabric slips, paper, women's stories) within a 'new work' created for a 'new purpose'.⁸³ In their alterations and the ways they reused and remade materials, women re-interpreted their historical content and put that content to new textual and argumentative ends.

For women historians, these familiar processes became the patterns by which they arranged and produced their own historiographical arguments, particularly about the subject matters of history and how that matter should be joined together to create a narrative.⁸⁴ Other critics argue that women writers took their cues from and modelled their writing upon what men were doing; I suggest the reverse is more indicative of women's history-writing. Women historians recognise their work (and its metaphors and implications) in *ars historica* and so reclaim these arts long 'borrowed' by male writers. In their making of *ars historica*, women give History her proper clothing and adornments. As Ann Rosalind Jones and Peter Stallybrass argue, women's work can be understood as shaping 'a counter-memory' for themselves, other women and 'the larger world'. Through their work, 'women stitched themselves into public visibility,' with 'thread and cloth [as] the materials through which they could record and commemorate their participation . . . in the larger public world'.⁸⁵ The same can be said of women historians, who reclaim 'women's work' as an available means of shaping their histories about women, of weaving women into history's fabric and doing so in ways familiar to their female readers, so that their readers will see the full impact of their arguments.

MAKING WOMEN'S IMAGINED COMMUNITIES

In their making of histories, these early modern Zenobias insist women have long been Historica's subjects, also arguing that history is a site in which women of the past and present gather together, just as women would gather together in homes to work on their embroidery projects and collages. Moreover, these Zenobias presented history as something for which women can develop deep attachments, just as women would develop attachments to their works and to other women. By presenting their histories in ways familiar to their readers' lived experiences, women's histories fulfil *ars historica*'s third aim: to move readers to love the historical community fashioned in texts. In *The Book of the City of Ladies*, Reason says she has come with her sisters to help Christine 'construct a ... city,' which is built by women for women in two senses: women are

this city's architects; they are also its materials—its foundations, bricks, mortar, walls, houses, buildings and most importantly, its citizens.⁸⁶ Strikingly, the members of Christine's city are not solely from Venice (the Italian city-state of her birth) nor from France (where she lived and earned her living as a writer). The City's women hail from everywhere in the known world—Egypt, Greece, Rome, Assyria, Arabia, France, Italy and elsewhere. And many of them were city or empire-builders themselves. Christine's city yet again serves as an original design or pattern for other early modern women who imagined a community of women in their histories: a community where women could transcend the limitations of time and space. Women historians argue for the merits of this imagined community precisely because it does not have the nationalistic potential to create rifts among women, yet another departure women make from men's theories of *ars historica*.

As we saw above, nation-formation is a process requiring cultural roots, a shared consciousness and sovereignty; these are also necessary materials for the imagined community made through early modern women's history-writing. In women's histories, hundreds of female figures perform as the community's cultural roots; they are artefacts, icons and monuments to which members of the community must look for the origins, ideals, and character of their collective identity. Indeed, as Makin put it, historical figures are 'the emblems of these things', not simply *ars historica*'s ornaments or its exemplars. They may be of the past but strikingly, the historical figures can exist and act in the present, as de la Cruz's demonstrates in her *Respuesta*. Here she writes about ancient women in present-tense verbs: 'I see a Deborah, issuing laws', 'I see, too, such a woman as Zenobia'.⁸⁷ With many of the same women cited consistently and frequently across the range of histories, these historical figures also represented the community's shared consciousness, a consciousness formed by women's collective memory. Similarly, the rhetorical figures women used to adorn their histories—*antiphrasis*, (cataloguing) and *enargia* (vivid and powerful description in writing) as well as others like *kairos* (prudent or right timing) or *parenthesis* (inserting a qualifying or explanatory phrase or comment in the midst of a sentence or passage)—perform as both the imagined community's roots, while also illustrating a kind of shared 'language' among women historians and their readers. This language enabled women readers to imagine themselves as part of a collective, communal identity. Cereta's 'Letter' is an example of the ways a collective identity is written into women's histories. She apostrophises to her audience: 'certain, indeed and legitimate is our possession of this inheritance [women's history], come to us from a long eternity of ages past'.⁸⁸ It is this 'we' that signals for women historians a shared sovereignty in the imagined community, a sovereignty shared among its members and with Historica herself.

In sum, as we engage with the sources and historical texts we study, it is important to remember that the history of the past was not a clear or clearly-defined genre; it was being shaped during the early modern period for real, material and argumentative purposes by humanists, both men and women alike. The women who wrote women's

histories did not simply challenge traditional views of history, history-writing or historiography. Women worked to prove they could write history as artfully as men, while also developing their own artful forms and rhetorics for composing women's histories and transposing strategies from their own communities. Indeed, women historians catalogued, stitched, collaged and weaved, transforming such 'everyday rhetorics' into textual forms that were particularly apt for making women's histories. In the process, women historians created new textual forms they used to delight, teach and move their female readerships. In this essay, I have attempted to theorise these historical and rhetorical possibilities for early modern women writers participating in the fashioning of *ars historica*, how women imagined themselves as co-creating that historical knowledge with the women who were the subjects of their histories, as well as their women readers. By exploring ways that women writers interwove classical rhetorics with their more familiar, gendered modes, I have hoped to generate new ways of thinking about transhistorical, transnational women's participation in the intellectual cultures of their day. To look anew at women's writing—to think of their texts as rhetorical 'histories'—is to make more visible the ways that early modern women were actively building their own imagined communities that could bridge oceans, continents, national borders and even time.

NOTES

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2. Makin, *An Essay*, 3.
3. Giovanni Boccaccio, *Famous Women*, ed. and trans. Virginia Brown (Cambridge: Harvard University Press, 2001), 433; Laura Cereta, 'Letter to Bibulus Sempronius, Defense of the Liberal Instruction of Women', in *The Rhetorical Tradition: Readings from Classical Times to the Present*, ed. Patricia Bizzell and Bruce Herzberg (Boston: Bedford/St. Martin's, 1st ed. 1990), 496.
4. Makin, *An Essay*, 25.
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12. Grafton, *What Was History?*, 21.
13. Lucrezia Marinella, *The Nobility and Excellence of Women and the Defects and Vices of Men*, ed. and trans. Anne Dunhill (Chicago: University of Chicago Press, 1999), 84.
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15. Van Schurman, *Whether a Christian Woman*, 60.
16. Carla Freccero, 'Figural Historiography: Dogs, Humans, and Cyanthropic Beings', in *Comparatively Queer: Interrogating Identities Across Time and Cultures*, eds. Jarrod Hayes, Margaret R. Higonnet, and William J. Spurling (New York: Palgrave MacMillan, 2010), 46.
17. Jean Bodin, *Method for the Easy Comprehension of History*, trans. Beatrice Reynolds (New York: W. W. Norton & Co., 1945), 9.
18. Bodin, *Method*, 4.
19. Bodin, *Method*, 1, 9.
20. All definitions are from the OED.
21. Eric Auerbach, cited in Anderson, *Imagined Communities*, 68-69.
22. Bisaccioni, cited in Peter Burke, *The Renaissance Sense of the Past* (London: Edward Arnold, 1969), 99.
23. Grafton, *What Was History?*, 24.
24. Bodin, *Method*, 50.
25. Lipsius, cited in Grafton, *What Was History?*, 5.
26. Grafton, *What Was History?*, 26, 31, 34, 137.
27. Mariana, cited in Burke, *The Renaissance Sense*, 105.
28. Linda Woodbridge, 'Patchwork: Piecing the Early Modern Mind in England's First Century of Print Culture', *English Literary Renaissance* 23/1 (1993), 5-45.
29. On patchworks, quilts, tapestries, embroideries, needlework samplers, collages, and garments as historical documents and records see Thomasina Beck, *The Embroider's Story: Needlework from the Renaissance to the Present Day* (Newton Abbott, England: David & Charles, 1995); Juliet Fleming, 'The Renaissance Collage: Signcutting and Signsewing', *Journal of Medieval and Early Modern Studies* 45/3 (2105), 443-456; Susan Frye, *Pens and Needles: Women's Textualities in Early Modern England* (Philadelphia: University of Pennsylvania Press, 2010); Ann Rosalind Jones and Peter Stallybrass, *Renaissance Clothing and the Materials of Memory* (Cambridge: Cambridge University Press, 2000); and Woodbridge,

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42. Leonardo Bruni, *History of the Florentine People*, Vol. 1: Books I-IV, ed. and trans. James Hankins (Cambridge, MA: Harvard University Press, 2001), 5.

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45. Burke, *The Renaissance Sense*, 120.

46. Erasmus, *Copia*, 631.

47. Thomas Blundeville, *The true order and Methode of wryting and reading Hystories* (London, Imprinted by Willyam Seres, 1574), sig. Cii^r.

48. Bisaccioni, cited in Burke, *The Renaissance Sense*, 98.

49. Machiavelli, *Discourses*, sig. (b)2^r-(b)2^v, 251.

50. Blundeville, *The true order and Methode*, sig. Cii^r.

51. Raphael Holinshed, *Holinshed's Chronicles England, Scotland, and Ireland in Six Volumes*, Vol. III (New York: AMS Press, 1965), 445-479.

52. Machiavelli, 3.

53. John Le Clerc, *A Compendium of University History*, trans. unknown (London: M. Gillyflower, 1699), A2^r.

54. Quotation marks draw attention to the varying ideas of early modern nation, nation-states or city-states.

55. Anderson argues that European nations developed later, during the mid-eighteenth and early nineteenth-centuries. In this essay, I join with historical and literary scholars who argue such nation-formation took place earlier, beginning with Renaissance humanism, and then shifting, with states' confessionalisation in response to the Protestant Reformation. See Andrew Hadfield, *Literature, Politics, and National Identity: Reformation to Renaissance* (Cambridge: Cambridge University Press, 1994); Claire McEachern, *The Poetics of English Nationhood, 1590-1612* (Cambridge: Cambridge University Press, 1996); and Catherine Nicholson, *Uncommon Tongues: Eloquence and Eccentricity in the English Renaissance* (Philadelphia:

University of Pennsylvania Press, 2014).

56. Bruni, *History*, 5.

57. Holinshed, *Chronicles*, sig. ¶ii^v.

58. Juan de Mariana, *The General History of Spain*, trans. John Stevens (London: n. p., 1699), 1.

59. Anderson, *Imagined Communities*, 5-7.

60. Ibid. 48.

61. Ibid. 57.

62. For scholars using traditional definitions of 'history' as a genre, while raising important questions about women's writing of history, see Natalie Zemon Davis, 'Gender and Genre: Women as Historical Writers, 1400-1820', in *Beyond their Sex: Learned Women of the European Past*, ed. Patricia H. Labalme (New York: New York University Press, 1984); Philip Hicks, 'Female Worthies and the Genres of Women's History', in *Historical Writing in Britain, 1688-1830*, eds. Ben Dew and Fiona Price (Houndsmills: Palgrave Macmillan, 2014), 18-33; Devoney Looser, *British Women Writers and the Writing of History, 1670-1820* (Baltimore: The Johns Hopkins University Press, 2000); and Jennifer Summit, *Lost Property: The Woman Writer and English Literary History, 1380-1589* (Chicago: University of Chicago Press, 2000). For a scholar who interrogates historical categories see Stephanie H. Jed, 'Reorganizing Knowledge: A Feminist Scholar's Everyday Relation to the Florentine Past', in *Renaissance Culture and the Everyday*, eds. Patricia Fumerton and Simon Hunt (Philadelphia: University of Pennsylvania Press, 1999), 254-270.

63. Christine de Pizan, *The Book of the City of Ladies*, trans. Rosalind Brown-Grant (London: Penguin Books, 1999), 8.

64. De Pizan, *Book*, 8-9.

65. Cereta, 'Letter', 496.

66. Marinella, *Nobility*, 77.

67. De Pizan, *Book*, 36.

68. Anne Bradstreet, 'In Honour of that High and Mighty Princess Queen Elizabeth of Happy Memory', in *The Works of Anne Bradstreet*, ed. Jeannine Hensley (Cambridge, The Belknap Press of Harvard University Press, 2010), lines 72-73, 96-99.

69. Van Schurman, *Whether a Christian Woman*, 58.

70. De Pizan, *Book*, 237.

71. Makin, *Essay*, 4, 25.

72. Ibid. 26.

73. De Pizan, *Book*, 237-238.

74. Sor Juana Ines de la Cruz, 'From The Poet's Answer to the Most Illustrious Sor Filotea de la Cruz', in *The Norton Anthology to Western Literature*, Vol. 2, gen. ed. Martin Puchner (New York: W. W. Norton & Co., 9th ed, 2014), 324-325.

75. Van Schurman, *Whether a Christian Woman*, 58-59.

76. De Pizan, *Book*, 237.

77. Marinella, *Nobility*, 38.

78. Bradstreet, 'In Honour', lines 3, 5, 34-35, 41, 44, 93, 124.

79. Marinella, *Nobility*, 39.

80. See Dudley Fenner, *The Artes of Logike and Rethorike* (London: n. p., 1584).

81. Donawerth, 'Conversation and the Boundaries', 183.

82. 'Textualities' is Susan Frye's term in *Pens and Needles*, and refers to the range of texts, textiles, media, and other creations women made as forms of expression as well as

- means for recording their lived experiences (xv).
83. Fleming, 'The Renaissance Collage', 449-450.
84. Beck, *The Embroider's Story*, 10, 26.
85. Jones and Stallybrass, *Renaissance Clothing*, 134.

86. De Pizan, *Book*, 11, 35.
87. De la Cruz, *From The Poet's Answer*, 325.
88. Cereta, 'Letter', 496, emphasis added.

COLONIAL LAW AND THE INDIGENOUS WOMEN OF THE SPANISH AMERICAS: STRATEGIES, BARRIERS AND SHIFTING NORMS

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The Spanish conquest of the Americas was devastating for Indigenous people and, for women in particular, it involved incalculable violence, upheaval and dislocation. However, we should not assume that Indigenous women had no tools with which to combat their own dispossession, or that they were totally unable to assert their rights. Despite the enormous obstacles of a male-dominated colonial society, Indigenous women did have options: prominent among which, was legal recourse. This article offers a synthesis, drawing together secondary literature and reinterpreting published sources.¹ It then posits a hypothesis of Indigenous women's declining legal opportunities and will demonstrate that initially, the early colonial period offered significant legal opportunities to Indigenous women, due to the turmoil of demographic instability, the survival of pre-Hispanic ideologies and the precepts of colonial law – and that many native women readily took advantage of this. It will then illustrate how the imposition of a gendered racial hierarchy and the resumption of demographic stability gradually curtailed women's access to the legal system and its opportunities. A similar change was happening across Europe and its colonies, but it was particularly severe for Indigenous women. This study hopes to contribute to our understanding of colonialism as a process in which artificial racial and gender hierarchies were constructed as means of ensuring control. It also aims to further our perception of Indigenous women and their experiences under colonialism in the early modern period, adding nuance and depth to what is often a flawed presentation of both Indigeneity and womanhood.

To illustrate properly how Indigenous women were able to use colonial law for their own benefit, we should begin with an analysis of the legal provisions for women and the societal context in which they lived. In the sixteenth century, colonial society was in flux: pre-conquest norms were still within living memory and Spanish customs and ideologies had yet to gain complete dominance. In the Andes, Incan civil war had preceded the conquest and continued afterwards; in Central America the factional chaos amongst the Spaniards further exacerbated instability. The conquest and ensuing resettlement of large swathes of the Indigenous population led to demographic instability: a large-scale relocation of native peoples that resulted in the dislocation of whole

communities, compounded by the devastating effects of disease on the native population.² Consequently, there were unprecedented numbers of widows or women with absent husbands. Kellogg's work persuasively demonstrates the way in which this created opportunities for Indigenous women, detailing how, in the early colonial period, Mexica women litigated to a degree that was almost unparalleled in other colonial jurisdictions.³ This was partially due to the high numbers of women heading households, who were empowered to take legal action without the involvement of a male relative, but it was also a product of the pre-Hispanic status of women in Indigenous communities.

Several scholars have established the gender complementarity of the pre-conquest Indigenous world: Powers, Kellogg and Socolow have all illustrated how most Indigenous societies saw women's position as separate from, but not necessarily subordinate to, that of men.⁴ This is not to claim the existence of gender equality, but simply a worldview that did not place women firmly under the control of the men in their lives and instead, offered them some autonomy and power. Some have argued that this interpretation is idealistic, but it is largely accepted that in many pre-conquest societies there was far less of a gender hierarchy than in Iberian society.⁵ Given this cultural background, it seems logical that native women might '[compensate] for a loss of power and authority in other realms of their lives' by exploiting the opportunities of the new colonial legal system.⁶ Pre-conquest norms still held great influence and Spanish standards had yet to solidify fully in the colonial context.⁷ Thus, Indigenous women seized the chance offered to them—to reassert control over their lives at a moment which might have robbed them of it. They were able to do this because of the way colonial law provided for women.

Castilian law was, in the words of Richard Kagan, a 'hodgepodge of confused laws and competing jurisdictions that crafty litigants exploited to their own advantage' and this jumble was perpetuated when it was transplanted into the colonies.⁸ The law was based on several codes, many dating back centuries, including *El Fuero Real* (The Royal Law Code, c. 1255, based on much earlier Roman and Visigothic law, as well as the local and regional codes promulgated between the sixth and thirteenth centuries); *Las Siete Partidas* (The Seven-part Code, c. 1265, intended

to establish standardised rules for the whole kingdom); and *Las Leyes de Toro* (The Laws of Toro, 1505).⁹ New laws were created specifically for the colonies, published in compilations such as the *Recopilación de Leyes de los Reynos de las Indias* (Compilation of the Laws of the Kingdoms of the Indias), which were subject to much legal thought. Castilian law was a flexible, ever-changing system – particularly the colonial laws, which can be seen as a product of negotiation between colonial powers and Indigenous groups. Accordingly, many Indigenous legal customs were preserved, insofar as they did not clash with Spanish or Catholic precepts.¹⁰ Cutter has demonstrated, albeit for a later period, that ‘indigenous people took an active role in the formation and development of *derecho indiano* [indian law]’ in the frontier region of New Mexico, in what he calls ‘an era of mutual accommodation’.¹¹ These measures suggest that colonial law was not static, nor imposed solely from above. Conversely, it was a dynamic system that somewhat accommodated the concerns of the Indigenous population.

Due to the revisions and additions, Castilian law was complex, sometimes contradictory, and functioned differently, according to who presided over it. However, it did possess several features pertinent to the condition of women: women could own property that they had inherited or purchased; they were entitled to sell or bequeath that property as they pleased and a husband was not entitled to dispose of his wife’s property without her permission.¹² Widows were especially free in the eyes of the law. Being neither minors nor subject to the authority of a man, they were entitled to the return of their dowry (and any *arras*, a traditional gift of money or valuables from husband to wife upon their marriage), as well as half the couple’s ‘community property’, consisting of any assets acquired since the marriage and any profits made on them.¹³ Furthermore, women could also initiate a lawsuit if they had been seduced with a false promise of marriage and could claim compensation for the loss of their virginity in such cases.¹⁴ Moreover, women could petition the court for separation or the punishment of their husband if they were suffering a *mala vida* (bad life) at his hands, which could include abuse, neglect or adultery.¹⁵ Technically, married women needed their husband’s license to litigate, but this could be retroactive, issued under compulsion by a judge or superseded by a licence from a judge.¹⁶ Although not as free as men, women were certainly able to use these provisions to pursue legal action for their own goals, to dispose of their property as they wished and to act with a degree of independence. Thus, when these laws were applied to the American colonies, some women stood to gain legal rights – dependent, of course, on their pre-existing position in their particular Indigenous society. They availed themselves of these opportunities, employing various strategies to strengthen their cases.

It is also worth contemplating how Indigenous women were uniquely placed at the intersection of race and gender, insofar as we can realistically discuss ‘race’ in an early modern context. Contemporary conceptions of race were far more fluid and complex than those of today and while it pays to bear this in mind, the legal category of *india* (denoting the native women of the Americas) offered

opportunities to Indigenous women.¹⁷ This category indiscriminately homogenised the disparate peoples of a whole continent, but the legal provisions made for this group often helped remove barriers between native women and the law. After the passage of the New Laws in 1542, Indigenous peoples could no longer be enslaved (unless as punishment for a crime) and all enslaved *indios* had to be freed immediately. While we should not assume this directive was followed universally, it allowed Indigenous peoples to seek their freedom, often with success, as discussed later in this article. Additionally, officials performed inspections to ensure *indios* were not illegally enslaved.¹⁸ All *indios* were entitled to free legal representation from the *Protección de los Indios*. Officials were instructed to treat Indigenous people fairly and to safeguard their wellbeing, with the legal cases of *indios* enjoying special royal and church protection.¹⁹ These measures meant that *indios* were able to access legal representation and sue for their freedom, using the provisions of colonial law to which they had been made subject.

We should also consider the role of legal representatives in Indigenous women’s use of the law. It would be all too easy to see in every case the ingenuity, determination and intelligence of the woman in question and this is not always misplaced. However, this can overlook the vital role played by women’s advocates, whose actions were integral to the outcome of any given case. In the case of Luisa for example, an enslaved woman who used the legal system to sue for freedom, the role of her representative is clear in the technical language, legal knowledge and distinguished penmanship of her plea.²⁰ Lawyers and notaries could be a crucial channel of information to their clients, concerning their legal rights, and were an indispensable factor in the legal activities of Indigenous women.²¹

The law offered opportunities to Indigenous women, this much is clear – but what is striking is the enthusiasm with which they pursued these opportunities. Native women might use every means at their disposal to achieve their aims, whether that meant obtaining freedom for themselves and their families, ensuring their dying wishes were carried out or safeguarding their interests in property and possessions. Accordingly, women used diverse strategies, with varying degrees of success, to fulfil these goals. In some cases, this meant adopting new Spanish customs, such as will writing or suing for broken marriage promises.²² It is well-documented that elite *indias* often benefitted from the initial privatisation of land and the ability to own and bequeath property. Women further down the social scale also seem to have taken advantage of Spanish practices – to attempt to control their assets, even after death.²³ In fact, in early colonial Quito, Indigenous women’s wills far outnumber Indigenous men’s and it has been suggested that ‘the submission of wills was thus a gendered strategy’.²⁴ Maria Astutilla, who testated in 1600, had little to bequeath due to her husband’s misfortunes. However, she sought to tie her sons both to their Indigenous village and family and to the more cosmopolitan urban centre, which she had not quite managed to penetrate.²⁵ For Ana Copana, making her will in 1598, testation was a chance to pre-empt later efforts to

go against her wishes: her will includes provisions in case Pedro Gonzalez, whose connection to her is unknown, might attempt to lay claim to her property or indeed her granddaughter.²⁶ Some women even employed the Spanish custom of will writing against Spaniards. Doña Francisca used her 1547 will to publicly name her child's Spanish father, pressuring him to take responsibility for their daughter.²⁷ It is also likely she used gossip to try and exert influence over the father, but the notarial record was a resource particular to the colonial system and in using it, Doña Francisca was taking full advantage of all of the avenues open to her. Nevertheless, women's use of the Spanish system, in particularly Spanish ways, does not make them any less Indigenous.²⁸

On occasion, native women used the colonial legal system in particularly Indigenous ways: appealing to supposedly long-held traditions to support their claims. This can be illustrated by the 1575 property dispute between Pedronilla Francisca Tenuch and her mother-in-law, Juliana Tlaco.²⁹ Although the pair used the Spanish court system to settle their dispute, they provided pictorial genealogies and depictions of the property under debate as evidence of their claims – adapting Indigenous traditions to the medium of Spanish law in order to pursue their interests (Figs. 1, 2, 3). This was not uncommon. Early colonial Indigenous litigants often pursued one of two strategies: either they based their case on Indigenous concepts of gender, property and rights or they appealed to Spanish laws. However, Herzog presents a convincing case that some 'Indigenous' strategies were in fact the result of Spanish influence, tailored to suit colonial ideas about Indigeneity rather than being truly traditional.³⁰ It is possible that Indigenous women and their legal representatives presented a fictional Indigenous legal tradition in order to plead their case better.

Whether accurately presented or not, women were able to turn Indigenous traditions to their legal advantage: Doña Angelina Yupanqui did just that, successfully using her Indigenous heritage to claim title to ancestral farmlands in Yucay in the 1550s.³¹ She based her claim on her status as an Inca noblewoman (descended from the ninth Sapa Inca, Pachacutec) and used this heritage to seek title to land in the Spanish system. In contrast, in 1609 Doña Isabel Sisa successfully used Spanish law and conceptions of citizenship to overcome the Indigenous heritage claimed by her late husband.³² She alleged that the lands her husband claimed as inheritance, from a long-established familial *cacique* title, were actually 'community property' in their marriage, acquired since their wedding. She contextualised her husband's immigration to the area in Spanish terms, which saw ownership and citizenship as a product of birthplace, denying his supposed Indigenous right of lordship, which he had lodged in his ethnicity instead of his natal community. As a result, she was able to reclaim rights to half the property and leave it to her son by another man – 'she used Castilian inheritance laws to resist the prevailing gender inequalities of society'.³³ The various strategies employed by these women suggest that they used Indigenous and colonial legal ideas fluently, employing elements of both to their own benefit. This manipulation of both colonial and Indigenous practices supports the idea of mutual transculturation – that

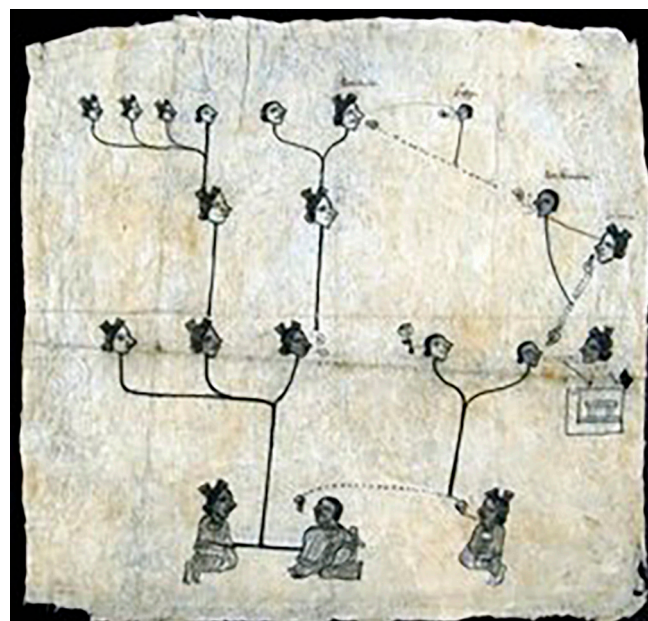


Figure 1. 'Genealogy of Pedronilla Francisca Tenuch and her mother-in-law, Juliana Tlaco', 1575, Newberry Library, Chicago.

Indigenous people influenced the colonial systems they lived under, even if this influence was less visible than that of the colonists.

It was not enough to rely on the word of the law to achieve their goals: Indigenous women also had to present themselves in the best possible light to win their case. Women were adept at doing so, due to experience of adapting their behaviour to patriarchal gender norms. In many cases, Doña Isabel's included, women portrayed themselves in accordance with societal expectations: she claimed to be a dutiful wife despite disagreeing with her husband's will, she asserted her wish to be buried next to him and admitted that she had acquiesced to his wishes previously, 'because he [was] her husband and to avoid afflictions and because she [was] afraid of him'.³⁴ Here she clearly positioned herself within patriarchal norms as an obedient, submissive wife. While some scholars are content

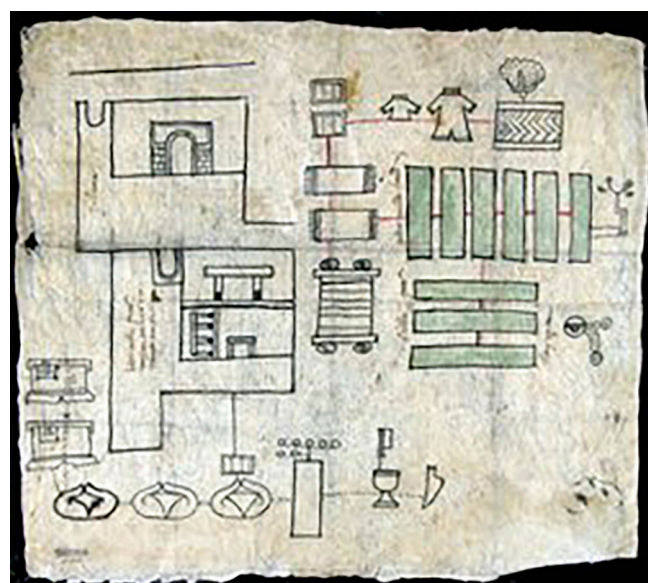


Figure 2. 'Pedronilla's Claims', 1575, Newberry Library, Chicago.

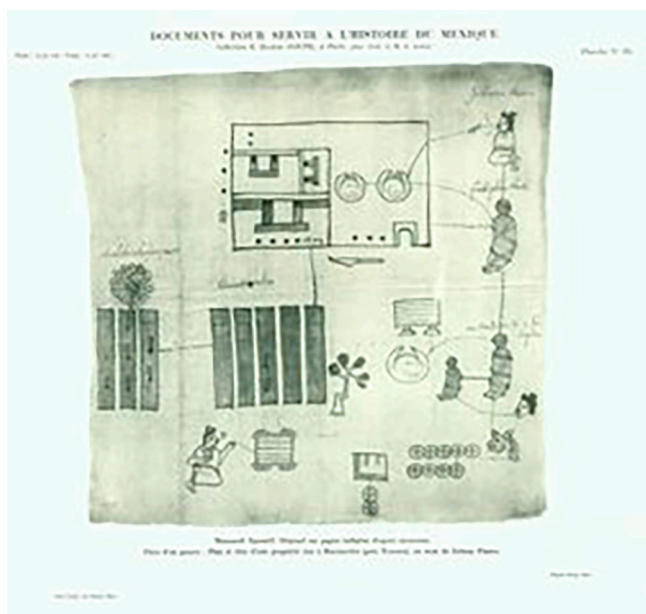


Figure 3. 'Juliana's Property Claims', 1575, from E. Eugène Goupil, *Documents pour servir à l'histoire du Mexique*. Paris: E. Leroux, 1891.

to take such declarations from women at face value, we should be willing to consider the possible motives behind such statements.³⁵ Assigning total submission to these women is not only naïve, given their active legal self-representation, but erases their initiative and shrewdness (or that of their legal representative). Women frequently employed, what Burns has called, 'saturated femininity', by presenting themselves as obedient, ignorant and fearful—Doña Clara de Montoya's will of 1704, gives a perfect example.³⁶ She describes having donated a house to the local clergy, 'because I did not understand what was happening since I am a woman and not versed in such things'. In other words, she attempted to undo a donation (that may have been made under duress or perhaps was simply a decision she regretted) by manipulating the norms of femininity. Indigenous men often deployed the assumptions made about them to their benefit in legal cases. However, Indigenous women were placed at the intersection of two groups and could employ popular notions of both Indigenous people and women, such as when the enslaved Luisa claimed to be 'a poor and defenceless india'.³⁷ A further example of this portrayal of helplessness and unworldliness is Beatriz de Soto's 1609 plea that the local council forgive taxes on her store, as she was just a 'poor widow'.³⁸ As Kanter suggests, 'Spanish judges favourably reviewed such arguments by Indian widows'.³⁹ However, these arguments could also be used against native women just as easily: they were regularly deployed to discredit witnesses as ignorant or to dismantle the arguments of a plaintiff.⁴⁰ Nonetheless, they were frequently used by women themselves, weaponising the norms of a society stacked against them to achieve their own aims. There are even cases of women claiming to be Indigenous (rather than of African heritage) in order to free themselves or their children from bondage.⁴¹ Indiogeneity could be an advantage, especially for women, given that it offered freedom from slavery, exemption from some taxes and placed one beyond the jurisdiction of the Inquisition.

Some women subverted the purpose of the legal system, using it for their own ends, such as the women who petitioned for separations in order to be placed in *deposito* (housed separately from their husband) during the legal process, forcing their errant husband to pay their living expenses.⁴² Women often sought to enter *recogimiento* (enclosure) as an escape from an unhappy marriage—seeing it not as a loss of independence, but as freedom from their husband and a means of gaining support from an informal network of other women, once they had entered.⁴³ In these cases, Indigenous women used the law not to see their husbands punished, but to improve their own quality of life. It is evident then, that Indigenous women recognised the opportunities offered by the colonial legal system and exploited them readily. Despite this, it would be misleading to suggest that accessing legal resolution was always easy and native women had to confront a variety of obstacles in the process. Accordingly, we must consider the ways in which geography, cost, knowledge and men themselves denied women access to the law.

Indigenous women did not have to pay for legal representation and consequently, we might assume that finances were not a barrier to them achieving their legal goals. In theory, as Sousa suggests, 'women's semi-autonomous financial status allowed them to pursue legal action against their husbands without completely jeopardising their own wellbeing', but in practice, women who sought to bring cases against their husband might suffer financial hardship due to the loss of his income.⁴⁴ This situation led many women to petition the court to drop the charges they themselves had initiated, or which had been brought *de oficio*. Bárbara López was one of these women and in 1612, was forced to drop proceedings against her violent husband, 'because with [her] husband's imprisonment, [she] lack[ed] many necessities'.⁴⁵ It seems then, that financial insecurity was still a major concern even for Indigenous women, whose supposed access to property and free legal representation might otherwise have removed this obstacle.

Women faced other hurdles in pursuit of justice. For instance, rurality was a systemic barrier for women, as Premo has demonstrated. She asserts that '... what encouraged litigation was geographic proximity to the Spanish tribunals in a large colonial city'.⁴⁶ Premo draws comparisons with the numbers of women in rural Spain who brought cases, to illustrate that this was a geographic rather than ethnic issue. Initiating a suit which might require travel to an urban hub, such as Mexico City, would be a herculean undertaking for a woman in a rural Indian village and although some did pursue cases over great distances, it is understandable why rurality could prevent many from doing so.⁴⁷ Women in rural areas may also have been reluctant to engage with a court whose proclamations and rulings would be incomprehensible to a non-Spanish speaker. Although translators were commonplace, women may have been unwilling to expose themselves to the mercy of an official with whom they could not communicate directly and instead, perhaps chose to remain in their *pueblo* and turn to local, often native, officials.

Similarly, there is the question of how aware women

were of their rights. It is one thing to possess a legal right and quite another to know how and when to exercise it. This knowledge, or the lack thereof, might prevent women from accessing the judicial system – a problem likely to be compounded in rural areas. This was the reason cited by Beatriz, who sued for her freedom in 1588, sixteen years after Indigenous slavery was outlawed.⁴⁸ She claimed that she was ignorant of her right to freedom and had only been made aware after her daughter was branded, probably the event which compelled her to seek freedom. Despite the difficulties, there is evidence that legal knowledge was circulated readily, through public announcements of laws and amongst Indigenous networks, even in rural areas. Apparently, many Indigenous people were quick to inform others of their rights and to support them in litigating for those entitlements.⁴⁹

Beatriz' case, in which her master fought for decades to keep her enslaved, is a prime example of another barrier between women and their legal rights—men. Men often stood to lose much if women were successful in asserting their rights and consequently, took great pains to prevent them doing so. These men might be husbands, who often used violence to control their wives and who, in an attempt to avoid legal repercussions, prevented them from making public the abuse or neglect.⁵⁰ Alternatively, as suggested by Beatriz' case, male employers or slave-owners could block women's access to the legal sphere by keeping them ignorant of their rights or by keeping them enclosed. This was certainly true in the *obraje* (textile factory) surveyed by the *oidor* (judge) in 1660.⁵¹ In Melchor Diaz de Posadas' *obraje*, the *oidor* met several Indigenous women who alleged poor treatment and involuntary enclosure at the hands of the owner and his son. Maria Geronima, for instance, begged for help after she had been attacked by Posadas' son, who she claimed would have killed her had a passer-by not intervened.⁵² In this case the legal system offered these women an opportunity to tell their stories to a sympathetic official and they testified to their fear of reprisals and their helplessness in the face of a powerful Spaniard. In doing so, they asserted their legal rights and were freed. Most women however, were not able to overcome the domination of men so easily. In many cases, local judicial or church officials would prioritise the maintenance of marital relations over women's safety and encouraged women to remain in unhappy marriages.⁵³ For judicial officials, this may have been a result of personal ties to the community, even to the husband in question. The church however, valued marital continuity above all else and thus, sought reconciliation and mediation as opposed to separation.⁵⁴ Consequently, the actions of local officials and clergy might form a barrier that prohibited women's access to the law – an obstacle possibly compounded for native women in rural areas, who lacked wealth to fall back on, or who did not possess the legal or linguistic knowledge to pursue their rights. These active attempts to limit women's access to litigation make women's enthusiastic use of the legal system all the more remarkable and truly highlights their agency in these moments.

Despite the often-considerable obstacles that stood between women and legal resolution, this discussion has demonstrated that women had real opportunities to use

the legal system in the early colonial period and shows that Indigenous women were quick to take advantage of these possibilities. However, thus far the focus has been largely on the early colonial period. In order to understand how women's ability to exploit colonial law was subsequently curtailed, we must turn to the later colonial era (roughly defined as post-1650).

The demographic turmoil of the sixteenth century resulted in a decrease in familial male authority over women. Women were often separated from husbands, fathers and brothers and having grown up in societies that endorsed women's autonomy (to a point), women were able and willing to seize the opportunities offered to them.⁵⁵ By the late seventeenth century, these momentary opportunities had closed to women. Instead they were faced with a Western, hierarchical notion of gender, deeply entrenched in the legal system and rooted in an increasingly prescriptive patriarchal model of familial relations. As we move further from the conquest, we can detect a marked decrease in women exercising their legal rights. Even when they attempted to bring a legal suit, the gender hierarchy could prevent their success. Correspondingly, Indigenous women sometimes used a legal form, called, the *perdon y apartamiento* to formally declare that they wished to drop their case. In their statements, many women referred to the pressures that had forced them to do so. For instance, in 1677, Melchora Sisa declared that she had been 'asked by many honourable and respectable people' to drop her suit.⁵⁶ One of these 'honourable' people was the head of the city's moral police, who gave Melchora money to persuade her to withdraw. Perhaps Melchora Sisa's statement was the only way she could register her discontent, albeit in a coded fashion. Nonetheless, her actions created a permanent record that has brought her case to our attention centuries later and which suggests that her ability to pursue the case, was reduced by her marginal position as an *india*.

By the mid-seventeenth century, women's rights were upheld by male relatives on their behalf, rather than by the women themselves.⁵⁷ We can see this as a colonial normalisation, following the social upheaval in the aftermath of conquest in the previous century.⁵⁸ After 1600, there is a notable drop in the number of Indigenous women initiating lawsuits independently; instead, their husbands assumed *patria potestad* (power over the household) and litigated for them. Accordingly, Indigenous women's legal identities were 'increasingly intertwined with that of their husbands'.⁵⁹ As Kellogg has demonstrated, during the seventeenth century Mexican women bought and sold property less frequently and received fewer property grants. Similarly, Gauderman discusses this in the Andean context and makes it apparent that this process continued into the eighteenth century, when women 'experienced considerably greater limitations in their ability to control property ... than they had in the seventeenth [century]'.⁶⁰ During the eighteenth and into the nineteenth century, women were increasingly dispossessed by their own relatives.⁶¹ In the course of just one century, we can observe significant losses for women. In sixteenth-century Mexico city, forty percent of the Indigenous women who wrote wills owned landed property, but by the seventeenth century this

had fallen to only twenty five percent – and even those who had property to bequeath, had less of it than in the previous century.⁶² For example, Melchora de Santiago's 1699 will details how her father bequeathed a house to his children. The prodigal brother's share was to be held for him, despite his prolonged absence; Melchora's share, meanwhile, was left not solely to her, but jointly to her and her husband.⁶³ Her autonomy was vastly diminished by joint ownership of the property and we can surmise that her father did this because of prejudicial gender norms, given that her errant brother's inheritance was held in his name alone.

Moreover, Indigenous women's wills from this period frequently express concerns about whether or not their wishes will actually be carried out. This insecurity occurs in male wills only at the very beginning of the period, when Indigenous testators were, as yet, unused to the Spanish custom of will writing.⁶⁴ Cline suggests that women's fears were not unfounded, as 'there may have been a more general pattern of women's estates being vulnerable'. This is supported by the figures, which show women were involved in two thirds of extant property litigation.⁶⁵ From the seventeenth century onwards, women defended their rights via litigation and in wills through descent from men – patrilineal (male-line) descent had clearly triumphed over the parallel descent (from man to man and woman to woman) of pre-conquest Indigenous tradition.⁶⁶ By the seventeenth century then, Indigenous norms had been thoroughly eroded by the imposition of Spanish culture: through Catholic ideas about paternal power; via custom, which placed men at the head of a nuclear family; by way of norms that encouraged women's enclosure and through the gendered hierarchy of Iberian society that had been more firmly imposed.

This increased rigidity of the gender hierarchy was likely reinforced (to some extent) by women's own use of the law. Women appealed to gender norms in an attempt to subvert the system for their own benefit and they were often successful. Premo argues however, that this success was short-lived and in the long run, only reinforced the patriarchal order.⁶⁷ By submitting (perhaps inevitably) to the gender hierarchy, women undermined their own position over the *longue durée* by perpetuating ideals of women as submissive, virtuous and governed by men.⁶⁸ When they suggested that the reason they sought separation was their husband's failure to support them financially, they inadvertently bolstered the ideal of women as enclosed and financially dependent.⁶⁹ When they stressed that their husband's beatings or accusations were illegitimate, because they as wives had acted 'with proper "submissiveness and honesty"', they tacitly accepted the legitimacy of violence against wives who failed to do so.⁷⁰ This is not to suggest that women were the makers of their own dispossession, nor that it was in any way their own fault, but simply illustrates the unintended consequences they suffered due to increasingly severe gender norms.

For Indigenous women however, this gendered loss was compounded by a similar loss along racial lines. Indigenous men and women saw the reduction of their right to land ownership accelerate rapidly in

the eighteenth century and into the nineteenth, but this was felt most harshly by women, whose autonomy and status was declining comparably in all aspects of their lives.⁷¹ Graubart points out that Indigenous widows in the early seventeenth century often rented their land to Spaniards to support themselves – but that in the longer term this only served to curtail Indigenous rights to land, as proving ownership could be challenging.⁷² In the early colonial period Indigenous women were able to exploit racial stereotypes and features of conquest. The trope of the 'strong woman' defending her own (and often her children's) rights was an accepted norm, particularly used by Indigenous women, as we have seen in the discussion of Indigenous widows.⁷³ After 1650 this archetype is decidedly absent from the record, replaced instead with the conjugal couple: a strong husband defending his wronged wife, who remains quiet and obedient throughout.⁷⁴ To a degree, this could be the result of re-established demographic stability, which made widows far rarer. However, even when they do appear in the legal record from the seventeenth century onwards, they are frequently represented by sons and sons-in-law, where before, they often fought their own cases.⁷⁵ In the context of increasingly inflexible racial distinctions and growing tensions about race, native women stood to lose twice: once as women and again as Indigenous subjects.⁷⁶ Cope has demonstrated that *mestizos* (people of mixed Spanish and Indigenous heritage) also lost ground in this period, becoming increasingly associated with Afro-Mexicans, rather than with Spaniards as they had been previously.⁷⁷

Kellogg has illustrated the reduced legal access of Indigenous women in Central America, but this is far from the only example. In Chile, Cordero contends, the 'relationship between indigenous people and legal authorities' began to decay from the mid-seventeenth century.⁷⁸ Even outside Spanish colonies, in Brazil for example, women's control over their dowry and inheritance diminished over this period.⁷⁹ This is part of a wider trend across Europe and its colonies, in which the seventeenth and eighteenth centuries saw a steady erosion of the public roles of women, and the strengthening of male control over women in the family.⁸⁰ Spanish colonial possessions were no different, as demographic stability brought women back into households governed by men and Spanish norms reinforced the control of men over their wives and daughters. Hence it was not legal changes, but social ones, that impacted women. In other words, socio-religious factors prevented women from exercising their theoretical rights, not jurisprudence.

By the late seventeenth century, Indigenous women's legal access was drastically reduced, this much is clear. The brief period in which these women were able to count on legal resolution was swiftly closed by the efforts of the colonial system and an increasingly restrictive gendered racial hierarchy. There were though, other ways of seeking justice and native women used the extrajudicial arena, as well as community recourse, with a similar readiness to that which they displayed for the legal system. They frequently tailored their use of the jurisprudence to avoid official proceedings, making informal complaints to multiple authority figures, in a strategy Stern has termed 'pluralising patriarchs'.⁸¹ It

could be a successful strategy, as illustrated in the case of the slave who was whipped on the order of local Zapotec officials in 1666, after several women complained he had raped them. These women did not have to suffer the drawn-out and often unpleasant process of going to court, instead they were able to provoke action from officials by complaining. Of course, this swift judgement may stem largely from the accused's position as a slave.

In some cases, women could rely on the legal system itself to bring cases *de oficio*, without their having to be involved as a plaintiff. Adultery for instance, was seen as a crime against the government and the social order and thus did not need the wife's agreement to be prosecuted. This meant women could allow the legal system and community gossip to do the work of chastising their husbands. However, cases brought *de oficio* might be against the woman's wishes. In these cases, women often had to petition the courts to drop charges against a husband, on whom they relied financially. Informal use of the legal system was one of the other methods Indigenous women could employ to fulfil their aims, often in concert with another method: community judgement.

In the early colonial period in particular, community was an important resource for women suffering unjust treatment, perhaps especially in the form of networks of women. Indigenous norms supported women's complaints and the lack of distinction between public and private spheres encouraged other people to involve themselves in a couple's marital disputes. Consequently, it might be members of the community who enforced justice, not the legal system. This could happen after legal action had failed, as in the 1593 case of Andrea Hernandez, whose adulterous husband ignored the warnings of the *alcalde mayor*, resulting in his lover suffering a beating at the hands of Andrea and four other women. Alternatively, community action might precede legal recourse, or indeed be the only action taken. For example, when Doña Iñes Yupanqui attempted to resolve her marital troubles in 1547, she consulted traditional Indigenous healers. When this failed, she apparently enlisted them to bring about the death of her husband, a Spaniard. In early colonial society households were often complex and included other adults who might speak up in a woman's defence, or even resort to violence. Society did not necessarily accept the poor treatment of women and community could be a powerful deterrent to men, who might otherwise have behaved without restraint. Family members also could be quick to intervene, as in the case of the Ayuuk woman who scolded her cousin for whipping his wife's feet. In Sousa's words, 'complex webs of social and political surveillance thus limited male power'. However, much like women's legal options, the availability of this course of action had reduced by the later colonial period. As households became more enclosed and more strictly governed by men and the decay of Indigenous norms secured hierarchical gender roles, women's recourse to community support was limited.

Unfortunately, the visibility of these informal methods is greatly reduced by their ephemeral nature and with no written records, we are reduced to relying on mentions and hints in later court proceedings or in accounts written by individuals. This is part of a wider

problem of accessing the motivations and experiences of a marginalised group within the colonial system. Historians of women are familiar with the process of reading against the grain or drawing information from silences in the archive and this is made more necessary when studying Indigenous women. We are also confronted with problems of understanding and ideology. The label of *indio*, used contemporarily as a byword for a range of ethnic groups or even *mestizo* individuals, creates a false impression of Indigenous groups as homogenous. In fact, we are discussing numerous different societies (varying in religion, social norms and traditions) that spanned an entire continent. Accordingly, even within one Indigenous society we must remember the internal disparities of wealth, geography, gender, faith and lifestyle. There is a tendency, including within this article, to use the word 'Indigenous' to condense the complexities of a whole continent's people and this syncretism is perhaps indicative of the difficulties of understanding a culture that is so distant from our own. We may never truly recover pre-conquest societies because they were so changed by contact and colonialism. We also face the struggle to escape our own biases long enough to fully understand the cultures discussed here. One example of such problems, found throughout this article, is that gender has been considered as binary and has been assumed to have been understood as such by Indigenous societies. This was not necessarily the case. Even if it was, it is dangerous to assume that Indigenous societies understood male and female to mean the same things that European society did or does.⁸² Gender, like so many other notions we perceive as fixed, is a socially dependent phenomenon, which can be understood differently from one society to another. If we wish to better understand Indigenous women and how they were impacted by colonialism, we must first accept the problems inherent in the categories imposed on them by colonialism.

Despite these and other challenges, this article has attempted to demonstrate the clear reduction in Indigenous women's legal access between the early and late colonial periods. The sixteenth century offered a brief moment of possibility to native women, in which they could exploit the legal system to their own benefit and they did so readily. But, by the seventeenth century this window was swiftly closing. The reasons for this development can be traced to the decay of Indigenous norms, the deliberate construction of a gendered racial hierarchy and the more forceful imposition of male control over households and families. This exercise has been, in many ways, a preliminary study, constrained by time, length and the accessibility of sources. Ideally, further archival research (outside of the recent pandemic) would be welcome, perhaps allowing for a more nuanced understanding of the huge variety of experiences of Indigenous women in the Spanish Americas. Synthesis between this work and similar studies on Black women (both free and enslaved) and on *mestizo* and *mulatto* women, would vastly enrich our perspective on marginalised women under colonialism, and I strongly believe it would only support the view of a steady dispossession over the late colonial period.

NOTES

1. This approach is, in part, due to the current inaccessibility of archives. Thanks to Giuseppe Marcocci, Stephanie Cavanaugh and Lyndal Roper for their invaluable comments and advice on this work, and their feedback on various drafts. Any additional translations from Spanish are my own.
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38. Márquez, 'Indias esclavas', 354.
39. Jane E. Mangan, *Trading Roles: Gender, Ethnicity, and the Urban Economy in Colonial Potosí* (Durham: Duke University Press, 2005), 148.

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43. Van Deusen, 'Determining', 380.
44. Sousa, *The Woman*, 106.
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WOMEN, VENDETTA AND THE WILL IN SIXTEENTH-CENTURY ITALY

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In 1534, Barbara, daughter of Geminiano Fontana of Modena, married the banker Giovanni Battista Codebò, also of Modena.¹ It was an excellent match for the couple and their families, both financially and politically. As befitting her station, Barbara brought to her marriage a dowry of 700 scudi. In addition to this endowment, she was heir to her maternal grandfather, Zan Filippo Cavellerini and would eventually inherit his estate. Barbara's father was a member of the Council of Conservators, the seat of local power. Barbara's new husband, Giovanni Battista Codebò, also sat on this politically powerful town council. He had been appointed a few years earlier by the late Duke Alfonso I, in order to reform the statutes of Modena. Alfonso's son, Ercole II, who took over from his father, valued Giovanni Battista's expertise sufficiently to elevate him to an office in the ducal Council of Justice. Accordingly, Giovanni and Barbara's marriage consolidated an alliance between two politically prominent, conservatorial families.

The union between the Codebò and Fontana families was particularly advantageous for Giovanni, in terms of cultivating more political connections—the latter being an extensive and numerous clan whose political service in Modena dated back to the thirteenth century.² One of a handful of families who served most frequently on the town council, the Fontana also held prominent offices in the ducal administration. Furthermore, like a dozen other prominent Modenese families, they were also noted for their tendencies towards violence. Barbara's three brothers (Orsino, Ippolito and Giovan Stefano) were known for their troublesome ways and would have several encounters with the law. In 1543, Lanfranco was wounded in a skirmish but recovered to fight another day.³ In June 1547, Giovan Stefano and another of Barbara's brothers (Bartolomeo) publicly assassinated Annibale Bellencini in front of a crowd of witnesses. Together with their cousin (Lanfranco) they fled the city to parts unknown. Barbara's brothers' crime was to have profound and lasting implications both for her male siblings and her husband, as the Bellencini were one of the most politically powerful clans of Modena and openly threatened retaliation.

Barbara died of an unnamed illness on 13 July 1547 and her husband Giovanni Battista was to violently follow his wife into the grave.⁴ At the end of July 1547, Alessandro Bellencini and three unnamed companions entered the church of San Pietro while Giovanni Battista was at mass. The men approached the widower, subsequently stabbing and shooting him twenty-seven times. The assailants then escaped through a side door of the chapel and immediately fled Modena on horseback. The crime outraged Modenese officials and the duke. It was believed that Giovanni was targeted because the Bellencini considered that he might show favoritism in matters concerning his in-laws. Consequently, Giovanni Battista Codebò died because of his marriage to Barbara and the crimes of his in-laws.

Barbara, however, is not as prominent in this story

as her husband. After her death, Barbara passed out of the historical record; her will, if she made one, has not been located. Up to this point, historians have mostly argued that her role was typical of women's involvement in the vendettas of their male kinsmen.⁵ As a point of fact, Barbara's role as a bystander to the violence of her in-laws, was neither typical nor atypical for the women of vendetta-practicing families in sixteenth-century Modena. As will be discussed, several of Barbara's Fontana kinswomen played important roles in the violence of their kinsmen, particularly when it came to family strategies. And according to one account, the Bellencini-Fontana feud did not begin with the spate of murders in 1547, but dates back to a conflict between cloistered female members of the two families in the convent of San Geminiano in 1534.⁶

Indeed, Barbara's cousin, Margherita Cavellerini, proved herself quite willing to wade into the endemic factional infighting of the Modenese elite. Two years after Barbara's death, Sister Margherita, a nun in the Augustinian convent of San Paolo, menaced Sister Lucia Forni, a cousin of the Bellencini who, by this point, had entered a fully-fledged vendetta with the Fontana. Incensed by Sister Margherita, Sister Lucia began firing off missives to her violent kinsmen, attempting to pull them into her fight.⁷ The city did not need the Cavellerini to enter into the vendetta between the Bellencini and Forni and so they removed Sister Lucia from San Paolo and placed her into the convent of San Geminiano. The measure was largely unsuccessful and failed to contain the violence of the Forni.

There is a wider context to these women's involvement in vendetta. During the sixteenth century, the Duchy of Modena was awash with violence and during its peak, the murder rate in urban Modena was as high as twenty-eight persons per year in a city of roughly 25,000.⁸ The capital city's chronicles and records are peppered with accounts of assassinations in the streets, murders in parish churches and fights in the piazza.⁹ Letters from the governor to Modena's sovereigns, the d'Este family (Dukes of Modena, Reggio and Ferrara), are interspersed with complaints about the seemingly constant assaults and homicides and desperate pleas for solutions and interventions.¹⁰

Vendettas were especially prevalent in sixteenth-century Modena.¹¹ Vendetta, of course, is a particular type of noble violence, distinguished by certain features. These included public, ritualized assaults and homicides, which were timed and planned for maximum effect, in order to send a clear message to enemies and observers—that families would avenge their own and protect their power. At least three long-term, extensive vendettas embroiled the city between 1510 and 1570; the after effects of these feuds lasted well into the next century. Between 1500 and 1600, an estimated half of homicides were vendetta-related.¹² Furthermore, approximately one-third of the

ceto dirigente (patricians in governmental service) were involved in vendetta during this period. Further still, twenty-five percent of families eligible to hold office can be traced to one or more vendetta and throughout the sixteenth century, families in enmity served together on the Council of Conservators. Much like other elites of the Italian peninsula during this period, the Modenese ruling class not only served in office together, but were highly endogamous. And like many other elites in the sixteenth century, they also fought bloody and lengthy vendettas.

Women were instrumental in this practice and vendettas would not have been possible without their involvement in some capacity. Indeed, women in sixteenth-century Modena were eminently capable of enmity, whether or not they held the sword or, increasingly, the gun to their enemy's head. Considering that vendetta was a corporate practice, there is ample evidence that women took part in vendettas in sixteenth-century Modena and elsewhere. In fact, beyond their own antagonistic and hostile capabilities, women's presence as actors on the stage of vendetta was perhaps inevitable, given that coeval chivalric notions encouraged men to defend actual and perceived slights to women's honour and chroniclers of such events were frequently inclined to situate 'the origin of male violence in women's lust of quarrels'.¹³ From a familial perspective however, the murder of an agnate (in-law) on the woman's side was as likely to result in a revenge killing of her father or brother and there are many cases where an agnatic branch took part in the conflicts of their daughter's husbands or their wife's nephew.¹⁴ In turn, women carried on these factional fights in more feminine spaces, including convents. Some notable examples of this occurred in Modena, including a drawn-out fight over precedence and church seating in the cathedral between women of some of the more bloodthirsty lineages.¹⁵ Beyond the convent walls, women also managed family properties while their husbands were in exile. By writing petitions, letters and calling on influential friends, women interceded with the ducal government on behalf of their brothers, husbands, and sons. Women also took part in the peace-making process, whether encouraging their relatives to make peace when politically expedient or acting as signatories to peace agreements.

This article however, will focus on one area in which women took part in vendetta – namely, protecting the patrimonial estate from consequences associated with vendetta crimes. These consequences included substantial monetary fines for assault, homicide and breaking a peace agreement and the confiscation of the property of the offender. In the context of Italian inheritance practices however, an offender's property was part of a larger collective, patrimonial estate. Thus, the relatives of offenders were also liable for the murderous deeds of their sons, brothers and cousins. During the first half of the sixteenth century, women were not culpable. Cognisant of this loophole, noble families left estates to their daughters and hid property within dowries and bridal gifts. While women could not inherit the patrimonial estate if male heirs existed, in practice, families skirted these prohibitions frequently.¹⁶ Men (like those who assassinated Barbara's cousin) were rarely

prosecuted for their crimes.¹⁷ Her brothers, after enduring a period of exile, were able to petition the duke to return to Modena. Instead of employing capital punishment, the ducal regimes more often favoured fines and confiscation for those members of the governing elite who chose to pursue their feuds. And as will be shown, their daughters, sisters and cousins ensured that confiscations and fines were hardly a punishment at all. As a result, women were instrumental to inheritance practices that enabled noble criminals to continue their grudges.

It is in this context in 1571, that Andrea Mirandola, the legal representative of the Modenese patrician Alessandra Fontana, petitioned the government on behalf of his client.¹⁸ The point in question, was whether Alessandra was obligated to pay the fines that her father had incurred by breaking an instrument of peace, signed on behalf of the Fontana family in 1566. Due to her sex, Mirandola maintained that Alessandra was not liable to pay the fines for her father's rupturing of the peace. Specifically, he argued that 'it seems to me that women are not fit to observe Instruments of Peace as they are not fit for taking vengeance'.¹⁹ Whether or not Alessandra was included in the vendettas of her paternal family is not known and although her case was fought through the courts in 1609, just how much of her inheritance was confiscated is lost to the records. The ducal government was obviously not convinced by Mirandola's assessment that 'women are not capable of falling into the enmity that plagues males'.²⁰

Alessandra inherited her father Jacopo Fontana's estate, despite the survival of numerous Fontana kinsmen from several branches of the family. Jacopo Fontana's 1566 testament appears fairly straightforward for its time except for this notable exception: he restored to his wife, Isabella Ronchi, her dowry of 1200 gold pieces, her clothes and her jewelry, as well as giving her a lifetime usufruct for her maintenance from moveable goods in an unnamed inventory not included with the will.²¹ Additionally, as tradition dictated, he left his daughter, Alessandra, 1000 scudi for her dowry, should she contract a suitable marriage according to her rank and station.²² Donna Isabella, in tandem with Dr Saul Ronchi, Dr Paul Calorriiss and Hieronimo Fontana, were to settle Jacopo's debts and administer his daughter's inheritance.²³ The only other notable exception to these customary provisions was that Alessandra was designated as her father's universal heir, with the stipulation that his goods should go to her legitimate descendants.²⁴ Ultimately, in the absence of a legitimate son, Jacopo had chosen to leave his estate to his daughter in lieu of surviving kinsmen.

In 1566, when he composed his will, Jacopo Fontana had recently murdered Giacomo Forni, son of Captain Giovan Francesco Forni.²⁵ This murder being just one in a long line of vendetta-related homicides that had occurred due to enmity, dating back thirty years, between several noble families. The principal families involved were the Fontana, Milani and Ronchi on one side and the Bellencini and Forni on the other. In murdering Giacomo Forni, Jacopo violated a pact of non-offence (signed by the parties in 1559) and a peace agreement brokered in 1566.²⁶ Under the terms of this peace agreement, one third of his estate was subject to confiscation and he was obligated to

pay a monetary fine for breaking it. The 1566 instrument of peace stipulated that, should the contract be ruptured, the principal signatories and their heirs would be obligated to pay 1200 soldi, partly to the Ducal Camera and partly to the offended parties. Jacopo Fontana had been one of the principal signatories and Donna Alessandra was her father's sole, universal heir.²⁷

The terms of the 1566 peace agreement were common and part of a larger picture of pragmatic attempts to reduce violence between nobles. Despite the laws that named homicide as a capital offence, this punishment was rarely applied. Of the sixty or so nobles accused of violent assault or homicide associated with enmity, only four were ever punished with beheading. While less rare, punishment by imprisonment was still infrequent and temporary, the accused being imprisoned for unspecified amounts of time, until a security or instrument of peace could be brokered. Most offenders however, were banished in *contumacia*, which—given the extensive networks of houses available to Italian nobles—was rarely a dire punishment. Authorities also resorted to confiscations of property as well as fines.

In most peace agreements, if a member of a faction (including relatives to the fourth degree, cognates, agnates, servants, illegitimate children and anyone else in the broad and nebulous category of adherent) broke the instrument of peace, truce or pact of non-offence, all members of the lineage would be legally obligated to financially compensate both the victim and the Ducal Camera. In addition, part of the offender's goods (often one-third) could be subject to confiscation. A 1556 Instrument of Peace, composed between the Bellencini and Fontana, stipulated that if the concord was ruptured, goods and property would be subject to confiscation (although the accord did not specify a particular amount). Similarly, a 1565 peace accord, between the Fontana, Bellencini, Forni, Tassoni, Millani and Molza, stipulated that a penalty of 2000 gold pieces would be imposed for breaking the pact; the 2000 gold pieces were payable, in part, to the Ducal Camera and in part to the offended party. This was certainly a great sum for any of the parties involved and could comprise a large percentage of available capital. To put these exactions into perspective, 1000 scudi, a currency less valuable than gold, was considered 'an honorable dowry' in Modena, among the peers of the Fontana and Bellencini.²⁸ Likewise, when the Carandini and Fogliani broke an instrument of peace by assassinating Tassone di Tassoni, the principals were obligated to pay, in common, three thousand ducats.²⁹ In May 1526, officials confiscated 'a quantity of cows' from Stephano Fogliani as a consequence.³⁰ Accordingly, most of these instruments contracted between civic notables during the sixteenth century specified more or less similar sums.

In many ways, monetary penalties were more punishing than exile as fines and confiscations directly threatened the patrimony. Fines were steep—on average 1000 to 3000 scudi and cash could be hard to access if tied up in businesses, dowries or debts. Confiscation was even more serious as it pertained to the entirety of an estate, including land, real estate, shops, luxury goods, and cash. Thus, it threatened to dismantle an estate that in many

cases had been painstakingly accrued over the course of generations.

The families who chose to pursue vendettas were acutely aware of these financial consequences. And yet, despite the risk vendettas posed to family finances, many of Modena's ruling classes chose to pursue them. Between 1500 and 1600 the same family names (the Tassoni, Bellencini, Molza, Fontana, Forni, and Rangone) appear in chronicle accounts of vendetta violence, letters of the ducal governors, peace agreements, petitions and the odd criminal case. Many of the grandsons of the men who signed a peace agreement in 1516 were themselves signing peace agreements in 1551. Accordingly, the same twenty or so families were associated with vendettas that, in some cases, lasted generations.

As the Modenese evidence tells us, undertaking a multigenerational vendetta required a great deal of forethought and planning, which is why conceptualising vendettas as periodic outbreaks of 'mad blood stirring', is not necessarily an accurate picture of the practice.³¹ Vendetta killings were public acts reminiscent of civic rituals and one needed to carefully plan how and when to strike, so as to maximize the public fame of the enemy's death by one's hand. Furthermore, because vendetta murders were such highly public events by design, they practically bypassed the criminal accusatory process and inquisition. Everyone knew what had been done and why, so offenders most often fled to another jurisdiction after a murder.

The offenders and their families could not however, so easily escape fines and confiscations. So, in order to protect their property, they took advantage of the complicated laws governing inheritance and the transfer of property among families. This was accomplished in several ways, including using dowries and bridal gifts to conceal assets, arranging for sales and debts under the radar of authorities and perhaps most importantly, using testamentary laws in creative ways.

Indeed, there are many examples of testaments being tied to specific acts of violence. Returning to Barbara Fontana, the case of her family is illustrative. While milling about in a crowd of young men celebrating the Feast of the Ascension in 1547, the young Modenese patrician Annibale Bellencini was hailed by Giovan Stefano Fontana.³² When Giovan Stefano threaded through the crowd and reached Annibale, the greeting went from being friendly to deadly. Giovan Stefano pulled out his dagger, stabbed Annibale and left him for dead. The assailant and his companions immediately fled. Once word reached the podestà (roughly equivalent to the mayor) he shut the doors of the city, but to no avail. Giovan Stefano was gone; it was rumored he had fled with his cousins to Mantua. The Bellencini then armed themselves as the ducal governor pleaded for calm. Duke Ercole II, sovereign of the duchy of Modena, then summoned the families to the Este palace in Ferrara in the hope that peace could be brokered.

The Bellencini alone had been involved in two vendettas since the beginning of the sixteenth century. They had feuded with the Tassoni, fought with the Seghizzi and they had quarreled with the Fontana in 1534 over the governance of the convent of San Geminiano.³³

Consequently, the duke, the bishop and the families of the nuns went to the great lengths of founding another convent for the Bellencini faction, in order to prevent violence between the two families. With Annibale's murder, an air of tension hung around the city. The chronicler Tommasino Lancellotti noted that 'the death of this young man will bring great evil such as God would not wish'.³⁴

Immediately following these two murders, Alessandro Fontana (the grandfather for whom Alessandra was named) dictated his will.³⁵ It began with the customary formulas. First, it provided for Alessandro's burial and the care of his soul. This was achieved by stipulating his final resting place, the annual masses to be celebrated for his salvation and the alms he wanted donated to charity. Next, he provided for his wife and daughters. He left two gold pieces per annum to his daughter Angela, a professed nun in the convent of Santa Euphemia, for the duration of her life. For his daughter Paula, he left money for a dowry, should she contract a suitable marriage according to her mother's wishes. As was required, he returned to his wife Diamante her dowry, along with the goods she brought with her at marriage. He also gave her a lifetime usufruct for her maintenance. Following both custom and statutory norms, he left the bulk of his estate to his son Jacopo, on the understanding that should Jacopo predecease his father, Alessandro's inheritance would pass to the legitimate sons of Jacopo's marriage.

After these opening clauses however, Alessandro's will stipulates an alternate line of succession, based on the circumstances he and his son were currently facing—namely that Jacopo had recently been accused of involvement in a vendetta murder. Specifically, Alessandro included a clause decreeing that should Jacopo be convicted of the crime of lese majesty or treason, Alessandro's estate would revert to his daughters. And as Jacopo was accused of just that (because vendetta homicides were considered treasonous against the state) Alessandro was effectively disinheriting his son in favour of his daughters.

There were constraints to this bequest, however. Alessandro also included a further clause that explained that Jacopo's inheritance would be restored if he received a pardon and the duke lifted from him the sentence of banishment. It is presumed that this was the hoped-for outcome and the assumption was not without precedent. The Dukes of Modena often pardoned men accused of vendetta, sometimes multiple times. For example, Jacopo's cousin, Lanfranco, had been pardoned twice for separate offences.³⁶ Similarly, Aurelio Bellencini had also been pardoned several times.³⁷ As a result, exile was often impermanent, due to the influence that noble families had on the dukes and the elites who were prominent in the governance of the state.

Because of his understanding that vendettas were often multi-generational, Alessandro also sought to exclude Jacopo's sons from his will.³⁸ Accordingly, it was ordained that, in the event that any legitimate sons from Jacopo's marriage were also to commit crimes of lese majesty, the estate would then revert to the daughters of Alberto Fontana. In other words, should Alessandro's

direct male heirs, two generations hence, be convicted for treason against the duke, they would be passed over in favour of the female line of succession. Notably, this alternate line of succession directly contradicted the statutes of Modena. The statute concerning male succession dictates that neither daughters, nor dowered women nor those females without dowry and their descendants, were to inherit in front of masculine descendants in the legitimate line.³⁹

Even if direct male descendants did not exist, there was still a preference for male heirs up to the fourth degree. As a last resort, should there be no male descendants of any kind, the closest relatives in the female line would inherit. In this case however, it was stipulated that the goods of the heiress would be passed to her first male descendant.

The reasons for these prohibitions were pragmatic: should a daughter marry, according to the laws governing female inheritance, a share of her property would go to her sons, thus devolving to her husband's lineage. In the case of land, bequeathing it to a daughter risked alienating the property from the patrimonial estate forever. For example, should that daughter join a convent, her portion would be subsumed into the holdings of the religious house.

Against the background of such realities, it is even more striking that a man of noble and numerous kindred would stipulate that his property be left to female heirs. Women's involvement in, and claims on, paternal estates had traditionally been confined almost exclusively to dowries (typically passed on in the form of cash or liquid capital). Ostensibly, the purpose of a dowry was to support the wife in marriage, but since women possessed the status of minors under Italian law, husbands retained the right to use the dowry themselves. In the event of widowhood, the husband's estate either returned the dowry directly to the widow or to her natal family. Thus, most of the time, the ultimate fate of a dowry was largely separate from larger questions of patrimony. And in the cases of large, corporate lineages with many branches, like the Fontana, daughters would be placed well-behind anywhere from ten to twenty heirs; typically, women were only named as beneficiaries when there was not a son or close male relative available.⁴⁰ As a result, it was difficult to disinherit heirs in the male line. It had to clear a high legal bar and occurred only in very particular circumstances.⁴¹ Even if a case could be made for disinheritance, the will was liable to contestation and this could entangle the estate in court cases for decades.

But despite the generally exceptional nature of disinheritance, Alessandro was scarcely the only one to pursue a strategy that could potentially disinherit a son. Paolo and Elia Carandini excluded their heirs using exactly the same conditions.⁴² Similarly, Girardino Molza left all of his goods to his wife, probably because he had two sons who were banished.⁴³ Comparable testamentary clauses that disinherited heirs suspected of violence can also be found amongst documentation relating to the Bellencini, Forni, Tassoni and Molza families.⁴⁴

Women assumed the burdens of enmity alongside their kinsmen and the resulting consequences of carrying this feudal weight, conferred upon women a particular kind of economic agency. This included a greater say

in the disposal of income and property, particularly in terms of their ability to inherit property and designate heirs. Because crimes associated with vendetta (including assault, homicide and banditry) came with financial consequences, they posed a risk to familial estates, threatened the line of inheritance and entangled noble families in legal complexities. This meant that a space was opened up where women could assert their voice and negotiate for more power over family decisions regarding the patrimony. The ducal prosecution of the heiress Alessandra Fontana was a recognition of the power that women had in inheritance strategies, when their male kinsmen committed to long-term, highly-public, violent enmities.

Indeed, similar wills containing what Sergio Lavarda has termed 'defensive clauses' that is, clauses disinheriting an heir suspected of violence and replacing them with alternate heirs, began to appear among vendetta-practicing families in the sixteenth century throughout Northern Italy.⁴⁵ These defensive clauses were a particular kind of stipulation, the *fideicommissum* (a type of trust dictating the line of inheritance and preventing alienation). What is interesting about these restrictive or *fideicommissary* clauses, is that while seemingly following the norms of inheritance, they were taking advantage of the loophole wherein women's property, including their dowries, could not always be confiscated to pay debts, including, presumably, a debt to the Ducal Camera, prompted by the act of open homicide against an enemy or the rupture of a peace agreement.

Notably, men were not the only testators to dictate wills with these restrictive clauses. Women also helped move familial assets to protect them from confiscation and examples from the most violent families of Modena abound. Amongst them is Sigismondo Rangone, who had been implicated in vendettas during the first decades of the century, leaving behind him a complicated legal situation for his heirs and his wife to untangle. Sigismondo named his daughter as his heir and when she died, she left her estate to her mother, Costanza Canossa.⁴⁶ When Costanza died, she left a large bequest to Count Ugucione.⁴⁷ This complicated line of inheritance presumably protected Sigismondo's property from confiscation and returned his property back to the paternal line. This was a wise strategy, as only a few months after Costanza's death, the Ducal Camera confiscated the property of Giovanni Battista (Sigismondo's nephew) for his involvement in the vendetta death of Alberto Tassoni.⁴⁸

The Rangone were not the only family to pursue such strategies. After the assassination of Matteo Forni in 1526, the Forni made peace agreements with both the Tassoni family and the Castaldi. After peace was made, Giovanni Battista Forni ruptured it by assaulting several members of the Castaldi. For this offence, Duke Ercole II fined him 2000 scudi.⁴⁹ Giovanni, seeking to avoid these financial penalties, left his mother Lucretia as his universal heir. Lucretia, in turn, named her grandsons as heirs, in order to bypass the confiscation of her son's estate. Similarly, before Francesca Castaldi (the wife of Cesaro Castaldi) died, she made a *fideicommissum* that conferred her goods on her grandson (born to her daughter) in order to protect the Castaldi inheritance.⁵⁰

Women not only helped to protect their husband's property from confiscation, they also sought to save their own legacies. For instance, Costanza Forni (the daughter of a Modenese patrician, later married to Giovan Tommaso Fontana) composed her last will and testament on 4 June 1547.⁵¹ In the presence of a notary and several witnesses, she first stipulated her final resting place (as custom dictated), decreeing that she wished to be buried in the chapel of the convent of San Geminiano. Next, as was common for wills of the time, she provided for her daughters, Sister Cecilia and Sister Aurelia. In particular, she dictated that these nuns of San Geminiano would receive 8 lire annually for their maintenance in the religious life. To her granddaughters, Sister Lodovica and Sister Constantia, also nuns of the same convent, she left 4 lire per annum.⁵² Finally, as the universal heirs to the remainder of her worldly possessions, she named her sons, Giovanni Lodovico, Costanzio, Ippolito, Giovan Battista and Roberto.⁵³ But, Costanza also included a clause that applied to them. In order for them to inherit, her sons should abstain from crime, 'live well and justly, refrain from misdeeds, large or small, public or private, according to ecclesiastical statutes, civic statutes, and common law'.⁵⁴ If they came under investigation or were convicted of a crime, they would be disinherited in favor of their children. Conversely, if they were absolved of the crime or obtained a pardon, they would be restored to the line of inheritance.

Similarly, when Diamante Fontana, wife of Alessandro, made her will, she left a sum of money to her daughter Angela, a nun of Santa Eufemia. Additionally, she deeded her other daughter, Paula, a sum for her dowry.⁵⁵ Diamante left her son Jacopo the bulk of the estate. At the time she composed her will, however, Jacopo was in exile, for the assassination of Annibale Bellencini.⁵⁶ Consequently, Diamante included a clause in regard to Jacopo, which disinherited him in favor of his sons, unless he obtained a legal pardon.⁵⁷

Inevitably, Jacopo's Fontana's daughter, Alessandra, inherited not only his estate (due to the wills of her grandparents Alessandro and Diamante) but also the complications associated with the bequests. As she had inherited her father's estate and he had broken the Fontana/Bellencini peace agreement, it was an open question whether part of Alessandra's inheritance could be confiscated. Her legal representative certainly argued that, whether or not women were heirs, they were not obligated under Lombard law to observe the Instrument of Peace and uphold its obligations.⁵⁸ Even if, for some reason, women were to be included in the instruments, these provisions did not have the force of law, since contracts undertaken on behalf of heirs did not include women. Furthermore, Mirandola maintained that women could not be counted in Instruments of Peace, even among the heirs, because Instruments of Peace could only be undertaken by men.⁵⁹ In light of this argument, as an addendum to her legal representative's case, Alessandra Fontana separately petitioned the Duke of Ferrara in 1572 requesting to be liberated from the 1565 Peace Accord.⁶⁰ Similarly, the sisters of Lanfranco Fontana (Eugenia, the wife of Francesco Millani and the wives of Guido Machelli and Carolo Tassoni) who became their father Bartolomeo's

heirs after Lanfranco's exile and death, pleaded before the court that they should not be obliged to pay penalties for their brother's violation of the Instrument of Peace.⁶¹

At some point mid-century, the authorities began to recognise the role of the restrictive clause in protecting property from confiscation and thereby continuing vendetta. In 1560, Alfonso II, Duke of Ferrara-Modena-Reggio, issued a proclamation against these clauses:

Our sovereign, having many years of experience...persecuting homicide and other crimes, knows that punishments, fines and the confiscation of goods, are reduced to nothing and become useless through the fideicommissum as used in certain cases when those who commit every sort of crime intend to transfer their estate...so that those who commit every sort of excess do not suffer privation.⁶²

Acting on his suspicions, Duke Alfonso II enacted measures that required notaries to make instruments for every credit, debit, alienation and financial obligation of those persons subject to confiscation, according to the statutes of the city. In addition, the duke targeted dowries, spousal donations and bridal gifts as being a particular area of concern.⁶³ As neither these testamentary practices nor the violence stopped, he amended the laws in 1575 and 1580 respectively. The first *provvisione* of 1575, titled 'On the Fideicommissary', addressed the commission of fraud in the testaments of malefactors. In particular, the duke targeted testators 'intending to transfer their goods to another [committing] private delinquency, and with some other clauses, and similar words to a similar effect and sense'.⁶⁴ Moreover, the duke leveled a far more serious accusation against these testators. In particular, he maintained they were following these practices with the long-term intention of committing further crimes, 'thinking in this way to commit other misdeeds, and other sorts of crimes, they take pains to secure their goods...'.⁶⁵ In a 1580 proclamation (*grida*), Duke Alfonso II further restricted testamentary practices.⁶⁶ This proclamation unambiguously targeted 'those men who easily commit homicide' as well as the 'indirect means' they devised to shield their goods from ducal punishment. In this emendation, Alfonso made his objectives particularly clear:

Knowing by long experience the proclivity and inclination towards committing crimes and misdeeds in the city of Modena, the most reverend Prince, in the name of quiet and peace, for the benefit of his subjects is reducing the occasions that make it readily possible to commit misdeeds and excesses... [his excellency] will address the abuses and malice of those men who easily commit homicide in the street and by indirect means protect their goods and as a result are more willing to commit every misdeed and engage in fraud against our Ducal Camera, against all honor and their conscience and, as has been our experience, render all the confiscations and condemnations in vain...⁶⁷

These laws only had a partial effect. Cases like Alessandra Fontana's began to appear before the court and more offenders' estates became involved in legal entanglements. The impact on vendetta violence however, seems to have been minimal and many families (including the Forni, Tassoni, Carandini, Bellencini, Molza and Fontana) continued their violence into the seventeenth century.

Over the course of the sixteenth century, a large percentage of office-holding Modenese patricians were involved in factional violence, either as perpetrators or allies, with the result that women became linchpins in the protection of family property. Women were instrumental to the legal strategies that protected familial property from confiscation when a member of the family was banished, violated a peace agreement or was accused of homicide. Ultimately, testamentary and inheritance practices gave women a greater say in the economic and political fortunes of their families—both natal and marital. This agency had important consequences, as women's centrality to vendetta violence and factionalism reconfigured both gender roles and the civic state as the age of absolutism dawned in Italy. The host of social, legal, political and economic consequences of this practice paradoxically opened up new spaces for women as they were as central to the practice as men.

NOTES

1. Tommasino de Bianchi, detto de' Lancellotti *Cronaca modenese*, vol. 1-12 (Italy: Pietro Fiacadori, 1867) 5, 324.
2. Pamela Tavernari, *La famiglia Fontana-della Fontana da Ferrara a Modena, mille anni di storia Emiliana* (Modena: Elis Colombini, 2017).
3. Lancellotti, *Cronaca modenese*, 8, 64.
4. Lancellotti, *Cronaca modenese*, 10, 75.
5. Edward Muir, *Mad Blood Stirring: Vendetta and Factions in the Friuli during the Renaissance* (Baltimore: Johns Hopkins University Press, 1993).
6. Lodovico Vedriani, *Historia dell'antichissima città di Modona*, 2 vols (Modena: Bartolomeo Soliani, 1667), 2, 518.
7. Archivio di Stato di Modena (hereafter ASMo), *Corporazioni Soppresses*, Regolari, F. 195, Monache di S. Paolo, la priora e le suore di S. Paolo al duca Ercole II, September 1549.
8. This is not counting violence in the *contado* or surrounding countryside. At a murder rate calculated as 56 per 100,000. For reference, this is comparable to the cities in 14th and 15th place in cities with the highest homicide rates for 2019.
9. Lancellotti kept detailed statistics on murder between 1515 and his death in 1553. Overall, he listed 223 murders associated with the ruling class between 1507 and 1553, which is only a partial account of the number of homicides committed. Since we don't have accurate criminal records, however, it is hard to know what the true homicide rate in Modena was. A particularly noteworthy entry in 1547 related that 43 murders had been committed since 1541—a figure which is 14 less than the 57 murders Lancellotti recorded between 1541 and 1547. He was quick to point out after this list, 'if our Illustrious Duke

does not provide...at present this city will become one of factionalism as they kill one another like dogs in order to vindicate themselves as they (the citizens) are full of hate and malevolence'. Lancellotti, *Cronaca Modenese*, 10, 127-8.

10. The ducal governors wrote daily dispatches to the Dukes of Ferrara-Modena-Reggio and most of this material is unpublished. As the governor was the ducal representative, one of his duties was to report crimes. Occasionally, when the violence became particularly bad, the governors would directly address the dukes with their concerns. Governor Thieri, for example, wrote in 1555, 'there is the greatest scandal in this city, where there are many nobles and factions that hardly heed the governor or the podestà of this city, of which things I can hardly relate with brevity...other than to say they greatly dishonour me'. Clemente de Thieri to Ercole d'Este II, Aug. 8, 1555. ASMo, Camera Ducale, *Rettori dello stato, Rettori di Modena*, b. 12.

11. Amanda Madden, 'Una Causa Civile': Vendetta Violence and Governing Elites in Early-Modern Modena', in *Aspects of Violence in Renaissance Europe*, ed. Jonathan Davies (London: Ashgate Press, 2013), 205-24.

12. These estimates are based on data collected for the forthcoming project *Mapping Violence in Early Modern Italy*. While definitions vary and there is some question as to what separates vendettas from other types of violence, I define vendettas as strategic, ritualised, public violence among governing elites.

13. Trevor Dean, 'Marriage and Mutilation: Vendetta in Late-Medieval Italy', *Past & Present* 157 (1997), 3-36.

14. The involvement of the maternal branches of families in vendettas in a neglected piece of the puzzle that deserves further research but is evident in Modenese vendettas. In the Bellencini-Fontana vendetta, one of the Bellencini partisans, the Forni, were related through the maternal line. As mentioned previously, the Codebò were related to the Fontana by marriage. These relationships will be gone into in more detail in my monograph, *Civil Blood: Vendetta Violence and State Formation in Early Modern Italy* (in progress).

15. Lancellotti details an incident in 1542 where women of the Rangoni, Molza, and Forni Lancellotti got into a bitter dispute about the placement of church pews. The incident was serious enough that the duke became involved and the families were called before the duke's Council of Justice. Lancellotti, *Cronaca Modenese*, 8, 225.

16. Thomas Kuehn, *Family and gender in Renaissance Italy, 1300-1600* (Cambridge: Cambridge University Press, 2017).

17. Studies of homicide and punishment in Italy are few and far between but a good reference point is Colin Rose, *A Renaissance of Violence: Homicide in Early Modern Italy* (Cambridge: Cambridge University Press, 2019).

18. ASMo, *Particolari*, Alessandra Fontana, F. 448.

19. Ibid.

20. Ibid.

21. The gold coinage is presumably scudi d'oro; ASMo, *Archivi Privati*, Petrezani, LXVIII, Testament of Jacopo Fontana.

22. Presumably the coins, not being gold are scudi d'argento.

23. Ibid.

24. Ibid.
25. ASMo, *Particolari*. F. 448, Fontana.
26. Ibid.
27. Ibid.
28. According to Ursula Hagen-Jahnke and Reinhold Walburg with Annelore Schmidt, *Early Modern Gold Coins from the Deutsche Bundesbank Collection* (Giesecke & Devrient: Munich, 1985), x—although the Venetian gold ducat was copied by other Italian city states, with the double ducat being the most valuable of its kind, it is not possible to say whether all ducats were struck to the same standard. They also state that the scudo veneto (scudo d'oro) 'partially displaced the ducat as the main gold coin' in some areas. However, the silver scudo (a coin of lesser value) coexisted alongside; Lancellotti, *Cronaca Modenese*, 10, 59.
29. Ibid. 2:336..
30. Ibid. 2:345.
31. Madden, 'Una Causa Civile', 206.
32. Lancellotti, *Cronaca Modenese*, 10, 199; See also, Francesco Forciroli, *Vite dei Modenesi Illustri*, a cura di Sonia Cavicchioli: trascrizione Giorgia Mancini (Modena: Aedes Muratoriana, 2007), 122.
33. Lancellotti, *Cronaca Modenese*, 2, 397; 5, 199; 5,, 344
34. Lancellotti, *Cronaca Modenese*, 10, 75-8
35. ASMo, *Particolari*, F. 448, Will of Alessandro Fontana, 17 July 1547.
36. Forciroli, *Vite dei Modenesi Illustri*, 184-92.
37. Lancellotti, *Cronaca Modenese*, 6, 38.
38. ASMo, *Particolari*, F:448, Testament of Alessandro Fontana, 21 July 1547.
39. Statuta Modena, *De successione descenduntium i bonis asecendentium masculorum*, RUB CXXXVII.
40. Thomas Kuehn, *Family and Gender in Renaissance Italy, 1300-1600* (Cambridge: Cambridge University Press, 2017), 251.
41. Ibid, 228.
42. ASMo, *Archivi Privati*, Petrezani, LXVIII, LXVII.
43. Lancellotti, *Cronaca Modenese*, 9, 31.
44. ASMo, *Particolari*, B: 448-9; B:1112-3.
45. Sergio Lavarda, "Per morto s'abbia quanto alla mia eredità: Confische e difesa dei patrimoni nobiliari fra Cinquecento e Seicento," in G. Chioldi, C. Povolo (edd.) *L'amministrazione della giustizia penale nella Repubblica di Venezia* (secoli XVI-XVIII), vol. II: Retoriche, stereotipi, prassi, Verona: Cierre, 2004, 527-585.
46. Lancellotti, *Cronaca Modenese*, 4, 143.
47. Ibid., 4, 258.
48. Ibid, 4 248-9.
49. Ibid, 4 338.
50. Ibid, 11, 148.
51. ASMo, *Particolari*, F.448, Fontana, Testament of Costanza Fontana, 4 June 1547.
52. Ibid.
53. Ibid.
54. Ibid.
55. ASMo, *Archivi Privati*, Petrezani, Will of Diamante Fontana, 11 July 1547.
56. Forciroli, *Vite Modenesi*, 184-7.
57. ASMo, *Archivi Privati*, Petrezani, will of Diamante Fontana, 11 July 1547.
58. ASMo, *Particolari*, Alessandra Fontana, F: 448.

59. Ibid.
60. Ibid.
61. Vedriani, *Historia di Modena*, 2, 87.
62. Modena, *Gride Ducali*, 1575.
63. Ibid.

64. Ibid.
65. Ibid.
66. *Grida circa gli scritti et instrumenti che non vagliono contra la camera a favore delli delinquenti*, 1580.
67. Ibid.

THE STORY OF LUCY BROWNE: WOMEN'S AGENCY, 'VOICES' AND THE EVIDENCE OF CHANCERY DEPOSITIONS.

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Historical scholarship touching upon the Court of Chancery often makes reference to Dickens' *Bleak House*. And as Sir John Baker has suggested, for two centuries prior to the publication of the novel, the very 'word "Chancery" had become synonymous with expense, delay and despair'.¹ Life imitates art in this narrative; Chancery was a byzantine institution, irredeemably clogged with vexatious, convoluted and practically futile litigation, often waged across many years at considerable expense. The result, it might be thought, is an archive filled with longwinded, impenetrable litigation between wealthy landowning families. A Chancery suit was 'a slow, expensive, British, constitutional kind of thing'.² Indeed, the very state of the records themselves, which are incredibly voluminous and scantily indexed, is enough to discourage scholarly attention. The sources used here, drawn from the C24 'Town' depositions (witness statements collected pertaining to suits arising in and around London) constitute an exceptionally rich and correspondingly, difficult and therefore overlooked body of evidence. The result is that Chancery, which has bequeathed to us a massive archive of material (containing, as will be demonstrated, characters and stories from all levels of society) has long been underappreciated and underused by early modern social and cultural historians, who have preferred to focus (with great success) on church courts, quarter sessions and other sources of legal documentation.

This article contributes to our understanding of the social agency of married women in London at the dawn of the eighteenth century. Using a series of depositions from one unknown and inconsequential case from Chancery, *Brummett v. Miller* (1712), it will illustrate the wealth of material that can be found in this much-neglected collection of documents and is useful to the study of early modern social and cultural history.³ In particular, it will join a growing chorus of scholarship, which suggests that the documents of Chancery are particularly fruitful sources for women's history. Recent work has shown that, by the later seventeenth century, women were named as litigants (plaintiffs, defendants or both) in some forty-four per cent of Chancery suits in the C5 Bridges series.⁴ As Margaret Hunt has asserted, 'equity court records are a treasure trove of insubordinate women, thrusting their stories forward with a level of self-possession and a wealth of detail found in few other eighteenth-century sources'.⁵ By reconstructing the story of the indomitable Lucy Browne, her unwitting husband and her gossiping

neighbours, this article will add to a mounting body of research, which explores how early modern women, even at the very bottom of the social ladder, exercised power and agency in their lives and communities – by fair means or foul.⁶ And where these women, Lucy Browne amongst them, lacked the means or motive to record their own stories for posterity, they can be recovered with remarkable vividness and detail from the records of Chancery. The following account will provide a survey of recent scholarship based upon Chancery sources and on the use, by historians and literary critics, of the evidence of legal depositions more generally, before moving to engage in a case study of *Brummett v. Miller*.

I

Recent years have seen a gradual increase in scholarly interest in Chancery court. Chancery has long been of interest to legal historians concerned with matters of procedure and jurisdiction.⁷ However, I contribute to a growing body of literature, presently in the early stages of development – one that views Chancery documentation as a resource for the study of social and cultural history. There appear to be no monographs on the social or cultural history of early modern England, which draw primarily upon Chancery depositions – in contrast to the innumerable examples based on ecclesiastical court cases.⁸ However, in recent years, a smattering of articles has begun to demonstrate the potential value of Chancery documentation in the study of a variety of historical topics. Sadie Jarrett has used one particularly well-documented Chancery case to enhance our understanding of the construction of credibility and 'fact' in seventeenth-century England.⁹ Carrie Euler draws upon Chancery cases filed under the Law of Charitable Uses (1601), in order to examine the foundation and governance of schools in sixteenth and seventeenth-century Lincolnshire.¹⁰ Amanda Capern explores the presence and role of emotion in Chancery litigation in early modern England, and also celebrates the 'richness' and 'stuff of life' to be found amongst its records.¹¹ Merridee Bailey has, with great sophistication, pushed this discussion further back in time to explore representations of emotion in medieval Chancery.¹² The tendency of equity courts (such as Chancery) to arbitrate over family matters has led scholars to examine the representation, from both literary and historical perspectives, of parenthood, parent-child relationships, responsibilities and maternity in its cases.¹³

An association between women and equity in general, and Chancery in particular, has been built up in a number of recent works on the topic from scholars interested in both the medieval and early modern periods. As Amanda Capern suggests, this is because equitable jurisdiction tended to deal with 'wider family dramas over property that often pulled in women'.¹⁴ Several scholars have also explored, with some caveats, the ways in which Chancery and other equity courts could prove particularly favourable to women as litigants and may consequently, have been particularly popular with women at law, especially with regard to marriage settlements and in cases of marital breakdown or dispute.¹⁵ Mary O'Dowd has also shown that an association between women and Chancery was perhaps even more pronounced in Ireland, where female litigants often appealed explicitly to the Chancellor as the 'chief protector' of 'widows', 'orphans' and 'maids'.¹⁶

This article builds upon these works, exploring the relationship between women's history and Equity court records by examining the role of women as litigants and agents, represented (or representing themselves) in depositions.¹⁷ Legal depositions have long been a staple source for early modern historians with an interest in marginalised groups, allowing, as they do, a certain degree of access to the words and mentalities of the innumerable past actors who did not actively write their own stories.¹⁸ However, in spite of their popularity, depositions should be regarded with some healthy scepticism and recent scholarship has moved towards a more candid and complex dialogue concerning the subtleties of their interpretation. A deposition was not 'written' by the individual whose name was attached to it – it is a text 'mediated' by the involvement of a scribe. Depositions were also rather artificial and tendentious in their contents, since they were produced by a witness compelled to speak about particular topics in a formal, even intimidating institutional setting. This is particularly so in the case of Chancery depositions, which in the context of English legal practice were unusually formalised.¹⁹ Witnesses were called by the court to give evidence and were deposed in private, in response to longwinded, detailed, and often leading questions drafted by the legal representatives of the plaintiff or defendant in the case. In cases relating to events in or around London, responsibility for deposing witnesses fell to the Chancery's Office of Examiners, situated in Symonds' Inn on Chancery Lane. The questions were put to the witnesses by an Examiner, an employee of the court whose duty was 'strictly confined to that task'.²⁰ Witnesses were not cross-examined; the interrogatories were read to them and their responses were written down and read back to them to verify the accuracy of the account. As is so often the case with Chancery depositions, the interrogatories asked on the behalf of Isaac Miller and Lucy Browne (the defendants in the case considered here) are missing and only the answers survive.

A proviso must therefore be included—that we cannot be certain that what we are quoting as *testimonies* can be definitively considered to be the defendant's or witnesses' *own words*. However, there is sometimes reason to be cautiously optimistic that we can guess where the

interrogatory-parroting clerk ends and the witness begins. In many cases, depositions provided by more than one witness will use almost exactly the same language to describe the same event(s), in response to the same interrogatories. In our case for example, two witnesses, Edmund Lawrence and Thomas Lyne, answered only interrogatories four and five, narrating the moment in which Stephen Browne allegedly drunkenly signed over his wage to the plaintiff, Brummett. Lawrence related that 'Stephen Browne was when he received his pay soe drunk and intoxicated with Liquour that he could neither goe nor stand without reeling to and fro'; Lyne stated that 'Stephen Browne was at the time he received his pay very much intoxicated with Liquour insomuch that he could not goe without reeling to and fro'. Interrogatories were designed, by the lawyers who devised them, to *lead* the witnesses into deposing in a manner favourable to their cause. The clerks writing the depositions were summarising (by hand) what must have, at times, been rambling, incoherent and perhaps frustratingly terse responses. The purpose of the clerk was not to exactly replicate the language of witnesses at all times, but to create useful evidence for the parties to the suit.²¹

It is therefore unsurprising that the language of the answers sometimes reflects that of the corresponding question; the clerk had to quite literally mediate between the needs of the court and the words of the witness. In the case of the smaller collection of depositions given on Brummett's behalf, the interrogatories do survive. Here, we can clearly see where they overlap and where they do not. For instance, when referring to the bill of sale by which Stephen signed away the wages 'due for his service on board her Majesties ship Portsmouth or any other ship or ships', both Jeyes Sewell and Samuel Draper directly parroted the interrogatory, which in turn, actually lifted the phrase from Brummett's Bill of Complaint. Elsewhere, as we shall see, Brummett's witnesses deviated from the interrogatories in significant and surprising ways. Scholars should exercise a keen awareness of the tendency of interrogatories to bleed into some of the *specific phrasing* of parts of depositions, but an excessively pessimistic stance on their value as vivid, qualitatively useful evidence should not be the result.²²

The impression that emerges from a reading of several depositions relating to a well-documented case such as Brummett v. Miller, is of a body of evidence *inflected* by the language of interrogatories and potential scribal intervention, which undeniably contains individual idiosyncrasies denoting the probable words of a witness. This is most evident when stilted legal jargon and commonplaces suddenly give way to colourful adjectives and emotive language. When Edmund Lawrence deposed that Brummett had, in his efforts to evade Lucy aboard the *HMS Portsmouth*, 'skulkt and hid himselfe behind the Captaines Stewards Cabbin Door', it is difficult to imagine that these are anything other than the real words of a man who held the scheming victualler in low esteem.²³ In this example, and in others forthcoming, the construction of the deposition allowed the language to wander away from the limitations of the interrogatory, to include language and detail that clearly came from the witness – usually where it served the interests of the cause at hand. Here,

it benefitted the defendants' case to portray the plaintiff as a skulking coward. Thus, the evidence of this case corroborates the approach recently suggested by Frances Dolan and Heather Falvey, in which the involvement of scribes should be acknowledged meaningfully, but can be considered as a form of *collaboration*, rather than as interference or distortion. Dolan rightly indicates that the 'voice' regularly, if perhaps metaphorically, invoked by historians when writing about depositions, can be problematic and distorting. Rather than occluding or trying to 'work around' the role of court procedures and officials in producing litigatory sources in order to access clear individual 'voices', scholars should incorporate these aspects into their readings: 'collaboration need not silence'.²⁴ To that end, where this article quotes from depositions and other legal papers, I will not silently replace legalisms such as 'the said deponent' with first person pronouns. Instead, these legalistic clichés will be replaced, where necessary, with third-person names placed in square brackets, to enhance readability whilst maintaining an insight into the authorial ambiguity of the texts being quoted.²⁵ A sensitivity to the legal interests and manoeuvres, which may have affected the nature and content of depositions, is also maintained throughout.

Finally, it should be kept in mind that the pursuit of what would today be described as 'objective truth' was not the primary role of early modern Chancery. Tim Stretton is correct in pointing out that 'the primary goal of courts was not the identification of historical truths, but the resolution of conflicts'.²⁶ Cases had to be 'proved', of course, but the finding of the court was subject to all kinds of other influences than demonstrations of 'fact'; credibility was a rather less black and white matter in the early modern period. Jarrett has convincingly argued that 'winning a case in a seventeenth-century court of conscience depended far more on presenting a credible narrative within social norms than any concept of the truth'.²⁷ Rather, presenting a case that emphasised the *credibility* of one party – on the basis of social rank, gender, economic situation, amongst other factors – was more important than offering one based on evidence of that which was categorically 'true'. Jarrett cites one deposition in which the witness claimed to perfectly recall specific events and conversations that had occurred sixty-five years previously. The testimony was taken seriously, because the deponent was an 'elderly, respectable man, an eyewitness, or so he claimed, and therefore he had credibility'.²⁸ As Malcolm Gaskill has argued, with respect to witness testimony in criminal proceedings, 'even today, truth is no more than a version of reality which satisfies an audience' – a fact that held even greater sway in early modern England.²⁹ This article presents one lawsuit, for which the documentation is relatively abundant. Furthermore, this particular litigation has much to tell us about the agency that early modern plebeian women could exercise in household economies, financial disputes and in the face of legal jeopardy. But as we shall see, the 'truth' of the case and its outcome, is anything but clear. This kind of ambiguity can be regarded with a kind of open-minded optimism; early modern litigation can and should be read as representing a series of tantalising and instructive possibilities, rather than being dismissed as

'unreliable' for not conforming to ultimately anachronistic standards of truth and 'authenticity'.³⁰

II

Lucy Browne was a defendant in her case, but not the primary one. The lawsuit, which was initiated in May 1712, was nominally between two men – Thomas Brummett, a victualler and one Isaac Miller, a pawnbroker. All the parties to the suit were neighbours, living in and around the parish of St Andrew Holborn. Indeed, the Brownes, the Brummetts and several witnesses lived on the same street: Portpool (or Purple) Lane. They had known each other personally for years prior to the court action. When reading the narratives laid out in the bill (including answers, interrogatories and depositions) we must remember that they are the documentary tip of an iceberg, representing a *real* state of affairs between *real* personalities. As Margaret Hunt states, 'we cannot hope to reconstruct in detail the slow build-up of irritation, the jockeying for advantage, the emotional ambivalence, and the failed negotiations' that led the parties to court.³¹ The lawsuit ultimately concerned debts, namely those of Lucy's late husband Stephen Browne, a mariner who had died at sea aboard the *HMS Portsmouth* on the 20th November, 1709. Stephen Browne died owing money (allegedly both to Thomas Brummett and Isaac Miller), though precisely how much was clearly subject to dispute. In February 1708/9, Brummett had drawn up a bill of sale for £33 worth of Stephen Browne's future wages. In April 1709, he convinced Browne to sign it whilst aboard the *Portsmouth*. Upon Browne's death, Miller had taken out letters of administration on Browne's estate, in order to satisfy those debts which Lucy (a poor widow, who had renounced her claim to the estate) could not pay with cash or credit. Brummett charged that Miller and Lucy Browne had, after Stephen's death, 'Combin[ed] and Confederat[ed] [...] on purpose to deprive and defraud' him of the debt due to him, by concealing Stephen's death from him and falsely claiming that Miller was in fact the primary creditor.³² Lucy Browne and Isaac Miller countered that Brummett had greatly exaggerated the amount of money owing to him, had refused an offer to take over administration of Browne's estate and had used coercive means to force Brown to sign the bill of sale against his wishes.³³ One of Browne's shipmates went so far as to claim that Browne had told him, shortly before his death, of a 'sickness' and that if Brummett used the bill of sale, it 'would break his Heart'. The fellow also maintained that this anxiety was the 'Cause of his [Stephen's] death'.³⁴

Two features make this case particularly interesting. Firstly, the suit, despite having moved through the supposedly tortuously long and expensive Court of Chancery, was fought over the relatively modest sum of £33 – or £14 19^s, if we believe Lucy.³⁵ None of the major parties appears to have been well-off and even Brummett, ostensibly the richest amongst them, was little more than a pub landlord. Indeed, beyond the parties to the lawsuit themselves, most of the witnesses were of low or middling social rank [Fig. 1]. We know from the depositions that Stephen Browne earned £1 4^s per month as a sailor.³⁶ Lucy, according to one witness, 'had when her Husband

Pro Brummett								
Deposition No.	Deposition Date	Deponent Name	Age	Gender	Marital status	Occupation (or Spouse's Occupation)	Street/Place of residence	Parish
1	18/07/1712	Anne Jones	21	F	Married	Wife of Pavier	Portpool Lane	St Andrew Holborn
2	19/07/1712	Jeyes Sewell	38	M	Unknown	Gentleman; Pay Clerk	Smith Street	St Margaret Westminster
3	21/10/1712	Catherine Dello	30	F	Married	Wife of Gardener	Portpool Lane	St Andrew Holborn
4	18/07/1712	William Shaftoe	30	M	Unknown	Gentleman; Lawyer?	Unknown	St Giles-without-Cripplegate
5	22/10/1712	Samuel Draper	36	M	Unknown	Gentleman; Public Notary	Broad Street	Unknown
Pro Miller/Browne								
1	23/10/1712	Lucy Browne	33	F	Widow	Widow of mariner	Little Gray's Inn	St Andrew Holborn
2	24/10/1712	Thomas Squibb	55	M	Unknown	Hackney Coachman	Saffron Hill	St Andrew Holborn
3	27/10/1712	Joseph Saer	57	M	Unknown	Clockmaker	Portpool Lane	St Andrew Holborn
4	23/10/1712	Mary Townsend	35	F	Married	Wife of Cordwainer	Portpool Lane	St Andrew Holborn
5	27/10/1712	Elizabeth Browne	34	F	Married	Wife of Silk Stocking Weaver	Little Gray's Inn	St Andrew Holborn
6	27/10/1712	Edmund Lawrence	33	M	Unknown	Mariner	Harry Alley	St Mary Matfelon
7	27/10/1712	Mary Lyne	36	F	Married	Wife of Barber (Thomas)	Houndsditch	St Botolph Aldgate
8	27/10/1712	Thomas Lyne	43	M	Married	Barber (formerly Steward on the ship)	Houndsditch	St Botolph Aldgate
9	31/10/1712	James Miller	Unknown	M	Unknown	Mariner	Saffron Hill	St Andrew Holborn
10	03/11/1712	Catherine Dello	As above	As above	As above	As above	As above	As above
11	11/11/1712	Anne Jones	As above	As above	As above	As above	As above	As above
12	10/11/1712	Jeyes Sewell	As above	As above	As above	As above	As above	As above
13	04/12/1712	Abraham Spencer	26	M	Unknown	Scrivener	Near the Admiralty Office	St Martin-in-the-Fields
14	31/10/1712	Richard Cook	39	M	Unknown	Gentleman; Lawyer?	Inner Temple	N/A
15	06/11/1712	Samuel Draper	As above	As above	As above	As above	As above	As above

Fig. 1. The deponents for *Brummett v. Miller*. Note that depositions 1-5 were originally dated August 1712 and amended for unknown reasons.

was abroad [at sea] little or nothing to subsist on but 2^s or 3^s she took or got once in a Fortnight by Cinders and Raggs'.³⁷ Lucy Browne may therefore, have been a rag-picker: an individual who collected rags of old clothing to sell to the paper trade, which was a low-status and disreputable source of income for women in the early eighteenth century.³⁸ And if the inventory of Stephen's estate provided with the defendants' Answer is to be believed, the Brownes were very poor indeed, owning only the following: 'one old quilt, a few old flocks, one old blanket, one old table and two chairs, one old ship cane, one ladle, one platter, one old iron candlestick, [and] one old tin kettle', with a total value of 10^s 6^d. Chancery is commonly reputed, in contemporary historical scholarship, to have been an expensive court for both plaintiff and defendant. Although the initial filing of a Bill was inexpensive, fees had to be paid to various court officials at every stage of the suit's progress. Litigation could be initiated or defended *in forma pauperis*, but there is no evidence of that in this case. Nonetheless, *Brummett v. Miller* proceeded (rapidly) all the way to decree in the same year it commenced. The explanation for this is progression is unclear and a single case is not sufficient cause to rethink the speed and cost of Chancery litigation – but it does invite further investigation.³⁹

The second factor is the centrality of women throughout the case. Lucy herself obviously played a

starring role (whether as protagonist or villain) and seven other women gave evidence too. The wife of Thomas Brummett also appears to have been an influential and even powerful figure in Hoop Alley on Portpool Lane. In some respects, what was nominally a dispute between men (Brummett and Stephen Browne, then Brummett and Miller) was, in fact, a disagreement between two women. The debt was in Stephen's name and was formally *owed* to Thomas Brummett and Isaac Miller. But as the depositions make clear, the *dispute* actually arose between Lucy and Brummett's wife (who remains unnamed throughout the proceedings). The association between the two families began when Lucy, some years earlier, was:

accidentally passing by the [Brummett's] then house and his wife sitting at the Doore thereof she invited [Lucy] and another woman then along with her to come into the [...] House which invitacon [Lucy] and her Companion complied with and [Brummett's] wife being [Lucy's] old acquaintance and solliciting [her] why was her Neighbour to become a Customer to him [...] for drink...

Lucy, seemingly flattered and impressed by her old friend's 'Civill and Obliging' demeanour, proceeded to establish what was to become a long-running and increasingly complex commercial relationship between

the two households. The Brummetts' home was a 'publick or victualling house comonly called or known by the name or signe of the Harrow'. The category of 'victualling house' was a notoriously vague and capacious, potentially denoting anything from a private home with a common room, to a tavern or inn. However, scattered references throughout the depositions build up an impression of a busy local establishment that supplied food, drink and occasionally board to a large number of customers.⁴⁰

Significantly, the financial aspects of the relationship between the Browne and Brummett households were administered almost exclusively by the respective women. Anne Jones, former servant to the Brummetts, deposed that 'the Complainant (Thomas) did usually entrust his wife with receiveing and paying of sumes of mony and debts due to and from him in relacon to the victualling businesse which he then professed'.⁴¹ Mary Townsend, a friend of Lucy's, went so far as to say that Brummett's wife had the 'chiefest management' of the victualling house.⁴² Townsend also deposed that the food and drink supplied to the Brownes by the Brummetts was provided 'upon Trust or Credit' – as indeed were most retail transactions in the period.⁴³ In this respect, the Brummetts fit into a broader pattern of catering business operations in early modern London, in which both single and married women were able to 'exploit traditional female involvement in the culinary aspects of housewifery as a financial resource'.⁴⁴ One quantitative study by Peter Earle has suggested that amongst women who worked *with* their husbands, the most common occupation to feature such an arrangement was the victualling or public house.⁴⁵ Here, we can see how the evidence of Chancery lawsuits can add valuable, if impressionistic, qualitative evidence of women's roles in household economies and businesses.

Likewise, in the case of the Brownes, Lucy appears to have assumed almost sole responsibility for the financial dealings of the household, despite the fact that Stephen was nominally the breadwinner. Stephen had (allegedly) run up extra debts to Thomas Brummett, unbeknownst to Lucy. Subsequently, he had (allegedly) been coerced through drink and threats to sign over his wages to the victualler, out of Lucy's earshot. It was as a result of this that the situation escalated to an extent that precipitated the case. Joseph Saer, the Brownes' landlord on Portpool Lane, stated that while the rent was paid out of Stephen's wage as a sailor, 'he never received any rent for the Lodgeing [...] of the said Stephen Browne or his family but from the sayd Defendant Lucy Browne'.⁴⁶ The debt relationship between the Brownes and Isaac Miller appears to have been instigated and managed entirely by Lucy; she borrowed £3 from him in 1709 in the presence of his son James, another deponent.⁴⁷ Even when Lucy was 'lying in' during pregnancy, rather than relying on Stephen – who was often away at sea – she organised for a friend to collect money from a creditor named Stychbury in Southwark 'to bear the charges thereof'.⁴⁸ Lucy's apparent relative 'freedom' to manage her own affairs (both before and after the death of her husband) and her capacity to influence the men around her, through fair means or foul, is marked. Margaret Hunt has shown that, as a result of their unusual and precarious situation, 'women in seafaring communities look less like

female dependants and more like independent actors', often enjoying (and wielding to their advantage) power of attorney over their husbands' affairs.⁴⁹ In this case, whether we believe Lucy Browne or Thomas Brummett, the sailor's widow can be seen wielding this power even in renouncing it. Whether or not it was true that Brummett had exaggerated the amount he was owed or had tricked Stephen into signing the bill of sale, the impression of Lucy, built up in the depositions, makes it very difficult to discount the possibility that she had deliberately either tricked or convinced Miller to take over administration of the estate in order to avoid responsibility for whatever debt she did owe.⁵⁰

Taking all of this into account, it comes as little surprise that the substance of the dispute originated between Lucy and Brummett's wife. Throughout the depositions, the exact nature of their commercial relationship, the services provided and the level of expected remuneration (as opposed to food and drink supplied for hospitality's sake) is disputed. Brummett's original Bill charged that Stephen Browne owed money for 'Meat Drink and Lodging', as well as 'Cloaths and other necessaryes' for his voyages at sea. In her deposition, Lucy countered that Stephen never ate at the Brummetts' unless Thomas 'or his wife invited him to eat with them'.⁵¹ This underlines the fact that the relationship between the Browne and Brummett households was both personal and commercial. This ambiguity is a clear subtext for the entire dispute, echoing the kinds of negotiations Hunt has identified in Exchequer cases, in which different social relationships or contexts (such as engagement, marriage, lodging or employment) could shape the ways in which value, credit and debt could be ascribed to exchanges of labour or commodities.⁵² In other words, what was friendly hospitality and what was a chargeable service, was not clearly defined – and was usually negotiated between the two wives.

It was in this context that Lucy accused Mrs Brummett of artificially inflating the Brownes' debts by charging Stephen for 'drink that was drank by her other Customers of the name of Browne'.⁵³ Lucy also claimed that their 'score encreased much faster than [she] thought by the drink she and her husband had' imbibed. Therefore, she decided to 'take good Observacon' of their household consumption.⁵⁴ Finding her suspicions confirmed (she claimed), Lucy confronted Brummett's wife, whereupon the latter was 'very angry'.⁵⁵ The two women disagreed, in seemingly dramatic fashion, because Lucy unilaterally decided (while Stephen was aboard his ship docked at Portsmouth) to 'quitt her Lodgeing' and 'discontinued' the Brownes' relationship with the Brummetts.⁵⁶ Regardless of the truth of the nature and amount of debt, it seems clear that it was Lucy's determination to protect her own interests that set the escalating dispute in motion.

Beyond women's roles in household and business management, Brummett v. Miller is replete with dramatic examples of female experiences and agency in complex legal and interpersonal situations. Lucy's shrewdness and determination are evident throughout the depositions and her character appears to stand in marked contrast to that of her husband. Throughout the depositions, he is conveyed as a man of low intelligence and ability, prone

to excessive alcoholism. Catherine Dello testified for Brummett that on one occasion, shortly before his death, Stephen had been 'drinking with severall of his brother saylors and had run up a score almost as much as halfe a door [...] in Chalk', boasting that he owed his 'very good Landlord' £14 or £15.⁵⁷ Lucy herself bluntly described him as 'a man of very weak understanding and easy to be imposed upon'.⁵⁸ Her answer defended against the charge that Stephen owed Brummett money for 'board', by arguing that her husband only slept at the latter's house when he was 'so disordered in drink that he could not well gett to his own lodging'.⁵⁹ This characterisation of Stephen as weak and irresponsible, fits a broader pattern of legal strategy, outlined by Capern, by which women in Chancery would appeal to tropes (such as the neglectful or abusive husband) in order to 'articulate and perform (textually) [their] emotional and financial plight while negotiating justice for themselves'.⁶⁰

Lucy Browne appears to have been shrewdly employing such a strategy, because it was Stephen's weakness that set the scene for a crucial series of events narrated by several of the defendants' witnesses – one conveniently ignored by the plaintiff's. These events took place aboard the *HMS Portsmouth*. On the ship's payday, 'on a Sunday in the forenoon in the [...] month of April 1709', the ship was docked at Portsmouth and our major characters were all aboard.⁶¹ According to Lucy, Stephen came and told her 'that he had that day sett his mark to something' at the behest of Brummett, 'but he knew not what it was'.⁶² Lucy, 'knowing that [Brummett] had before gotten such Bill of sale ready for him' and having previously given Stephen 'a caution touching the same', was 'very angry' with him.⁶³ Here, Lucy saw fit, for her own legal benefit, to present herself unambiguously as the dominant partner in the marriage: more intelligent, more astute and willing to publicly rebuke her husband. Stephen protested that Brummett had threatened to have his wages stopped unless he gave him £8 on the spot and signed the bill. Lucy also noted that her husband was then so drunk 'that he could scarce goe'.⁶⁴ Worried that Brummett had indeed induced Stephen to sign away his wages, she 'imediately went into the great Cabbin were the Comissioners sate' where she publicly confronted Brummett and:

demanded of him [...] to produce the writing that [...] Stephen Browne had signed before the [...] Commissioners and likewise then pressed him [...] to acquaint the sayd Comiconers how much [...] Stephen Browne was indebted to him...⁶⁵

The victualler was obstinate, refusing to produce the bill or to admit that he had taken any money from Browne. According to Lucy's account, Brummett instead complained that she had 'raised a Mobb upon him', which prompted the Captain of the ship, who had been looking on, to brand him a 'Rogue and Villaine and bid the Crew sink him or skinn him alive'.⁶⁶

This rather theatrical scene is vividly corroborated by three witnesses who had been aboard the ship that day: Edmund Lawrence, Thomas Lyne and his wife, Mary. Edmund and Thomas reported that Stephen had

told them that he had signed the bill of sale under duress, having thrown the pen away three times before signing – a detail also mentioned by Lucy.⁶⁷ Mary described an independent conversation with Stephen Browne, in which he related that Brummett had 'forced him to sett his mark or hand to something but with a great Oath sayd he knew not what'.⁶⁸ Browne had been so drunk during the interaction that 'he fell upon [her] and beat her downe'. Mary went on to describe a similar confrontation to that described by Lucy: Brummett accused her of raising a 'mob', the Captain interceded and with 'some reproachfull Language he bid the Mariners sink or skinn [Brummett] alive'.⁶⁹ Mary added that the Captain even suggested that Lucy have Brummett thrown in prison, and that 'according to the Common report among the sailors [...] Stephen Browne had that day payd [...] Brummett the sume of 8^{li}', and had been coerced by him to sign the bill of sale.⁷⁰ Further corroboration is provided in the testimony of Thomas Squibb, a hackney coachman who claimed to have carried Brummett back from Portsmouth in April 1709. Squibb rather implausibly claimed that upon his arrival back at Portpool Lane, Brummett told him that he had bribed Jeyes Sewell (the pay clerk on the ship) to help him obtain £8 of Stephen Browne's pay and 'threatened' to have his wages stopped if he did not sign the bill of sale.⁷¹ This coercion (drunkenness and threats to a supposedly unintelligent, impressionable man) is particularly significant in an Equitable context. Strictly speaking, Stephen owed Brummett money and signed the bill of sale – facts no one could or did deny. However, Lucy could seek to show that these mitigating circumstances meant that its signing was contrary to conscience and Equity.⁷²

As attractive as all this corroboration might seem, we must bear in mind that these witnesses were describing events that occurred three years previously. Their accounts are strikingly similar and they consistently recollected the same key phrases – all of which were beneficial to Lucy Browne's cause. We must consider then, the possibility that these witnesses had been coached to construct a particularly beneficial version of events aboard the ship that day, presumably with Lucy's involvement. This is not to say that the entire scene is a fabrication, but it does invite some scepticism. The accounts can therefore, be read in two equally compelling ways: either interpreted as providing rich qualitative evidence of the behaviour of a plebeian married woman as a *de facto* head of household acting in an extra-domestic context, taking the initiative and confronting Brummett on the ship, or as an example of an ostensibly vulnerable and uneducated widow enacting a sophisticated (if not entirely honest) legal counter-strategy, in order to defend her interests after the death of her husband and the disappearance of his livelihood. Significantly, the nature of the Court of Chancery means that we are furnished with these possibilities in a very different context to historical accounts based on more familiar church court and quarter sessions records, with their focus on violence dispute, affronted honour and sexual misconduct. Instead, we are afforded a compellingly different perspective on women's agency in public and domestic life in the context of, essentially, a disagreement over a bar tab. And Chancery has much

more to offer in this regard.

In fact, the deeper one delves into the papers and depositions of *Brummett v. Miller*, the murkier the waters become. Catherine Dello, testifying for Brummett, noted that the confrontation on the *Portsmouth* occurred immediately before it embarked upon the 'Voiage from which [Stephen] never reterned'.⁷³ She also added that Lucy Browne had asked to borrow money from Brummett (to allow her to visit her husband aboard the ship in the first place) and he had refused, perhaps knowing that she would interfere with his plans. Nonetheless, she must have travelled by some other means and upon her return, she was 'very angry with him and called him very ill Names' for refusing to lend her the money.⁷⁴ Extraordinarily, Dello claimed that Lucy declared:

if her Husband Dyed that voiage as she was affraid he would by reason of her Dreams For she had had as she sayed very ill Dreams about him she Declared if it was possible to be done she would trick [Brummett] out of the rest of his mony [saying] Isaac Miller was her Friend and she would make a Bond to him or by some other wayes or means make him cheife or Principall Creditor and he should take out Administracon and get all into his hands and [Brummett] should never get one Farthing...⁷⁵

Lucy even admitted (claimed Dello) that after Brummett had taken the £8 aboard the *Portsmouth*, she still owed him £22 or £23!⁷⁶ Had Lucy masterminded a conspiracy to defraud Brummett, or is this another possible case of a coached or unreliable witness with some axe to grind against the widow? Note that the two are not necessarily, mutually exclusive.

Anne Jones, a former servant in Brummett's household and victualling business, made perhaps the most explicit allegation of arguably criminal dishonesty on Lucy's part. At the very end of the deposition given on Brummett's behalf, Anne said that she could not:

more materially depose to this Interr[ogatory] save that this Deponent doth know that the Def[endant] Lucy took mony of People severall tymes to pay for drink for hers at [Brummett's victualling house] but put the mony in her pockett and scored at [Brummett's] house for such Drink...⁷⁷

In other words, if Anne is to be believed, Lucy was prepared to resort to theft in order to 'make shift'. And, it must be said, Anne comes across as a credible witness who took the process seriously. She admitted where her knowledge was patchy (for instance, whether the Brownes owed as much as £33), she did not speculate and tellingly, her deposition on Lucy's behalf was consistent with Brummett's – albeit, omitting incriminating details. This point also demonstrates why depositions should not be written off as words put into the mouths of witnesses by clerks and lawyers' questioning. None of the interrogatories even hinted at this behaviour on Lucy's part; Anne made the choice to relate her experience of it.⁷⁸

As if things were not uncertain enough, Samuel

Draper, the final witness to be examined by both parties, provided evidence of a crucial event conspicuously ignored in Bill, Answer, and both sets of depositions. Draper, a public notary, testified that on 7 February 1709, Brummett 'and a woman who told [him] she was the wife of Stephen Browne' came to him and asked that a bill of sale for the wages of Browne, to the amount of £33, be drawn up. Draper deposed that although he did not know the Brownes or Isaac Miller, he believed that Lucy was the woman who had accompanied Brummett and she had identified herself as such. Not only did Lucy join Brummett in ordering the bill of sale, but she 'owned [to Draper] that there was 33^{li} due from the said Stephen Brown' to the victualler.⁷⁹

Draper's evidence is potentially damning for both sides of the case. Either way, the implications are interesting for our discussion of women's agency as it appears in Chancery litigation. Perhaps Lucy was party to the creation of the bill of sale to Brummett – which would explain how, aboard the *Portsmouth*, she almost appeared to have prior knowledge of it and its disastrous consequences, if actually executed by Stephen. In this case, she emerges as a true manipulator, taking a dominant role in her husband's finances beyond even her own account and shrewdly playing or placating Brummett, in order to defer payment of a large debt. Alternatively, Brummett was accompanied by an imposter and so, the narrative presented by Lucy Browne of a long-suffering women married to a wastrel and preyed upon by an unscrupulous and dishonest creditor gains credence. In her deposition, Lucy explicitly denied that she had played any role in the creation of the bill of sale. Should we believe her?

CONCLUSION

The evidence of Chancery depositions is slippery indeed. It must be handled with care, with attention paid to the institutional and textual practices that brought it into being. It is not enough to say that the voices of Lucy Browne, Catherine Dello, Mary Lyne, Anne Jones and even that of Brummett's nameless wife, can be found in these pages. Rather, by adopting an approach that prioritises textual sensitivity, we are left with a series of possibilities for viewing different facets of women's agency, action and (occasionally) speech, as they manifested in one lawsuit at the dawn of the eighteenth century. Whether Lucy Browne was a thief and a fraudster, a 'clamorous' and indomitable widow who fiercely defended her interests in the face of a dire situation or someone operating in between those two poles, a reconstruction of the contested narratives of her life offers a welcome insight into the roles of women in society and 'at law' in early modern England.⁸⁰ The dynamics of life and relationships between women and men, amongst women, within households, between households and in public spaces, can all be glimpsed in the documents generated by *Brummett v. Miller*. The individuals involved in creating these documents—litigants, lawyers, clerks and witnesses—worked to present a series of competing and compelling versions of reality; performed in order to achieve a legal end, not to preserve objective truths for posterity. But as scholars of the past, we can learn from these various representations

of reality, equally; they were, after all, conceived to be convincing within and by the society, culture and regimes of truth to which we seek to gain access.

In other words, the 'truth' of *Brummett v. Miller* is arguably as irrelevant as it is fundamentally inaccessible to us. Indeed, the outcome of the case, such as it is documented, is frustratingly, if aptly, ambiguous. In a single sentence decree dating to the Hilary term 1712 (between January and March 1713 in the New Style) the court appears to have found in *Brummett's* favour, but at the expense of a witness, Abraham Spencer.⁸¹ Spencer deposed on Lucy's behalf, concerning a bond to a deceased creditor of the Brownes, but appears to have been a peripheral figure. I have found no documentary explanation for this outcome; none may exist. Even then, as scholars such as Sadie Jarrett have shown, the verdict cannot be seen as representing the truth. Lucy Browne and Thomas *Brummett* can both be read as victims and villains. What is certain, is that the stories, created by them and on their behalf, reveal much detail, which would otherwise be obscure, about the dynamics of everyday life and women's agency in early modern England. Browne, despite finding herself in a putatively disastrous situation with dire prospects, managed to exercise a surprising degree of agency in a complex legal predicament: mustering witnessess, creating a compelling counter-narrative and fighting her case to a kind of conclusion. The Court of Chancery is a veritable goldmine of such narratives, for those particularly interested in early modern women's history and in social and cultural history more generally.

NOTES

1. John Baker, *An Introduction to British Legal History, Fifth Edition* (Oxford: Oxford University Press, 2019), 120.
2. Charles Dickens, *Bleak House* (London: Penguin, 1996), 25.
3. This approach takes influence from Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and their Tellers in Sixteenth-century France* (Stanford: Stanford University Press, 1987). In the context of early modern English women's history, a qualitative, 'case-study' approach is also endorsed in Jennifer Kermode and Garthine Walker, 'Introduction' in *Women, Crime and the Courts in Early Modern England*, ed. Kermode and Walker (Chapel Hill: University of North Carolina Press, 1994), 5.
4. Charlotte Garside, *Women in Chancery: An Analysis of Chancery as a Court of Redress for Women in Late Seventeenth Century England* (Unpublished PhD thesis: University of Hull, 2019), 75-6.
5. Margaret R. Hunt, 'Wives and Marital "Rights" in the Court of Exchequer in the Early Eighteenth Century' in *Londinopolis: Essays in the Cultural and Social History of Early Modern London*, ed. Paul Griffiths and Mark S. R. Jenner (Manchester: Manchester University Press, 2000), 124.
6. For a more quantitative discussion of women's capacity to exercise agency as witnesses in litigation, see Alexandra Shepard, 'Worthless Witnesses? Marginal Voices and Women's Legal Agency in Early Modern England', *Journal of British Studies*, 58 (2019), 717-34.

7. An account of this literature is beyond the scope of this article, but a useful précis of the historiography can be found in Baker, *An Introduction to British Legal History*, 124-5. For the theoretical and legal function of Chancery, see Dennis R. Klinck, *Conscience, Equity, and the Court of Chancery in Early Modern England* (Farnham: Ashgate, 2010). For an institutional history of early modern Chancery, see W. J. Jones, *The Elizabethan Court of Chancery* (Oxford: Oxford University Press, 1967).
8. A near exception is Andy Wood, *The Memory of the People: Custom and Popular Senses of the Past in Early Modern England* (Cambridge: Cambridge University Press, 2013), which makes extensive use of depositions from equity courts in general. Wood draws primarily upon Exchequer and Duchy of Lancaster records, owing to the 'availability and quality' of finding aids for these courts; 'some use' is made of Chancery depositions (33, n. 126). Marjorie Keniston McIntosh draws upon petitions to equity courts, including Chancery, in her study of *Working women in English society, 1300-1620* (Cambridge: Cambridge University Press, 2005). As alluded to above, Amy Louise Erikson also makes some use of Chancery documents in *Women and Property*. Elsewhere, Henry Horwitz, an authority on the records and procedures of Chancery, has noted that both the historical topographies the *Victory County History of England* and the *Survey of London* made 'extensive use' of Chancery documents, as did Alan Macfarlane in his *Records of an English village: Earls Colne, 1400-1750* (Cambridge: Chadwyck-Healey, 1980). Christine Churches also highlights the use of Chancery depositions in Keith Wrightson and David Levine, *The Making of an Industrial Society: Wickham, 1560-1765* (Oxford: Oxford University Press, 1991), though they primarily use the records of the Durham Court of Chancery, a separate body which exercised equitable jurisdiction in the County Palatine.
9. Sadie Jarrett, 'Credibility in the Court of Chancery: *Salesbury v. Bagot*, 1671-1677', *The Seventeenth Century*, 36 (2021), 72. For more on this topic, see Barbara J. Shapiro, 'Oaths, Credibility and the Legal Process in Early Modern England: Part One', *Law and Humanities*, 6 (2012), 145-78; *idem*, 'Part Two', 7 (2013), 19-54.
10. Carrie Euler, 'Education, Philanthropy, and Governance: A New Look at Lincolnshire Schools in the Sixteenth and Seventeenth Centuries', *Midland History*, 44 (2019), 21-38.
11. Amanda L. Capern, 'Emotions, Gender Expectations, and the Social Role of Chancery, 1550-1650' in *Authority, Gender and Emotions in Late Medieval and Early Modern England*, ed. Susan Broomhill (London: Palgrave Macmillan, 2015), 187-209.
12. Meridee L. Bailey, '"Most Hevyness and Sorowe": The Presence of Emotions in the Late Medieval and Early Modern Court of Chancery', *Law and History Review*, 37 (2019), 1-28.
13. Cheryl Nixon, 'Regulating the Unstable Family: Eliza Haywood's Fiction and the Development of Family Law', *Journal for Early Modern Cultural Studies*, 14 (2014), 49-78; Amanda L. Capern, 'Maternity and Justice in the Early Modern English Court of Chancery', *Journal of British Studies*, 58 (2019), 701-16.
14. Capern, 'Maternity and Justice', 702.

15. Maria L. Cioni, 'The Elizabethan Chancery and Women's Rights' in *Tudor Rule and Revolution: Essays for G. R. Elton from his American Friends*, ed. Delloyd J. Guth and John W. McKenna (Cambridge: Cambridge University Press, 1982), 159-82; Amy Louise Erickson, 'Common Law Versus Common Practice: The Use of Marriage Settlements in Early Modern England', *The Economic History Review*, 43 (1990), 21-39; Sara M. Butler, 'The Law as a Weapon in Marital Disputes: Evidence from the Late Medieval Court of Chancery, 1424-1529', *Journal of British Studies*, 43 (2004), 291-316; Hunt, *Wives and Marital "Rights" in the Court of Exchequer*, 107-29. Tim Stretton also explores the opportunities for women to assert their legal rights at equity – primarily in the Court of Requests – but cautions that 'it is misleading to represent equity as women's legal saviour' (or the common law as their downfall), see *Women Waging Law in Elizabethan England* (Cambridge: Cambridge University Press, 2009), 25-29 and *passim*. Further nuancing (though not rejection) of the view that equity was somehow favourable to women can be found in Cordelia Beattie, 'A Piece of the Puzzle: Women and the Law as Viewed from the Late Medieval Court of Chancery', *Journal of British Studies*, 58 (2019), 751-767. Amy Louise Erickson is also slightly less optimistic about women's enthusiasm for Chancery in *Women and Property*, 114-28.
16. Mary O'Dowd, 'Women and the Irish Chancery Court in the Late Sixteenth and Early Seventeenth Centuries', *Irish Historical Studies*, 31 (1999), 476 and *passim*. Note that Ireland had its own Lord Chancellor, and therefore its own Court of Chancery. Irish Chancery also exercised equitable jurisdiction, but it was distinct in its structure and procedures. It was abolished in 1877.
17. For a specific methodological discussion of this approach, see Tim Stretton, 'Women, Legal Records, and the Problem of the Lawyer's Hand', *Journal of British Studies*, 58 (2019), 684-700, and below.
18. For a classic example see Laura Gowing, *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford: Oxford University Press, 1996).
19. In comparison with examinations by JPs at Quarter Sessions, whose approaches varied considerably; Malcolm Gaskill, 'Reporting Murder: Fiction in the Archives in Early Modern England', *Social History*, 23 (1998), 3.
20. Horwitz, *Chancery Equity Records and Proceedings*, 3, 18-9. By the seventeenth century litigation instigated in the 'country' – that is, ten miles or more outside of London – was carried out by specially appointed commissioners who would return the sealed depositions and interrogatories to the Six Clerks of Chancery. For more on 'country' Chancery depositions, see Churches, 'The Most Unconvincing Testimony'.
21. Indeed, it should be noted that even before Examiners (or commissioners) began the deposition process, parties to the lawsuit and their representatives probably 'coached' their witnesses. Christine Churches found examples of litigants and lawyers in Chancery cases in the 'country' interviewing witnesses in advance, selecting them, and writing or re-writing interrogatories accordingly, in order to produce depositions which would be as conducive as possible to their cause. Churches, 'The Most Unconvincing Testimony', 214-5.
22. For more on this particular issue, see Stretton, 'Women, Legal Records, and the Problem of the Lawyer's Hand', 691-3. Note that the approach taken here mirrors the best practice outlined by Stretton in checking for the undue influence of interrogatories, and the replication of their language by clerks.
23. The National Archives (hereafter TNA), C 24/1320, Deposition of Edmund Lawrence, 1712.
24. Frances Dolan, *True Relations: Reading, Literature, and Evidence in Seventeenth-century England* (Philadelphia: University of Pennsylvania Press, 2013), 118 and *passim*. Heather Falvey builds upon Dolan's approach, skilfully exploring how earlier legal manoeuvres and processes could shape the construction of interrogatories and depositions in 'Relating Early Modern Depositions' in *Remembering protest in Britain since 1500: Memory, materiality and the landscape*, ed. Carl J. Griffin and Briony McDonagh (London: Palgrave Macmillan, 2018), 81-106.
25. Archaic abbreviations, such as 'y^r' or 'Comm^r.' have been silently expanded.
26. Stretton, 'Women, Legal Records, and the Problem of the Lawyer's Hand', 688.
27. Jarrett, 'Credibility in the Court of Chancery', 72.
28. *Ibid.*, 66-7.
29. Gaskill, 'Reporting murder', 12.
30. Despite beginning with premises very similar to those adopted here, Joanne Bailey reaches an arguably too pessimistic conclusion regarding 'mediated' court records and their use by other historians, suggesting that they are so unreliable that they 'need to be supplemented by other sources' to be useful. This stance renders virtually impossible any research into the lives and experiences, as represented in court documents, of poorer people in early modern England; 'Voices in Court: Lawyers' or Litigants?', *Historical Research*, 74 (2001), 392-408.
31. Margaret R. Hunt, 'Women and Money: Credit, Debt, and Status in the Eighteenth-Century London Court of Exchequer' in *Women and Credit in Pre-industrial Europe*, ed. Elise M. Dermineur (Turnhout: Brepols, 2018), 288.
32. TNA C 6/374/22, Bill of Complaint of Thomas Brummett, 1712.
33. TNA C 6/374/22, The Joint and Severall Answers of Isaac Miller and Lucy Browne, 1712.
34. TNA C 24/1320, Deposition of Edmund Lawrence.
35. Whilst precise currency conversion is difficult, £33 would have been worth around £3,500 in 1712, and so would presumably have been very considerable for the persons involved with the suit. In the context of large lawsuits between wealthy litigants sometimes associated with Chancery, though, it is modest.
36. TNA C 24/1321, Deposition of William Shaftoe, 1712.
37. TNA C 24/1321, Deposition of Catherine Dello.
38. Heidi Craig, 'Rags, Ragpickers, and Early Modern Papermaking', *Literature Compass*, 16 (2019), 1-11; *idem*, 'English Rag-women and Early Modern Paper Production' in *Women's Labour and the History of the Book in Early Modern England*, ed. Valerie Wayne (London: The Arden Shakespeare, 2020), 29-46.
39. Christopher Brooks suggests that the 'extreme variability' of costs makes average total cost of a Chancery suit difficult to estimate but concludes that they were 'certainly much more expensive' than suits at Common

Law; *Pettyfoggers and Vipers of the Commonwealth: The Lower Branch of the Legal Profession in Early Modern England* (Cambridge: Cambridge University Press, 1986), 103-5. Margaret Hunt has hinted that historians may have overestimated the social exclusiveness of litigation at Equity; 'Marital rights', 112.

40. Sara Pennell, "'Great Quantities of Gooseberry Pye and Baked Clod of Beef': Victualling and Eating Out in Early Modern London' in *Londinopolis: Essays in the cultural and social history of early modern London*, ed. Paul Griffiths and Mark S. R. Jenner (Manchester: Manchester University Press, 2000), 228-49.

41. TNA C 24/1320, Deposition of Anne Jones.

42. TNA C 24/1320, Deposition of Mary Townsend.

43. Craig Muldrew, *The Economy of Obligation: The Culture of Credit and Social Relations in Early Modern England* (London: Palgrave Macmillan, 1998).

44. Pennell, "'Great Quantities of Gooseberry Pye'", 232.

45. Peter Earle, 'The Female Labour Market in London in the Late Seventeenth and Early Eighteenth Centuries', *The Economic History Review*, 42 (1989), 328-53. See also Amy Louise Erikson, 'Married Women's Occupations in Eighteenth-Century London', *Continuity and Change*, 23 (2008), 267-307.

46. TNA C 24/1320, Deposition of Joseph Saer.

47. Ibid., Deposition of James Miller.

48. Ibid., Deposition of Mary Townsend.

49. Margaret Hunt, 'Women and the Fiscal-imperial State in the Late Seventeenth and Early Eighteenth Centuries' in *A New Imperial History: Culture, Identity, and Modernity in Britain and the Empire, 1660-1840*, ed. Kathleen Wilson (Cambridge: Cambridge University Press, 2004), 38.

50. I maintain this in spite of the fact that Thomas Brummett charged in his Bill of Complaint that Lucy had renounced the estate 'by the instigacon and contrivance of the said Isaac Miller'. This allegation makes little sense, however; why would Miller have exposed himself to such legal jeopardy if he had been aware of all the information surrounding the situation? Furthermore, the most damning of the depositions given against Lucy Browne, that of Catherine Dello, explicitly states that Lucy herself concocted the scheme – though whether we should believe this version of events is very much open to dispute.

51. TNA C 6/374/22, Bill of Complaint of Thomas Brummett; TNA C 24/1320, Deposition of Lucy Browne.

52. Hunt, 'Women and Money', 286-97.

53. TNA C 24/1320, Deposition of Lucy Browne.

54. Ibid.

55. Ibid.

56. Ibid.

57. TNA C 24/1321, Deposition of Catherine Dello.

58. TNA C 24/1320, Deposition of Lucy Browne.

59. TNA C 6/374/22, The Joint and Severall Answers of Isaac Miller and Lucy Browne.

60. Capern, Maternity and Justice, 716.

61. TNA C 24/1320, Deposition of Lucy Browne.

62. Ibid.

63. Ibid.

64. Ibid.

65. Ibid.

66. Ibid.

67. Ibid., Deposition of Mary Lyne.

68. Ibid.

69. Ibid.

70. TNA C 24/1320, Depositions of Edmund Lawrence, Thomas Lyne, and Mary Lyne.

71. TNA C 24/1320, Deposition of Thomas Squibb.

72. Baker, *An Introduction to British Legal History*, 110-1, 118-9.

73. TNA C 24/1321, Deposition of Catherine Dello.

74. Ibid.

75. Ibid.

76. Ibid.

77. TNA C 24/1321, Deposition of Anne Jones.

78. Ibid., cf. TNA C 24/1320, Deposition of Anne Jones.

79. TNA C 24/1320; C 24/1321, Depositions of Samuel Draper.

80. TNA C 24/1320, Deposition of Edmund Lawrence.

81. TNA C 33/319, Chancery Entry Book of Decrees and Orders, 1712, 31.

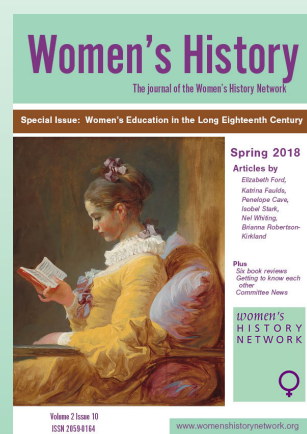
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THE TECHNICAL CONTRIBUTION OF WOMEN TO WEAVING GOAT HAIR IN THE SPEDALE DEGLI INNOCENTI (1581-1592)

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Women in charitable institutions in Renaissance Florence is an emerging subject in scholarly literature. Several scholars have examined the female community in the sixteenth-century Hospital of the Innocenti (*Spedale degli Innocenti*) as well as other Florentine charitable institutions.¹ They have also addressed the material side of this theme, and, in particular, the textiles woven by women in these charitable institutions.² The studies on the female community of the Innocenti need to be included within the increasing scholarly output focussing on women in Renaissance Italy and Florence.³

This article aims to employ these socio-economic and material approaches by analysing the social policies especially created for women in charitable hospitals, thereby reassessing their participation in material culture and technical innovation. Specifically, this discussion concentrates on the pivotal role played by the Innocenti's women, who worked towards perfecting goat hair weaving within the Hospital's textile and carpet workshop (1581-1592), under the direction of the painter, Ulivieri Ventura Vicenti (1552ca.- after 1603).⁴ The article will also posit the workshop of Ulivieri in the Hospital's pedagogical policies.⁵ The Hospital or *Spedale* was a charitable institution that cared for abandoned children (*gittatelli* or *innocenti*) in Florence since the beginnings of the fifteenth century.⁶

The institution was founded in 1419 by the *Arte di Por San Maria*: an artisan guild that gathered many professional categories together. These included silk weavers, jewellers, goldbeaters, hat-makers and mattress-makers.⁷ However, when the Florentine republic became a Duchy, the communal connotation of the Innocenti changed in line with the institutionalisation of the principality (1532) and the creation of the Medicean state.⁸ Prior to Duke Cosimo I's rule (as Duke of Florence from 1537-1569 and then as Grand Duke of Tuscany from 1569-1574), guild members regularly made monetary donations to the Hospital. However, from the time of the Duchy of Cosimo (1537-1569), the Medicean court, amidst a wider absolutistic transformation of the citizen asset, took under scrutiny the *Spedale* and all of the Florentine charitable institutions.⁹ In particular, due to a series of reforms in 1542-1543, Cosimo centralised the control of pre-existing philanthropic entities and took them into his own hands.¹⁰ In order to manage these institutions, Cosimo created a commission: the Buonomini del Bigallo, twelve magistrates who reviewed the activities of the Florentine hospital and other charitable entities.¹¹ Accordingly, the Innocenti underwent scrutiny and as a consequence, Vincenzo Borghini, the artistic advisor to the duke, was appointed *Spedalingo* (Prior) of the *Spedale* in 1552, which effectively linked the institution to the Medicean court.¹²

WOMEN DURING VINCENZO BORGHINI'S PRIORATE

Vincenzo Borghini's priorate (1552-1580) was characterised by contrasting trends as he simultaneously faced a constant increase in children who were sent to the Hospital from all over Tuscany, while also handling Medicean requests to reduce expenditure and to ensure the children were taught manual professions.¹³ In 1562, 1,048 females and 552 males were registered at the Hospital.¹⁴ In 1579, there were over a thousand children present there. Naturally, these elevated numbers led to a growing financial burden as the institution struggled with the 'increasing costs and necessities of the Hospital and the increasing number of children which multiplied every day', as a petition of 1567 reports.¹⁵ Hence, Borghini took action to reduce costs and to boost available funds. For instance, in the 1560s, the institution sold several properties and workshops in Florence and its surrounding areas.¹⁶ Nevertheless, the best strategy for easing the economic situation was to reduce the number of foundlings, teaching those who remained a skill or profession that could contribute to the income of the Hospital and, which would eventually help them to leave the institution.¹⁷ Borghini outlined the importance of educating the foundlings in his petition (1572), sent to the Duke Cosimo I de' Medici, in which he reflected on how to settle the women of the Hospital.¹⁸ These concerns were especially pertinent as girls were regarded 'as though they were puppies' and 'their number is increasing... if any measures will be taken, it will continue to grow infinitely.'¹⁹ In 1579, out of 1,220 people living in the Hospital, 968 were women or girls.²⁰ The *spedalingo* remarked that teaching women and girls a profession would offer them protection, so enabling them to avoid poverty and prostitution.²¹ He wrote, 'given the dangers of life are more from females than males, it has been a custom and a command of this House [the Hospital] to foster them and teach in their childhood all the arts'.²²

In the second half of the sixteenth century, as the Innocenti's *Quaderni di Cassa* (account books) illustrate, there were several workshops in the hospital: for shoemaking; painting; and wool, silk or linen weaving.²³ And while it is surmised that both boys and girls were instructed in literacy, boys would have had a broader choice of apprenticeship.²⁴ Conversely, women were mainly trained to weave.²⁵ As Margaret King notes, weaving had been considered 'women's work' since antiquity.²⁶ For instance, the Greek goddess Athena invented the loom, Arachne and Pamphile discovered linen and silk.²⁷ Penelope too wove while she was awaiting the return of Odysseus.²⁸ It is critical to note here however, that while Borghini may well have been genuinely concerned about the welfare of the Innocenti women and girls (he

was after all a Benedictine friar), the fact that they were objects of cheap labour in an institution controlled by the patriarchy (as were their male counterparts) did restrict their agency. As Samantha Hughes-Johnson states, 'that they are encouraged to weave and therefore became critical players within the experiments overseen by Olivieri Ventura Vicenti, is as much to do with the operation making concessions to coeval ideals and necessities as concerns about the women's wellbeing in this life and the next'.²⁹ Accordingly, the Florentine socio-economic context and contemporaneous notions (sacred and secular) of how women should conduct themselves, are key to the prevalence of apprenticeships in weaving. And it is at this point of departure that the women's own skills and agency come into play.

Despite an overall progressive decrease in sixteenth century Florence, textile industries (wool, silk or linen) and their production chains constituted the largest industry in terms of revenue and employment. Around 1550, about 50% of the citizen population were employed in the textile industries and various aspects of production.³⁰ Weaving apprenticeships and the transmission of skills were pivotal to the preservation of industry and the presence of women became commonplace, especially in the silk, linen and goldbeating industries.³¹ In Particular, the widespread practice of 'putting-out' (*verlagssystem*) i.e. weaving in the home, raised the importance of women's apprenticeship to weaving. In general, a merchant-entrepreneur, such as a wool-merchant (*lanaioli*), silk-merchant (*setaioli*) or goldbeater (*battilori*), would direct and organise production by 'putting-out' raw materials (for spinning, manufacturing or weaving) to single specialised artisanal homeworkers.³² Many of these specialists were women or nuns, who were paid by piecework.³³ For instance, the goldbeater Francesco Stagi relied on a network of women or nuns to manufacture metallic threads (1574-1589).³⁴ The Innocenti's women were also involved in the Florentine 'putting-out' system. For example, on 31 October 1563, the silk-merchant Giuliano di Piero Capponi recorded that he paid Innocenti women for manufacturing an unspecified quantity of boiled silk.³⁵

However, in 1579, despite Borghini's best efforts, the institution could not repay its debts, which topped 100,000 *scudi* and which were exponentially increasing by at least 2,000 *scudi* year-on-year. Despite some anonymous proposals to find new sources of income for the Innocenti, such as the donation of citizen public magistrates' wages to the Hospital, the economic crisis became irreversible.³⁶ Therefore, Pope Gregory XIII (1572-1585) declared the institution bankrupt.³⁷ Philip Gavitt convincingly argues that the financial ruin of the Hospital in 1579 should be also related to an acute banking crisis, which started in the mid-1570s and was caused by the insolvencies of a major Florentine banker Federigo di Ruberto de' Ricci.³⁸ Amidst these difficulties, on 15 August 1580, Vincenzo Borghini died, after having served 28 years as *spedalingo* of the Hospital.

WOMEN DURING MAZZI DA CORTONA'S PRIORATE

After the death of Borghini, Grand Duke Francesco I

(Cosimo I's successor) appointed the Franciscan *zoccolante* (friar) Niccolo Mazzi da Cortona as the new *spedalingo*.³⁹ Following the Innocenti's bankruptcy, Francesco had established a commission of Nine Deputies (*Nove Deputati*) to oversee the economic reorganisation of the institution.⁴⁰ Mazzi, alongside the Nine Deputies, immediately began to tackle the economic and management issues of the Hospital.

In October 1580, the first report of the Nine Deputies, containing the recommendations to reform the Hospital, was completed.⁴¹ The commission decided to implement some drastic measures to reduce the number of foundlings and the Hospital's expenses. First of all, the prior and deputies dismissed the Hospital's boys (those aged twelve to sixteen), sending them to serve on Tuscan galleys in Livorno.⁴² Moreover, they sent women over the age of thirtysix to the widows' Hospital of Orbatello, giving them thirty *lire*.⁴³ Younger women (those aged eighteen to thirty-six years old) had more possibilities. Firstly, they could become nuns or get married through the provision of a dowry.⁴⁴ Moreover, as Grand Duke Francesco also approved, they could be hosted by patrician families or remain in the Hospital, where they were taught:

every sort of manual labour useful and suitable for sustenance of human life [...] and accordingly to their age, the usual and necessary things they would have to do in private houses.⁴⁶

Finally, the commission suggested that the women be taught to embroider. They also recommended that the production of new woollen textiles be introduced, such as *perpignani* (a textile with carded and combed wool) or *rascie* (a serge textile, woven with Merino wool and employed in men's clothing and hosiery).⁴⁷ Women would also undertake a variety of occupations in the Hospital, such as those of sacristans, pharmacists, physicians or servants.⁴⁸

In 1581, the Hospital conducted a census of working women within the institution.⁴⁹ In his introductory note Mazzi wrote:

to address [the problem] of how to instruct and encourage them [girls of the Hospital] in all the feminine manual work that can possibly be introduced [...] so with their effort and skill they can contribute to their upkeep in the Hospital.⁵⁰

Mazzi added that educating women for a profession could improve their future life beyond the Hospital and provide them with the possibility of marriage; it could, 'make them industrious so they can have better results when they wish to leave [the Hospital]'.⁵¹ As Nicholas Terpstra noted, girls who had weaving and technical skills could get married more easily.⁵² The creation of technically skilled girls was once again motivated by the 'putting-out' system, as married women could contribute towards the household income.

The 1581's census recorded 586 working women in the Hospital.⁵³ Among these, 484 women were employed in weaving and textile production.⁵⁴ There were 97 female weavers (*tessitore*), 170 women who wound yarn

(*incannatore*), 19 silk warpers (*orditor di seta*), 47 wool spinners (*filatori di lana*), 130 linen spinners (*filatori di lino*) and 17 carpet-weavers (*tappezziere*).⁵⁵ The latter group is particularly relevant to the aims of the article.

Since the time of Borghini's priorate, the Medicean court—and Cosimo himself—had taken an interest in the Innocenti's workshops, recruiting masters to teach the foundlings. Notably, the duke assigned to the Hospital the Spanish weaver Antonio de Lima, who directed a carpet workshop for male foundlings in the 1570s.⁵⁶ On 3 November 1579, Borghini showed Francesco I a carpet woven in the Hospital by the children.⁵⁷ When Lima was dismissed, the duke continued the carpet workshop by employing (in the late 1570s) a painter and former pupil of the Hospital, Ulivieri Ventura Vicenti. However, there was not universal support for the workshop. In October 1580, the Nine Magistrates mentioned it in their report, suggesting to disinvest in,

carpet-weaving which we find to have been a little harm, given that around ten mouths to feed are employed in this work, five men and five boys. The utility derived from it is very little.⁵⁸

Francesco however, disagreed with this proposal, noting that 'carpet-weaving [...] can be useful to the Hospital'.⁵⁹ Therefore, carpet-weaving was not discontinued. Nevertheless, the production was adjusted to the socio-economic needs of the Hospital, which was now the educating of girls and the easing of the economic burden. As has been mentioned, instead of being the concern of men and boys, it was stated that 'within four months at longest, carpet-weaving will be conducted only by women within the institution'.⁶⁰ In reality, it took a bit longer than four months, as Ulivieri started the account book of the reformed workshop, which was dedicated to girls, on 15 May 1581.⁶¹ On that date, he wrote:

by the order of the Reverend Prior of the Innocenti Niccolo Mazzi da Cortona and Carlo Pitti, one of the Nine Deputies [*Nove Deputati*] of the Hospital, on behalf of His Excellency [Francesco], I was instructed to teach weaving to our girls.⁶²

Certainly by August 1581, Ulivieri and the girls of the Innocenti had produced their first rug together.⁶³ Subsequent records show that in December 1581 the Hospital paid the bricklayer Antonio Landini 640 *soldi* to build a partition wall to create a new workspace.⁶⁴ Furthermore, the placement of the carpet-weaving workshop, near to the women's court, spatially linked the female community of the Hospital to the production area.⁶⁵ In 1581, Francesco made a special request to Ulivieri Ventura Vicenti that the female weavers should weave textiles and carpets by employing Tuscan goat hair.⁶⁶ Francesco's request was unusual as, since the fourteenth century, the Florentine wool industry had been based on the processing of foreign materials. Since 1408, the city had been divided into four wool districts (*Conventi*) in accordance to the provenance of raw material they could use.⁶⁷ Only the *Convento* of San Martino could weave the finest English wool, while the other three *Conventi* (San

Pier Scheraggio, Oltrarno and San Pancrazio) employed Mediterranean wool, generically called *garbo*.⁶⁸

Tuscan wool and goat hair, which were considered to be low-quality, were solely employed in rural areas for self-consumption.⁶⁹ In the 'Nova inventione di mettere in opera la lana di capra' (a short 1580s treatise on how to weave goat hair written by Ulivieri, which has subsequently been overlooked by scholars) the master of the Innocenti's carpet workshop explained the technical reasons behind Francesco's request.⁷⁰ Ulivieri wrote:

His Excellence thought that carpets made of [sheep] wool were not that compact, like the ones woven in the East', and therefore, to improve the consistency of Florentine-made carpets, 'he asked me [Ulivieri] to [use] Tuscan goat hair for weaving'.⁷¹

In June 1581, Carlo Pitti, a prominent Medicean courtier and one of the Hospital's Nine Deputies, handed Ulivieri some samples of goat hair.⁷² On 5 June, 1581, Ulivieri recorded 'one pound of sample. On behalf of His Excellency, Carlo Pitti gave me some samples of local goat hair [*capre nostrali*] to trial if it can be woven in carpets'.⁷³ The experiments of weaving carpets employing goat hair then, officially started on that date.

As evident from a series of attempts with goat hair, Ulivieri was not accustomed to using this material and it took over a year to determine how to process, dye and weave it.⁷⁴ Ulivieri's account book (1581-1594) provides exceptional evidence of the studying of this technical process.⁷⁵ In fact, the manuscript kept track, step-by-step, of the first stages of production, the improvement and the sudden demise of this technical experiment – all made possible by Ulivieri and the women weavers.

In the first nine months (May 1581- February 1582), Ulivieri and his workshop produced ten carpets, made of traditional materials, namely sheep wool.⁷⁶ As Marco Spallanzani has observed, Ulivieri recorded this production, reporting the measurements, the weight, the people involved, the clients and buyers, in particular the Grand Duke Francesco de' Medici.⁷⁷ Among these first ten wool carpets, three were purchased by Francesco, four by a local supplier Filippo Bellini and three remained in the Hospital.⁷⁸ Notably, nine of the ten wool carpets were woven by the Hospital's women.⁷⁹ This reveals that although Ulivieri oversaw the operations, the skills of the women weavers (learned during their time as Innocenti residents) were indeed expert and adroit, perhaps revealing transferable skills passed down from generations of previous women teachers. Afterall, the management of the Innocenti were no strangers to recognising vocational aptitude. For a century at least, they had encouraged talented women to join their trade enterprises. For example, in 1457, Mona Apollonia was contracted to work for them 'because she is a very talented woman in every way, especially weaving garments. She was hired to teach weaving to our little girls'.⁸⁰

Meanwhile, Ulivieri conducted several trials, in order to understand how best to process goat hair, in which women played a pivotal role. Via a series of experiments, Ulivieri and the women of the workshop were required to figure out how to weave it. The first

hurdle they would have faced was how to comb and spin this 'wild and coarse material'.⁸¹ Ulivieri described the attempts thus: 'At the beginnings all the difficulties were to spin the goat hair, because of its nature, it did not stick together to form a yarn'.⁸² Therefore, winding bobbins was particularly complex.⁸³ To overcome this, Ulivieri decided to 'ask a wool-weaver of the Hospital to card the goat hair as the sheep wool. Therefore, the carded goat hair lost its natural wildness and we could wind it into a bobbin and spin it'.⁸⁴ On 9 December 1581, Ulivieri asked the women weavers to take a step further in this technical experiment: winding and weaving the carded goat hair. He recorded, 'I have asked our women of the Hospital to wind yarned goat hair to see how the hair comes out to weave'.⁸⁵ However, Ulivieri was not fully satisfied. He reported that 'the samples came up quite well, but we can improve the perfection of this technique and we have understood thanks to this trial how to master this production'.⁸⁶ Again, if we look at this process in the spirit of reassessing the women's contribution to the fabrication of the goat hair, while it is clear that Ulivieri managed the operation, the women employed their vocational expertise and actively solved the problem. The language that Ulivieri uses too is interesting – 'we' is used consistently, indicating that despite the account being narrated by a male voice (which was invariably the case with records from charitable institutions like the Innocenti), the process was deemed a team effort.⁸⁷

Despite this initial dissatisfaction, Ulivieri and the all-women team of weavers were heading in the right direction and were able to start to use goat hair in the production of a textile called *stamigna*. *Stamigna* was a woollen, carded textile, already woven and traded in fourteenth century Tuscany by the famous Pratese merchant Francesco Datini.⁸⁸ *Stamigna* could be translated into English as cheesecloth or cloth for a sieve.⁸⁹ Philip Gavitt labelled material of this type as being suitable for generic 'combed woollen clothes'.⁹⁰ In 'Nova inventione', Ulivieri did not specify the usage for this textile, rather he suggested that it was used for ecclesiastic cloaks (*ferraioli*), given the goat hair's waterproofness. He wrote that 'we can weave *stamigne* employing goat hair. These textiles will be excellent for *ferraioli* as they are waterproof and compact'.⁹¹ One woman weaver, Faustina, seems to have specialised in the *stamigne* as, in 1582, she wove 'stamigne employing goat-wool which came from the stables of His Excellence [Francesco de' Medici]'.⁹²

On 4 October 1582, Ulivieri asked the women weavers to mix different types of goat hair in weaving *stamigne*, 'without polishing them with oil and leaving the sinew in order to make the textile more compact and more durable'.⁹³ The women must have experienced some success with this operation as, on 10 December 1582, goat hair was tested for use in the manufacture of bedclothes and tablecloths (*celoni*).⁹⁴ Ulivieri reported that the 'women in the room of carpets and Pagolino, the *celonaio* of the Hospital, wove a bedcloth to check how it comes up. The cloth turned out good enough, given this hard and coarse material we are employing'.⁹⁵ This tough textile, which had French origins, had been woven in Florence since the fourteenth century and the *celonai* were matriculated to the Arte di Por Santa Maria, as the case

of Agnolo Torini, a *celonaio* and writer, demonstrated.⁹⁶ In 'Nova inventione', Ulivieri praised the *celoni* made of goat hair. He wrote that 'We can weave *celoni* which are beautiful, lustrous, compact and really resistant'.⁹⁷ Once more, the use of the word 'we', by Ulivieri, indicates that the success experienced, following this tricky process, was not his alone – but also that of his team.⁹⁸

Following the experiments with bedcover production, Ulivieri and the women weavers finally turned their attention to carpets, as Grand Duke Francesco I had originally requested in 1581.⁹⁹ On 28 December 1582, the first *rintornaletto* (a carpet for the bedroom), which measured around six squared metres, was completed.¹⁰⁰ Ulivieri recorded:

we have completed a *rintornaletto* with goat hair, made for His Excellence [Francesco], with the measures that Carlo Pitti gave me and three sides which go around the bed. [...] The warp is made of fine wool and goat hair [...] The carpet is dyed yellow with multi-coloured friezes [...] This is the first carpet made with goat hair under my supervision.¹⁰¹

Ulivieri did not indicate whether the women weavers were involved in the first goat hair carpet. However, given that the following two goat hair carpets were woven by 'girls', it is highly likely that the women of the Hospital inaugurated this production in December 1582 and had a pivotal role in weaving goat hair.¹⁰²

From late 1582, Ulivieri and the women of the Hospital began to master the processing of Tuscan goat hair. Therefore, on 3 March 1583, Ulivieri and the *spedalingo* Mazzi presented a petition to Francesco I, requesting that he grant them a twenty-year exclusivity patent for weaving with goat hair in Florence and Tuscany. The document records:

Fra Niccolò da Cortona, Prior of the Innocenti Hospital and Ulivieri alumnus of said Hospital, painter and tapestry-maker [...] explain to him [Francesco] that they have brought to fruition and place into operation the process of using goat hair to make rugs, and through Ulivieri's work, after much difficulty, have brought to perfection the ability to do not only rugs, but also tablecloths (*celoni*), tapestries, *stamigne* and rough woollen clothes (*albagi*) similar to one from Calabria.¹⁰³

A week later, on 10 March 1583, Francesco sealed the significance of this technical innovation by granting a ten-year patent and privilege (*privilegio*) to Ulivieri and the *Spedale* for producing textiles with goat hair. The text, originally in Latin, closely replicated the contents of the petition. The *privilegio* stated:

We recognise he [Ulivieri] invented a new technique, which he will conduct in the city of Florence [...] for weaving carpets, tablecloths, tapestries, *stamigne*, rough woollen clothes in Calabrese style, by employing Tuscan goat hair.¹⁰⁴



Figure 1. Bernardino Poccetti, *The Story of the Innocenti*, 1610, fresco, Spedale degli Innocenti, Florence. Wikimedia Commons.

Interestingly, the socio-economic aim of the workshop and the role of the women were central to the petition of Mazzi and the Nine Deputies. In fact, this weaving workshop was envisaged to be ‘a benefit not only of the institution, but also of the women of the hospital, who can be employed and earn a good income’.¹⁰⁵ The privilege to weave goat’s hair, which was granted in 1583, confirmed the success of the experiment; a success that can be attributed to the efforts of the women carpet-weavers, who contributed to the technical innovations.

Following the award of the privilege, Ulivieri and the carpet-weavers continued their joint experiments on goat hair and explored its usage in different textile types.¹⁰⁶ Ulivieri recorded several attempts in weaving *stamigne*, mixing Tuscan and Sardinian goat hair. Notably, he recorded the testing of new textile types. For instance, in May 1583, he requested ‘the women of the Hospital to weave ribbons with the 10 pounds of local goat hair [...] The ribbons are beautiful and polished, like silk’, which suggests that the goat hair used was probably mohair or Angora.¹⁰⁷ Ulivieri also sought to produce socks from goat’s hair. In July 1583, he asked ‘the wife of a certain Luigi Strozzi [a worker of the Hospital] to weave a pair of long socks to test how they came up with goat hair’.¹⁰⁸ In the summer of 1584, other experiments took place. In particular, Ulivieri and the women tried to weave ‘seventeen pounds of *stamigna* with a warp of *refe* (two hemp or linen yarn joints). Employing the technique of Calabrese *albagio*’.¹⁰⁹ Here, Ulivieri probably wanted to improve the resistance and waterproofness of the *stamigne*. This is the first recorded attempt to produce an *albagio*, a coarse woollen cloth mainly used for sailors’ vests and sails.¹¹⁰ However, this trial was an isolated one. Nevertheless, these experiments, which explore the production of various different products and textiles, showcase the ability and versatility of the women and girl weavers – their ability to employ sufficient deftness and precision to produce aesthetically pleasing and

tactile luxury items, while simultaneously possessing the technical knowledge required to produce practical and hard-wearing cloth.¹¹¹

The summer of 1584 saw production reach its zenith, which was followed by the sudden decline of the workshop. Indeed, from late 1584, the quantity of raw materials were reduced and experiments began to slow down.¹¹² Ultimately, by October 1587, the deaths of the patrons of the workshop, Grand Duke Francesco I and Bianca Cappello, sealed its fate. The new Grand Duke, Ferdinando I de’Medici, ended the experiments with goat hair and from 1587, Ulivieri and the female weavers wove only a silk carpet for Ferdinando.¹¹³ The last recorded commission (19 February, 1592) was a *rintornaletto* for Cardinal Francesco Maria Del Monte.¹¹⁴ After eleven years of activity (on 6 April 1592), Ferdinando and the new *spedalingo* Giovan Battista Totti ceased all production and asked Ulivieri to return the equipment, raw materials and unfinished carpets.¹¹⁵ In 1595, Totti paid all of the arrears to Ulivieri.¹¹⁶

But what of the women whose roles were pivotal in the workshop? Afterall, Ulivieri mentioned fourteen times the weavers who crafted carpets and *rintornaletti*—twenty four in total between 1581-1592.¹¹⁷ Only one carpet in sheep wool was mentioned, which was woven by the Hospital’s boys in 1581.¹¹⁸ Thirteen carpets (nine in sheep wool, three in goat hair and one in silk) were woven by the women and girls of the Hospital.¹¹⁹ Granted, Ulivieri did not attribute ten carpets, but, given the staffing of his textile workshop from 1581, we can presume that they were woven by women and girls.¹²⁰ Yet despite their central role in perfecting and mastering the carpet-making technique, which was remarked on repeatedly in the patent, these young women of the workshop were not well-documented, and their names mainly emerge from the pages of Ulivieri’s records. Tantalising glimpses of women named Maria, Maddelena and Giovanni can also be found in the Innocenti’s fund of old documents.

However, in order to imagine better what these women and girls may have looked like and to conceptualise them within their working and living environments, further documentation is required. Fortunately, in this instance, it can be found within a visual source.¹²¹

Between 1610 and 1612, Bernardino Poccetti was commissioned to execute a series of painted decorations at the Innocenti and as part of this programme, he completed a fresco depicting *The Story of the Innocenti*, (*Istoria degli Innocenti*), [Fig.1].¹²² The fresco, which 'represents the Massacre of the Innocents, the Virgin and Child Welcoming the Holy Innocents to Paradise and the Activities of the Hospital', can be found in the girl's refectory, which 'was part of the extension added to the hospital in 1528'.¹²³ So, while the painting includes a representation of the institution under the patronage of Grand Duke Cosimo II, it would not have existed while the women goat hair weavers, who worked alongside Ulivieri, were in residence. However, they would have certainly used the room in which it was situated and, in the two decades between the cessation of Ulivieri's textile workshop and the painting of the dining room mural, the way in which the girls and women of the Innocenti dressed and comported themselves would have changed very little, if at all. Maria, Maddelena and Giovanna (if they had come to the institution as children) would likely have dressed in the same simple grey dresses that the girls on the right of the fresco's illusionary plane are depicted wearing. Their hair too, would likely have been bound up and secured under a little cap, especially given that they were working in an environment where loose, long hair may have proved a hazard. Furthermore, they would probably have been literate, as the fresco's girls are shown piously reading.¹²⁴

Notably, both the fresco and Ulivieri's pages can also provide a glimpse into the organisation of the Hospital's female community and the condition of the women within the institution, while the manuscript sources alone can reveal the internal hierarchy of the workshop. Overall, Ulivieri directed and oversaw production, yet it appears that there were some important female intermediaries, internal to the Hospital and the workshop, who cooperated in the overseeing and education of the young women weavers. To illustrate this organisation, we can first observe how Ulivieri distributed tips among the women. In compliance with the social and didactic aims of the workshop, he sought to establish a good relationship with them and to foster their apprenticeship and daily labour. Therefore, he regularly rewarded the female weavers by offering them tips. For instance, on 29 April, 1592, Ulivieri gave 'nine *scudi* to the girls of the workshop with my kindness to let them work with more willingness'.¹²⁵ It appears that Ulivieri was assisted in this tipping operation by other women employed in the Hospital. For example, the female apothecary 'Maria spetiala' or the Prioresses of the Innocenti, 'Lisabetta Priora', both of whom managed the female community of the Hospital and who were responsible for their care and assistance, would pass on the money, thus revealing an internal hierarchy within the female community of the Innocenti. Particularly, the figure of prioress was common in similar institutions since the fifteenth century, flanking the prior in the management of the organisation.¹²⁶ Returning to the Bernardino Poccetti

fresco, the Prioress of the Innocenti can be identified as the old woman, depicted wearing a grey gown and white wimple, positioned kneeling beside a group of nursing women.¹²⁷ Her gaze and positioning suggest that she is overseeing the group and the flicker of a smile on her face indicates that she is pleased with the women's care of the infants. The little ones do, after all, look healthy, chubby and well cared for. The lone figure of one of the young women of the Innocenti, who is physically bridging the gap between the prioress and the duke's party, can also be read as the prioress's responsibility. That one of the babies is reaching out to her, almost brushing her cheek with its little fingers, indicates that under this woman's care, girl babies would survive and thrive, becoming literate, skillful and pious young women. However, while the painting appears to confirm the female hierarchy within the Innocenti, too much importance should not be placed on the women and girl's positioning within the foreground of the illusionary plane. It is likely that this aspect of the pictorial organisation indicates only that the refectory was a predominantly female space.¹²⁸ Accordingly, this visual document allows us to confirm that while the duke and the managers of the Innocenti propagated the notion that it was their largesse that kept these young women safe in body and soul (which is a notion not without foundation) and that Ulivieri was responsible for the workshop, it was the women of the institution who were directly responsible for the welfare of residents of the same sex.¹²⁹

It is clear then that, despite the fact that the women of the Innocenti operated within a system conceived and controlled by men, Ulivieri's records of the workshop experiments indicate that he had confidence in the artisanal abilities of these women and was keen to foster good working relationships with them. For instance, on 8 August, 1581, Ulivieri recorded that he gave to the carpet-weaver Giulio, 7 *scudi* for 'buying something' for the girls of the workshop on the feast of the Assumption (Ferragosto, 15 August).¹³⁰ Ulivieri's account book shows that other male and female weavers also had close working relationships with the girls as they guided the weaving processes, especially for the *rintornaletti*.¹³¹

Overall, while the establishment of a carpet workshop, dedicated to the women and girls of the Hospital, was primarily motivated by a socio-economic urgency in 1581, its success illustrates the relevance attributed to women's education as an essential means of improving their living conditions. Most importantly, the brief, yet successful, existence of the workshop further testifies to the role of women in contributing to the textile industry in Florence, as well as to their agency in driving forward technical innovation.

NOTES

1. On women in the Hospital of Innocenti and charitable institutions in the 16th century from Cosimo's Duchy: Gaetano Bruscoli, *Considerazioni sopra l'alloggiare le donne delli Innocenti fuori del monacare o maritare*, (Florence: Ariani, 1904), 29-36; Philip Gavitt, 'Charity and State Building in Cinquecento Florence: Vincenzo Borghini as the administrator of the Ospedale degli Innocenti', *Journal*

- of *Modern History*, 69/2 (June 1997), 230-70; Philip Gavitt, *Gender, Honor and Charity in Late Renaissance Florence* (New York: Cambridge University Press, 2011), 159-195; Lucia Sandri, 'Fanciulle e balie: la presenza femminile nell'Ospedale', in *Madri, figlie e balie. Il coretto della chiesa e la comunità femminile degli Innocenti*, ed, Stefano Filipponi and Elisabetta Mazzocchi (Florence: Nardini, 2010), 12-23; Nicholas Terpstra, 'Mothers, sisters and daughters: girls and conversatory guardianship in late Renaissance Florence', *Renaissance Studies*, 17/2, (2003), 201-29; Nicholas Terpstra, *Lost Girls: Sex and Death in Renaissance Florence* (Baltimore: John Hopkins University Press, 2010), 51-84; Nicholas Terpstra, *L'Infanzia abbandonata nell'Italia del Rinascimento* (Bologna: CLUEB, 2014), 131-203.
2. Judith C. Brown and Jordan Goodman, 'Women and Industry in Florence', *The Journal of Economic History*, 40/1; *The Tasks of Economic History* (Mar, 1980), 73-80. Terpstra, *Lost Girls*, 51-84. Nicholas Terpstra, 'Mapping Gendered labour in textile industry of early modern Florence', *Florence in Early Modern World*, eds. Nicholas Scott Barker and Brian Jeffrey Maxon (London: Routledge, 2019), 68-91.
 3. See Margaret W. Ferguson, Maureen Quillingan and Nancy J. Vickers, 'Introduction', in Margaret W. Ferguson, Maureen Quillingan and Nancy J. Vickers eds., *Rewriting the Renaissance* (London: The University of Chicago Press, 1986), xv-xxx; Joan Kelly, *Women, History and Theory* (London: Chicago, The University of Chicago Press, 1985), 19-50; Christine Klapish-Zuber, *Women, Family and Ritual in Renaissance Italy* (London: The University of Chicago Press, 1985), 1-22; Barbara Kiefer Lewalski, 'Writing Women and Reading the Renaissance', *Renaissance Quarterly*, 33/4, 1991, 792-821; Paola Tinagli, *Women in Italian Renaissance Art*, (Manchester: University of Manchester Press, 1997), 1-20; Diana Robin, 'Women on the Move, Trends in Anglophone Studies of Women in the Italian Renaissance', *I Tatti Studies in the Italian Renaissance*, 16/1/2, (September, 2013), 13-25.
 4. On Olivieri Ventura Vicenti see Biblioteca Moreniana, (hereafter Moreniana), Bigazzi, mss. 168, 'Libro dei Tappeti e Arazzi' fols. 1-49; 'Nova inventione di mettere in opera il pelo di capra', fols. 1-5; Luciano Bellosi, *Il Museo dello Spedale degli Innocenti*, (Milan: Electa, 1977), 15, 234, 241, n.61-62; Paola Barocchi, 'Itinerario di Giovanni Battista Naldini', in *Arte Antica e Moderna*, 8, 1965, 252; Philip Gavitt, 'An Experimental Culture: the Art of the Economy and the Economy of Art under Cosimo I and Francesco I', in *The Cultural Politics of Duke Cosimo I de' Medici*, ed. Konrad Eisenbichler, (Oxon: Routledge, 2016), 204-19; Rick Scorza, 'Vincenzo Borghini's Collection of Paintings, Drawings and Wax Models: New Evidence from Manuscript Sources', *Journal of the Warburg and Courtauld Institutes*, 66 (2003), 63-122; Marco Spallanzani, *Carpet Studies, 1300-1600*, (Genoa: Sagep, 2016), 109-32.
 5. The carpet workshop has been mainly analysed from a technical and economic perspective by Gavitt, 'Culture', 204-19 and Spallanzani, *Carpets*, 109-32.
 6. On the Hospital (15th-first half of the 16th century) see Gaetano Bruscoli, *Lo Spedale di Santa Maria degli Innocenti dalla sua fondazione fino ad giorni nostri*, (Florence: Ariani, 1900), 26-47; Philip Gavitt, *Charity and Children in Renaissance Florence*, (Ann Arbor: Michigan University Press, 1990), 33-105; Lucia Sandri, 'La specializzazione ospedaliera fiorentina, gli Innocenti e l'assistenza all'infanzia (XV-XVI secoli)', in *Ospedali e Città. L'Italia del Centro-Nord, XIII-XVI secolo*, ed, Allen J. Greco and Lucia Sandri (Florence: Le Lettere, 1997), 51-65; Terpstra, *Infanzia*, 26.
 7. On guilds' and charitable institutions see Arnaldo D'Addario, 'L'istituzione dei Buonomini del Bigallo e la subordinazione degli enti ospitalieri ed assistenziali fiorentini alla direttiva centralistica del Principato di Cosimo I de' Medici', *Archivio Storico Italiano*, 157/4 (582), (Oct.-Dec., 1999), 691-99; Ronald F.E. Weissman, 'Brothers and Strangers: Confraternal Charity in Renaissance Florence', *Historical Reflections / Réflexions Historiques*, 15/1, Culture, Society and Religion in Early Modern Europe: Essays by the Students and Colleagues of William J. Bouwsma (Spring 1988), 27-45.
 8. D'Addario, 'Buonomini di Bigallo', 707-9; Terpstra, *Lost Girls*, 35-7.
 9. On the payments of members of Arte di Por Santa Maria to the Innocenti see Archivio di Stato di Firenze (hereafter ASF), Arte di Por Santa Maria, 12, fol.22v, 25v, 36v, 37v. 125r. 128r.130v. 131v. 132r. 132v. 133r. 170v. On the Medicean control of Hospital of Innocenti and charitable institutions see Arnaldo D'Addario, 'Buonomini del Bigallo' 691-725; Nicholas Terpstra, 'Competing Visions of the State and Social Welfare: the Medici Dukes, the Bigallo Magistrates and Local Hospitals in Sixteenth-Century Tuscany', *Renaissance Quarterly*, 54/4, 2001, 1319-1355; Philipp Gavitt, 'Borghini', 230-270; Diana Bullen Presciutti, 'Carita e potere: representing the Medici grand dukes as fathers of Innocenti', *Renaissance Studies*, 24/2, (April, 2010), 234-59.
 10. D'Addario, 'Buonomini del Bigallo', 715-16.
 11. D'Addario, 'Buonomini del Bigallo', 721-25; Terpstra, 'Lost Girls', 35-7.
 12. On Borghini and the Innocenti see Gavitt, 'Borghini', 230-70; Gavitt, *Charity*, 124-35; Gino Belloni, Riccardo Drusi, Artemisia Calcagni Abrami and Piero Scapecchi, eds, *Vincenzio Borghini: Filologia e Invenzione nella Firenze di Cosimo I*, (Florence: Olschki, 2002), 49-60. On Borghini as the artistic advisor in the Medicean court and intellectual see Barbara Maria Affolter, 'Vincenzio Maria Borghini monaco e bibliofilo', *Archivio Storico Italiano*, 152/4, (562), (october-november 1994), 767-86; Gino Belloni, Riccardo Drusi, Artemisia Calcagni Abrami and Piero Scapecchi, eds, *Borghini*, 60-353; Gianfranco Folena, 'Vincenzio Maria Borghini', *Dizionario Biografico degli Italiani*, Vol.12, 1971; Edmund P. Pillsbury, 'Vincenzio Borghini as a Draftsman', *Yale University Art Gallery Bulletin*, Vol.34, No.2, (Jun., 1973), 6-11; Rick A. Scorza, 'Vincenzo Borghini and Invenzione: The Florentine Apparato of 1565', *Journal of Warburg and Courtauld Institutes*, 44 (1981), 57-75; Rick A. Scorza, 'Vincenzo Borghini and the Impresa', *Journal of Warburg and Courtauld Institute*, 52 (1989), 85-110.
 13. AIOF, 6213, fol.111r. Gavitt, 'Borghini', 243 and 238-241.
 14. ASF, Miscellanea Medicea, 224, fol.120r; Silvia Meloni Trkulja, *I Fiorentini nel 1562* (Florence: Bruschi, 1991), 120.
 15. 'alle spese, bisogni et necessità che vanno continuamente crescendo, come si moltiplicano ogni

giorno le creature che sono sotto la cura di santa casa nostra'. AIOF, 6213, fol.19r. See also Gavitt, 'Borghini', 241.

16. AIOF, 6213, fol.20-2.

17. Gavitt, *Charity*, 47.

18. AIOF, 6213, fols. 39r-40r; Bruscoli, *Considerationi*, 29-36.

19. Gavitt, *Charity*, 99: 'Il numero dalla parte delle donne particolarmente cresce tanto che se non ci si pigliando qualche verso se ne andra nello infinito'. AIOF, 6213, fol.110r.

20. Gavitt, 'Borghini' 241.

21. Gavitt, *Charity*, 164.

22. 'e quanto ai pericoli non sono nel sesso maschile cosi spessi ne cosi grandi come al femminile, l'ordine et l'uso di questa casa e stato di allevargli e insegnar loro nella fanciullezza tutte quelle l'arti'. AIOF, 6213, fol.39r.

23. Expenses for these workshops, shoemaking and wool weaving, are reported in the account books (1578-1586). See AIOF, 5354, fol. 167. 5355, fols. 3, 20, 5356, 20, 25, 134, 183. There was also a woodcarving workshop. AIOF, 5356, fol.210.

24. Gavitt, 'Culture', 209.

25. AIOF, 4496, fols.1r-8v.

26. Margaret King, *Women of the Renaissance*, (Chicago: University of Chicago Press, 1991), 67.

27. R. Natasha Amendola, 'Weaving Virtue: Laura Cereta as a new Penelope', in Karen Green and Constant J. Mews, ed., *Virtue Ethics for women, 1250-1500*, (Dordrecht: Springer, 2011), 135.

28. King, *Women*, 67.

29. Communicated by Samantha J.C. Hughes-Johnson in an email to the author in September, 2021.

30. On the textile industries in the 16th century Florence see Francesco Ammannati, *Per filo e per segno: l'arte della lana a Firenze nel Cinquecento* (Florence, Firenze University Press, 2020), 71-114; Patrick Chorley, 'Rascie and Florentine Cloth industry during the Sixteenth century', *Journal of European Economic History*, 32/3, (2003), 487-526; Goldthwaite, *Economy*, 267-340; Richard Goldthwaite, 'An Enterepeurial Silk Weaver in Renaissance Florence', *I Tatti Studies in Renaissance Florence*, 2005, 10 (2005), 69-129; Richard Goldthwaite, 'Le aziende seriche e il mondo degli affari a Firenze alla fine del '500', *Archivio Storico Italiano*, 169/2 (628), (2011), 281-342; Paolo Malanima, *La Decadenza di un'economia cittadina*, (Bologna: Il Mulino, 1982), 48-65.

31. On apprenticeship in Cinquecento Florence see Ammannati, *Filo*, 35-7; Goldthwaite, *Economy*, 374-5; Malanima, *Decadenza*, 76-86; Nicholas Terpstra, 'Apprenticeship in Social Welfare: From Confraternal Charity to Municipal Poor Relief in Early Modern Italy', *The Sixteenth Century Journal*, 25/1, 1994, 101-20. On the significance of apprenticeship see S.R. Epstein, 'Craft Guilds, Apprenticeship and Technological change in Preindustrial Europe', *The Journal of Economic History*, 58/3, 1998, 684-713; Terpstra, 'Mapping', 72-3.

32. Goldthwaite, *Economy*, 319-322.

33. Goldthwaite, *Economy*, 367-376.

34. AIOF, Estranei, 13432, fols. 80-120. 13292, fols. 1-120. 13294, fols. 55-220.

35. Biblioteca Nazionale Centrale di Firenze (hereafter BNCF), Libri di Commercio Capponi, 30, fol.8 left.

36. AIOF, 6213, fol.377r.

37. ASF, Mediceo del Principato, 722, fols. 248r. 251. Carte Stroziane, Serie I, Filza CXXXIII, fol.30v; Daniela Francalani, 'Frammenti di storia fiorentina. 1579: Borghini e il fallimento dello Spedale degli Innocenti. Carteggio con Francesco I de' Medici', in *Borghini*, eds, Belloni, Drusi, Calcagni Abrami and Scapeocchi, 380.

38. Gavitt, 'Borghini' 266-7. On the banking crisis see Carlo Cipolla, *La moneta a Firenze nel Cinquecento* (Bologna: Il Mulino, 1987), 109-12.

39. On Niccolo Mazzi, see Girolamo Mancini, 'Il Contributo dei cortonesi alla coltura italiana', *Archivio Storico Italiano*, 79/3/4, (303/304), (1921), 84-5; Valentina Marchesi, 'Niccolò Mazzi, traduttore di Pietro Bembo', *Atti e Memorie dell'Accademia di Scienze e lettere La Colombaria*, vol. LXXVII, 2012, 67-81.

40. Gavitt, *Charity*, 167. Gavitt, 'Borghini', 267.

41. Gavitt, 'Borghini', 267.

42. Bruscoli, *Considerationi*, 22; Gavitt, *Charity*, 65; Ippolita Morgese, *Nessuno sa di lui, Carlo Pitti il vero artefice del ghetto ebraico di Firenze* (Florence: Le Lettere, 2018), 19.

43. Gavitt, 'Borghini', 268.

44. AIOF, 6213, fols. 111r-113v. Gavitt, *Charity*, 9-11.

45. AIOF, 6213, fol. 113v.

46. 'ogni sorte di esercizio et mestiere manuale, utile et atto al sostentamento del vivere umano. [...] alle quali si devino ancora insegnare rispettivamente secondo l'eta di ciascuna tutte le cose necessarie et solite farsi nelle case private'. AIOF, 6861, fol.564r-v; Gavitt, 'Borghini', 268.

47. AIOF, 6213, fol.397r-v. Gavitt, *Charity*, 167. On *perpignani* and *rascie* see Ammannati, *Filo*, 30; Patrick Chorley 'Rascie and Florentine Cloth industry during the Sixteenth century', *Journal of European Economic History*, 32/3, (2003), 487-527; Hidetoshi Hoshino, *L'Arte della Lana in Firenze in Basso Medioevo* (Florence: Olschki, 1980), 237.

48. AIOF, 6213, fol. 397r-v; Gavitt, *Charity*, 167.

49. AIOF, 4496, fols.1-3; Gavitt, *Charity*, 165.

50. 'a farle instruir et exercitar in tutte quelle arti manuali femminile che possibil sia introdursi [...] accio che con le fatiche e virtu loro possino in parte l'hospedale alla lor alimentazione'. AIOF, 4496, fol. 1r-v. The English translation is by Philip Gavitt, *Charity*, 164-5.

51. 'Et di poi fatte industriose possino anchora trovar' miglior partiti quando allogar' si volessino'. AIOF, 4496, 1v. The English translation is by Philip Gavitt, *Charity*, 164-5.

52. Terpstra, *Infanzia*, 363.

53. AIOF, 4496, fol. 10r.

54. These numbers are reported in AIOF, 4496, 10r; Gavitt, *Charity*, 169.

55. AIOF, 4496, fols. 3r-9v.

56. Bruscoli, *Innocenti*, 75-76; Spallanzani, *Carpets*, 109; Gavitt, 'Culture' 209.

57. Spallanzani, *Carpets*, 109; Gavitt, 'Culture', 209.

58. 'di levare l'esercizio delli tappeti dal detto spedale, il quale trovare esser stato, ed di esser di danno non piccolo; atteso che in quello stanno impiegate dieci bocche; cioe cinque giovani et cinque fanciulli; et l'utile e pochissimo'. AIOF, 6861, fol.563r; Gavitt, 'Borghini', 269.

59. 'li tappeti si consideri meglio [...] sara d'utile allo spedale'. AIOF, 6861, fol.563r; Gavitt, 'Borghini', 269.

60. 'l'arte dei tappeti colla quale si accomodano molto

bene e fra 4 mesi al piu lungo si ridurra tutta l'arte fra le donne'. AIOF, 6213, fol. 397r.

61. Moreniana, Bigazzi, 168, 'Libro', fol.1r.

62. 'per ordine del R.do S.or Priore delli Innocienti fra Nicolo Mazzi da Cortona e di m. Carlo Pitti, uno de sig.i Nove deputati sopra gli affari de detto spedale quale ordine et comissione hebbero da Sua A. S.A che fu questo che io dovessi insegnare la detta arte del tessere alle bambine di detto spedale'. Moreniana, Bigazzi, 168, 'Libro' fol.1r.

63. Gavitt, 'Culture', 212.

64. AIOF, 5355, fol. 59 left.

65. AIOF, 5355, fol. 59 left.

66. On Francesco Morandini da Poppi see Francesco Baldinucci, *Notizie dei professori del disegno* (Florence: Batelli, 1854), 530-2; Paola Barocchi, 'Appunti su Francesco Morandini da Poppi', *Mitteilungen des Kunsthistorischen Institutes in Florenz*, Nov., 1964, 11. Bd., H. 2/3 (Nov., 1964), 117-48; Raffaello Borghini, *Il Riposo*, (Florence: Marescotti, 1584), 102. 112. 116; Giovannetti, *Poppi*, 3-35; Laura Mocchi, 'Francesco Morandini', *Dizionario Biografico degli Italiani*, Vol.76, (2012), 3-35.

67. Ammannati, *Cinquecento*, 8; Hoshino, *Lana*, 206-11; Malanima, *Decadenza*, 90-3.

68. Hoshino, *Lana*, 206-11.

69. ASF, Arte della Lana, 16, fol.5; Malanima, *Decadenza*, 89-90.

70. Moreniana, Bigazzi, 168, 'Nova inventione', fols.1-5.

71. 'pareva [...] a sua A.[l]tezza Ser.[enissima] che i detti tappeti non fussino di quella sodezza che sono quelli di levante [...] voleva che io provassi se si poteva mettere in opera il pelo di capra nostrale'; Moreniana, Bigazzi, 168, 'Nova inventione', fol. 2r-v.

72. On Carlo Pitti see Morgese, *Nessuno*, 19-116.

73. 'Addi 5 di giugno 1581, pelo 1 l. che sono saggi. P[er] l'ordine di sua A. Sa. ma portato m.[esser] Carlo Pitti alcuni saggi di pelo di capra nostrale con commessione che io dovessi provare se il detto pelo si poteva metter in opera ne tappeti'; Moreniana, Bigazzi, 168, 'Libro', fol. 2 left; 'Nova inventione', fol.2v.

74. Ibid., 168, fol. 2 left.

75. Moreniana, Bigazzi, 168, 'Libro', fols. 1-44.

76. Spallanzani, 'Carpets', 119-23.

77. Spallanzani, 'Carpets', 119-23.

78. Spallanzani, 'Carpets', 120-1.

79. Moreniana, Bigazzi, 'Libro', fols. 6 left. 7 left. 8 left. 9 left. 10 left. 13 left. 14 left. 15 left; Spallanzani, 'Carpets', 120-121.

80. Gavitt, *Charity*, 153; The extent of the women's agency and contribution was conveyed by Samantha J.C. Hughes-Johnson to the author, via email, in September, 2021.

81. 'materia tanta rustica et villana'. Moreniana, Bigazzi, 168, 'Libro', fol.19 right.

82. 'bene le difficultae nel principio fur[o]no assai p[er] che il filarlo a beneficio di natura no[n] si poteva attenere in sieme' Moreniana, Bigazzi, 168, 'inventione', fol.2v.

83. Moreniana, Bigazzi, 168, 'inventione', fol.2v.

84. 'io mi risolvei il farlo cardare a u[n] lanino qui nello spedale con i medesimi cardi con che sono soliti cardare la lana. del che no[n] fu indarno perche il detto pelo si venne a dirompere e perdere in parte di quella sua vilanità che

gli e da natura e mediante questa cardatura il detto pelo ai vine a unire piu in sieme essere piu facile al poterlo filare e per dire una piacevolezza'. Moreniana, Bigazzi, 168, 'inventione', fol.3r.

85. 'Addi detto se in questo sopra [9 dicembre 1581] detto di fatto gittar dalle nostre donne alcuni cannelli di pelo di capra filato p[er] vedere come riusciva inopera in tal modo di tessere et quest si fecie in due tele nel loro fine p[er] non stratiare nulla'. Moreniana, Bigazzi, 168, 'Libro' fol. 11 right.

86. 'tale materia riuscì ragionevole ma non di tutta perfetione e da questo si vidde quello che bisognava fare [...]'. Moreniana, Bigazzi, 168, 'Libro', fol. 11 right.

87. The extent of the women's agency and contribution was conveyed by Samantha J.C. Hughes-Johnson to the author, via email, in September, 2021.

88. For instance, Archivio Datini (hereafter Datini), busta 524, insert 8, cod.101733. Busta 529, insert 380, cod. 8240. Busta 628, insert 9, cod.410374.

89. Bianchi, *Dizionario*, 404-5.

90. Gavitt, 'Culture', 212.

91. 'Et similmente se ne fa stamigne di piu sorte che per ferraioli sono ottime p[er]che vengano a schifare laqua e riserrarsi e diventare piu sode'. Moreniana, Bigazzi, 168, fol.4r.

92. 'Addi 28 Agosto 1582 mi so fatto tessere dalla Faustina stamigna'. Moreniana, Bigazzi, 168, 'Libro', fol. 14 right. 15 left.

93. 'p[er] vedere come la tornavano di dette materie e in tal modo di lavoro e senza l'lio p[er] mantenere loro piu il nerbbo e p[er] che le dette stamigne fussine piu sode e piu durabile'. Moreniana, Bigazzi, 168, 'Libro', 10 left.

94. On the definition of *celone*: *Vocabolario degli Accademici della Crusca*, (Venice: Bastiano de Rossi, 1623), 168. *Vocabolario degli Accademici della Crusca*, (Florence, Accademia della Crusca, 1691), vol. 2, 312.

95. 'Addi del sopradetto diciembre se tessuto dalle donne nella stanza de tappeti un cielone di pelo di capra nostrale per mano di Pagolino nostro dello spedale il quale e tornato ragionevole p[er] il primo et massimo duna materia tanta rustica et villana'. Moreniana, Bigazzi, 168, fol. 19 right.

96. Niccolo Madina, 'Agnolo Torini', *Dizionario Biografico degli Italiani*, vol.96, 2021.

97. 'similmente se ne fae cieloni che quanto piu e sadoperano tanto più belli e piu lustri divengano inoltre che sono sodi e da durare assai. Moreniana, Bigazzi, 168, 'inventione', fol.3v.

98. The extent of the women's agency and contribution was conveyed by Samantha J.C. Hughes-Johnson to the author, via email, in September, 2021.

99. Moreniana, Bigazzi, 168, 'Inventione', fol.2v.

100. Moreniana, Bigazzi, 168, 'Libro', 20 left. Spallanzani, 'Carpets', 123.

101. 'Addi 28 di diciembre 1582 se in questo di finito un rintoraletto di pelo di capra che se fatto a posta p[er] sua A. Sa.con le misure datoci da m. Carlo Pitti [...]il suo ordito di di stame et il ripieno di detto pelo [...] il campo fu giallo ripieno di tutti e colori con fregiolini variati [...] il quale detto rintornaletto fu il primo di pelo di capra'. Moreniana, Bigazzi, 168, 'Libro', fol.20 left.

102. Moreniana, Bigazzi, 168, 'Libro', fol.24 left. 25 left.

103. 'Niccolo da Cortona Priore dello Spedale delli Innocenti et Ulivieri allevato del detto spedale, pittore et tappezziere [...] li espongono [...] di mettere in opera il pelo di capra nostrla per fare tappeti, et per opera di detto Ulivieri, doppo di molta difficulta ridotto a perfettione da poterne far non solo tappeti, ma arazzi, celoni, stamigne et erbaggi simili alli calavresi'. AIOF, 6227, fol.36r. The English translation is by Philip Gavitt. Gavitt, 'Culture', 212.

104. 'Olivierius industrius Artifex, eiusdem Hospitalis alumnus, precibus nuper Nobis exposuerint et re ipsa demonstraverint sese novam artem invenisse et eandem in Civitatem Norstram Florentinae introcturos esse promiserint [...] di far tappeti, celoni, arazzi, stamigne, albaji alla calavrese col pelo di capra nostrale'. The text is transcribed by Gaetano Bruscoli. Bruscoli, *Spedale*, 76-7.

105. 'et anche beneficio al detto spedale, sendo negotio darà sempre impiegato di queste donne con utile ragionevole'. AIOF, 6227, fol.36r. The English translation is Gavitt, 'Culture', 212.

106. Moreniana, Bigazzi, 168, fols. 22 left. 23 right.

107. 'far tessere dalle nostre donne di nastri di pelo di capra nostrale 10 libbre [...] sono belle e lustri come la seta'. Moreniana, Bigazzi, 168, fols. 22 left. 23 right.

108. 'ma fatto la moglie di Luigi Strozzi un paio di canzini per vedere come le riuscivano in opera'. Biblioteca Moreniana, Bigazzi, mss. 168, fols. 22 left. 26 right. On Luigi Strozzi, see AIOF, 123, fol.8r.

109. 'addi 10 di giugno ma son fatto tessere dalle donne [...] l.[libbre] 17 di stamigna con l'ordito di refer e ripieno di lana stiana e cipriota filata a mio capriccio e tessuta a modo darbaji come quelli che vengano di Calabria'. Moreniana, Bigazzi, 168, 'Libro', fol.34 right.

110. ASF, Mediceo del Principato, 410, fols. 320r, 882r. 421,75r. Ulivieri held the *privilegio* for weaving *albagio*. See Bruscoli, *Spedale*, 76-7.

111. The extent of the women's agency and contribution was conveyed by Samantha J.C. Hughes-Johnson to the author, via email, in September, 2021.

112. Spallanzani, 'Carpets', 114.

113. Moreniana, Bigazzi, 168, 'Libro', fol. 45 left.

114. Moreniana, Bigazzi, 168, 'Libro', fol. 46 left.

115. Moreniana, Bigazzi, 168, 'Libro', 47 right, fol. 48 left.

116. AIOF, 5396, fol. 54 right.

117. Spallanzani, 'Carpets', 120-123.

118. Moreniana, Bigazzi, 168, 'Libro', 5 left.

119. Moreniana, Bigazzi, 'Libro', fols. 6 left. 7 left. 8 left. 9 left. 9 left. 10 left. 13 left. 14 left. 15 left. 24 left. 25 left.45 left. 46 left.

120. Moreniana, Bigazzi, 'Libro', fols. 20 left. 31 left. 33 left. 37 left. 40 left. 48 left.

121. Spallanzani, 'Carpets''' 119-123.

122. For a detailed art-historical analysis of the painting, see Bullen Presciutti, 'Carità'.

123. Bullen Presciutti, 'Carità' 242.

124. Beyond Bullen Presciutti's detailed art-historical analysis, Samantha J.C. Hughes-Johnson conveyed a further art-historical reading (specific to the the girls' and women's poses and gestures) to the author via an email in September, 2021.

125. 'una mancia di 9 scudi alle bambine che tessero li tappeti li quali detti donare io gli do di mio per

l'amorevolezza per le lavorino piu volentieri'. Biblioteca Moreniana, Bigazzi, 168, 'Libro', fol.17 left; On prioresses of the Spedale degli Innocenti, see Tomoko Takahashi, *Il Rinascimento dei trovatelli*, (Rome, Edizione di storia e letteratura, 2003), 18.

126. Takahashi, *Trovatelli*, 18.

127. For the identification of the prioress, see Eika Langmiur, *Imagining Childhood* (New Haven and London: Yale University Press, 2006), 54. On the fresco see: Bullen Presciutti, 'Carità', 241-246; Ludovica Sebgondi, 'Bernardo Barbatelli, detto il Poccetti, Storia degli Innocenti', in Francesca Carrara, Ludovica Sebgondi and Ulisse Tramonti, *Gli Istituti di beneficenza a Firenze. Storia ed architettura* (Florence: Alinea, 1999), 58. Bellosi, *Museo*, 16. On Poccetti see Luisa Marcucci, 'Bernardo Barbatelli, detto Bernardino Poccetti', *Dizionario Bibliografico degli Italiani*, vol.6, 1964; Paul C. Hamilton, *Disegni di Bernardino Poccetti*, (Florence: Olschki, 1980), 7-22.

128. Beyond Bullen Presciutti's detailed art-historical analysis, Samantha J.C. Hughes-Johnson conveyed a further art-historical reading (specific to the the girls' and women's poses and gestures) to the author via an email in September, 2021.

129. For the duke as father of the innocent see Bullen Presciutti, 'Carità'.

130. 'che ne comprassi da fare il Ferragosto alle bambine dei tappeti' Moreniana, Bigazzi, 'Libro', 168, fol.7 left.

131. *Ibid.*,119-123.

'MORE DIFFICULT FOR ME TO BEAR': PERSECUTION, CHILD LOSS AND NONCONFORMIST MOTHERS IN SEVENTEENTH CENTURY ENGLAND

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The abuse and punishments meted out to those who did not conform to the Established Church will, of course, be all too familiar to historians of seventeenth-century religious nonconformity. As N. H. Keeble has shown, 'nonconformist' writings (the label given to several heterogeneous groups of religious sectarians of this period) reveal a constant 'sense of omnipresent danger', the 'stress on alert watchfulness' and above all, 'how to endure material deprivation, destitution and impoverishment'.¹ However, although scholars have documented the fears and fatalities associated with pregnancy at this time, and studied accounts of child death as important aspects of pre-modern motherhood, and researched nonconformist wives and their marriages, little attention has been paid to the ways in which nonconformist mothers, as a direct result of their persecution, suffered child loss during and after pregnancy in seventeenth-century England.² Consequently, the trauma of stillbirths, miscarriages and neo-natal deaths, and the ill-treatment of nursing mothers, has not been recognised as one of the darker consequences of the struggle of nonconformist women for religious and political freedom.

In addressing this neglected aspect of nonconformity, this article asks several key questions. How did nonconformist women and their husbands record their fear or actual experience of child loss as a result of forced spousal separation, domestic intrusions, physical assault, imprisonment or impoverishment? How were such narratives couched within the discursive modalities of pamphlets, petitions, diaries and autobiographies? What effect did the trauma of child loss have upon early modern nonconformist married couples? Addressing these questions allows for fresh insights into the religio-political, maternal and marital roles played by nonconformist women in early modern England. It evinces how potential or actual child loss was represented as the toll of persecution and how it became a powerful hallmark of female identity in nonconformist writings.

This article sheds light on the lives and struggles of some important early modern nonconformist women, many of whom – despite being married to, and integral to, the religious ministries of better documented men – have no entry in the *Oxford Dictionary of National Biography*.³ The public lives of women as religious authors, editors, printers and covenanted members of a church has attracted much scholarly attention in recent years, but the focus here is on the domestic and distinctly personal circumstances that propelled nonconformist women to write in print or manuscript, revealing how their role as mothers fused their public and private selves.⁴ In doing so, this article reveals such women as more than housewives, prayers, textual creators, conventiclers and readers, but grieving

mothers, petitioners and fighters for religious tolerance.⁵

This article is focused primarily on the sufferings of nonconformist women as wives and mothers, not the literary representation of those sufferings. Such accounts, of course, are not unproblematic or impartial or in many cases were recorded purely for posterity. The chronicling was highly polemical and aimed to bolster the nonconformist cause, victimising its adherents and vilifying its opponents. Authors expertly marshalled hyperboles, repetitions and amplifications to paint dramatic and arresting depictions of hardship, terror and loss. Though it is hard to ascertain their truthfulness, due to their elaborate rhetorical flourishes and exaggerated prose style, the sheer number of such accounts demonstrates repeated occurrences of persecution, across time and texts, that is worth investigating. By examining a corpus of often underexplored writings, this article hopes to demonstrate how nonconformists, especially mothers, suffered, or wanted to be seen to have suffered, for their religious and political beliefs in seventeenth-century England.

ATTACKING THE HOME: 'FRIGHTS' AND MISCARRIAGES

Nonconformist homes could, at times, feel like besieged spaces. This meant that 'Household affaires', for the women who ran them, went far beyond the housewifery described in domestic manuals.⁶ Often called on to prepare for – and, if possible frustrate – impromptu raids, harassments, thefts, assaults and even gunfire by the authorities, nonconformist women were often on the front line of domestic defence.⁷ The fight for political and religious freedom was brought not just to, but barged right through, the doorstops of their households. Akin to the domestic violence experienced by Leveller women from State officials, the strain of constant haranguing, intrusions and confiscations made nonconformist houses 'worse than Prisons'.⁸

Certain events were particularly disruptive. The upset caused at watching their husbands roused in the middle of the night, chivvied and 'dragged' – at times quite literally – to prison was very real and had dramatic consequences.⁹ The result of such upheavals, if a woman was pregnant, could be miscarriage or a stillbirth.¹⁰ The most well-known example of this is a pregnant Elizabeth Bunyan wife to John Bunyan. When she heard that her 'husband was first apprehended' on the 12 November 1660, she was so '[di]smayed at the news' at her home that she 'fell into labour' for eight days. After having delivered a stillborn infant boy, Elizabeth ruefully added 'but my child died'.¹¹ Elizabeth described this domestic tragedy

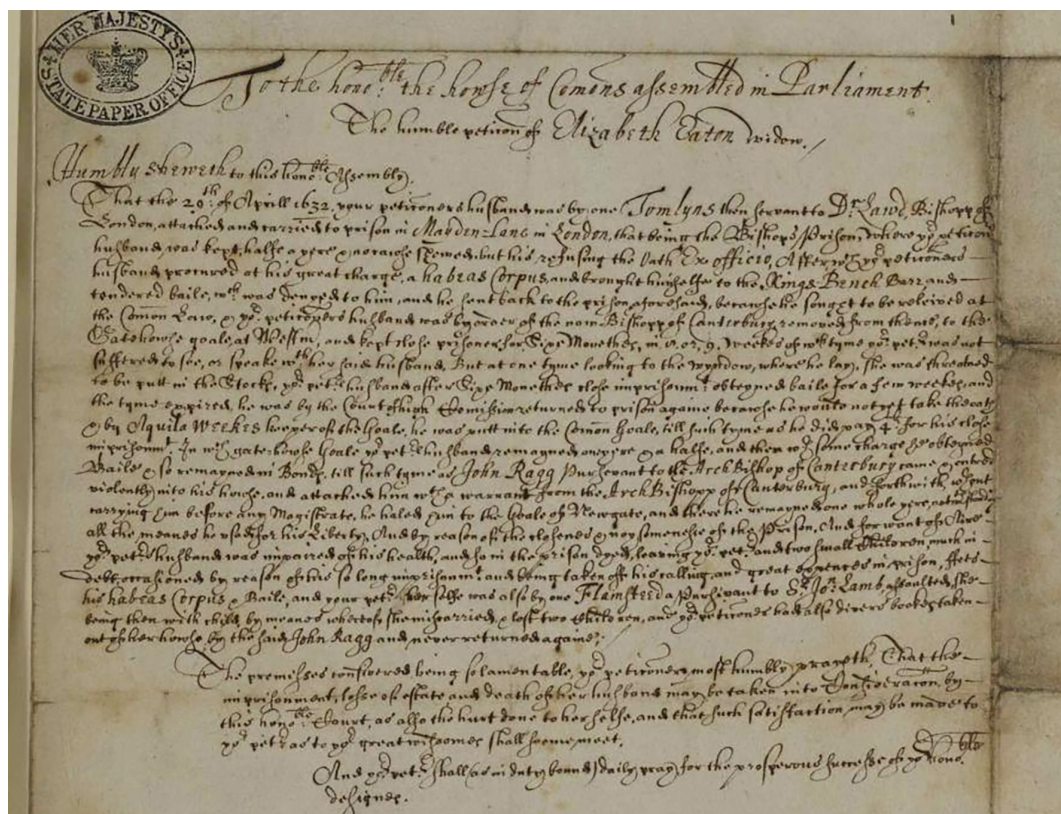


Figure 1. 'Petition of Elizabeth Eaton', undated 1641-3, CSPD, p. 518, The National Archives, London.

to a crowd of 'Judges... Justices and Gentry' during the Bedfordshire Midsummer Assizes in August 1661 as part of a written petition (the third she had presented) to secure her husband's release from the Bedford gaol. Her heart-breaking story, and courageous spirit, did not convince enough of her auditors. It is hard to know whether anxiety over John's arrest was the direct cause of Elizabeth's unsuccessful delivery. However, Elizabeth's use of the word '[di]smayed', which carried the meaning 'to appal or paralyze with fear', chimes with other cases of neo-natal deaths that blamed an equally traumatic 'fright' or event.¹² Whatever the cause, Elizabeth's experience of child loss during persecution was not anomalous. The public punishment of husbands for their nonconformity, at times, had a correlative and negative effect upon the personal lives of their wives and children.

Elizabeth Eaton was an active member of the Baptist Lathrop congregation in London who, along with several other women, was questioned by the High Commission court in the 1630s. In 1641 she wrote a petition to the House of Commons (see Fig. 1), after the church courts had ceased to function and Archbishop William Laud had been imprisoned. Elizabeth explained that she was now a widow having lost her husband, Samuel Eaton (who was also a Baptist), by his 'wrongful imprisonment' under Laud. On one of several occasions that Samuel was arrested, Elizabeth describes how John Ragg, Archbishop William Laud's pursuivant, 'violently entered his [Samuel's] house and... haled him to Newgate'.¹³ Elizabeth, 'being then with child', was 'assaulted by Flamsteed, a pursuivant to Sir John Lamb' which 'caused her to miscarry'.¹⁴ Elizabeth was not alone in reporting such violence. Other women of the Lathrop congregation blamed their own miscarriages on the rough treatment they had received whilst under arrest.¹⁵ Elizabeth's petition clearly made an impression on the Commons. It was later included amongst papers relating to the trial of Archbishop Laud, as evidence of

his excessive cruelty in prosecuting religious sectaries. Though Laud was executed in 1645, it is not clear whether Flamsteed faced repercussions for his assault on Elizabeth. Studies have shown how statistically many men were 'not even indicted, much less convicted, for violent crimes against women' in post-Reformation England.¹⁶

Similar examples of child loss can be traced to other 'nursing mothers' of nonconformity. This is particularly apparent in the records kept by and of Leveller mothers. One case is Ellen Larner, wife of the Leveller printer William Larner. When William was imprisoned for distributing a seditious pamphlet in March 1646 – possibly Richard Overton's *The Last Warning to All the Inhabitants of London* (1646) – a pregnant Ellen petitioned the House of Commons for his release; just as a pregnant Elizabeth Lilburne had done for her Leveller husband John Lilburne four years previously.¹⁷ Printed in *A True Relation of... William Larner* (1646), Ellen's petition described falling into a 'dangerous sinkness [sickness]' during her pregnancy, to her 'great charge and damage' following the trauma of her husband's 'violent apprehension' at their home. If the danger to her unborn child did not move the Commons, Ellen also pleaded for her surviving children, informing MPs that William, now in prison, could not 'supply the extreme wants' of his London household, including its young dependants.¹⁸ Ellen's petition drew on earlier accounts of fellow sufferers which had detailed the 'violent hands', the 'destruction of our bodies' and the 'losse of... lives' that the religious activist and Leveller Katherine Chidley had recorded – when looking back at the persecutions of religiously sectarian families during the 1630s – as the darkest consequences of religious intolerance.¹⁹ Ellen's calls for her husband's freedom were, rather unusually, successful and he was released in October 1646.²⁰

Such a strategy, however, was not guaranteed to work. The religious writer and biographer Mary Love

twice petitioned the Commons in 1651, and even sent messages to Cromwell while he was in Scotland (at a cost of £100), when her husband, the Presbyterian minister Christopher Love was imprisoned in the Tower of London for his part in a plot to overthrow the republican regime. Her petitions were read before the Commons on 9 and 11 July 1651 and later printed as part of *Love's Name Lives* (1651).²¹ Like Ellen Larnier, Mary described herself as the 'miserable mother of two young fatherless children', explaining that being 'near her appointed hour', she was crushed by grief, and fearful that father, mother and unborn babe would all perish. She appealed to Parliament to spare her husband, and if it did so, 'even the Babe yet unborn shall rise up and call you blessed'. In her second petition, Mary pleaded that Christopher be granted a reprieve, or at the very least be banished for life to New England, for the sake of the 'two poor innocent Orphans'. She entreated MPs to show pity on her as a mother by thinking of their own mothers, exclaiming: 'by the wombe that bare you, and the breasts that gave you suck'.²² Despite Mary's attempts, and an outpouring of other earnest petitions from fellow Presbyterians, Christopher was executed by beheading on Tower Hill on 22 August 1651. Although Mary gave birth to a son a week after her husband's death, the child died six months later. Mary's maternal admonitions to Parliament should not be seen as just rhetorical strategy, or the conventional gendered language of female petitioners of the period, but the expression of an all too real fear of women in the midst of persecution.²³

Such was the case with Mary Franklin whose spiritual autobiography vividly recounts the personal loss she suffered at home during her family's persecution after the Restoration (see Fig. 2). Thought this was written in manuscript, it, like the female authored printed petitions cited above, had a potentially wide audience. Mary's autobiography was read and circulated by succeeding generations of her own family and nonconformist community, eventually being given to the Congregational Library where it resides to this day.²⁴ When her husband, the ejected Presbyterian minister Robert Franklin, was taken to Aylesbury jail in 1670, Mary writes:²⁵

The first year after we were married my husband was taken at Colnbrook for preaching, which was fifteen miles from London, and was carried to Aylesbury jail which was fifteen miles further; which was thirty miles from me, and I was big with child. It pleased God I went out my full time, and after very sore and hard labor I was delivered of a large man-child, but it was still-born, which was judged by most, to be occasioned by my grief that I had upon me by reason of my husband's being so far from me in my condition. It being new work for me to be exercised in the school of affliction, it was more difficult for me to bear.²⁶

Mary's understandable anxiety over her husband's arrest, coupled with the financial insecurity of having all her household 'goods' seized to pay the fine for breaching the Act of Uniformity (1662), a devastating law which deemed

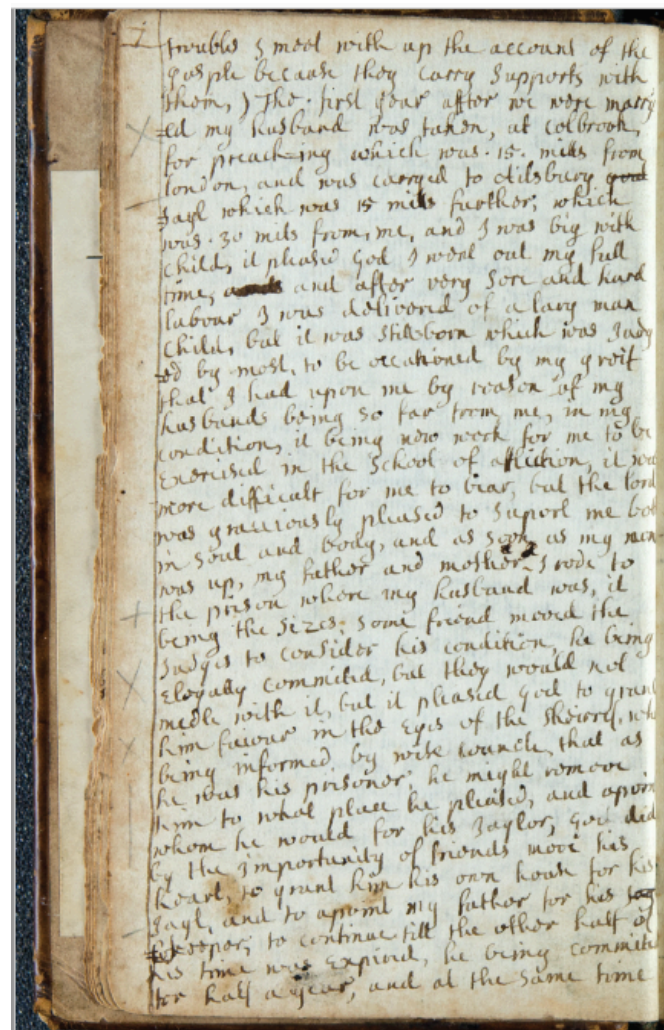


Figure 2. Page from Mary Franklin's manuscript papers chronicling her miscarriage, MS I.h.33, p. 7, the Congregational Library, London.

her husband's unlicensed preaching (his only means of income) illegal – was, in her own words, 'difficult for me to bear'. Mary's plangent words inferred the double and interrelated meaning of 'bear' in the sense of not finding sufficient support to 'carry [the] burden' of her husband's distant captivity as well as not being able to successfully 'bring forth' the child within her.²⁷ Mary was inexperienced in married life, and also, like many younger nonconformist wives, inexperienced in the 'school of affliction'. The result was a personal tragedy 'which was judged by most' to have been avoidable.²⁸

Grandmothers, as well as mothers, might also suffer for their religious beliefs. One Mrs Yaxley was 'miserably abused' by the authorities at her home. Yaxley was the wife of the ejected minister John Yaxley in Kibworth, Leicestershire. On 17 August 1660 soldiers came to Yaxley's parsonage forcibly to eject him for seditious preaching. When Mrs Yaxley attempted to flee, they 'pushed her down headlong... down [the] stairs' at sword point dressed only in her petticoat.²⁹ Once they had been removed, the rectory was locked from the inside and the Yaxleys left out in the cold. 'In her fright', dazzled and bruised, Mrs Yaxley 'forgot a granddaughter that lay in a cradle' in the parlour. Returning she saw the soldiers surround it through a window. Crying out, 'You

villains, will you kill my [grand]child?', one soldier fired upon her through the window and the shattered glass blinded her in both eyes.³⁰ She later died at a neighbour's house never having regained her sight.³¹ Occasionally, nonconformist women used their children as an effective, but nonetheless risky, form of defence against persecution after the Restoration. When soldiers broke into a religious meeting at Brighthelmstone, East Sussex in search of the ejected Scottish minister William Wallace 'several women with children stood about him'. Acting as a human shield, the women gave Wallace enough time to escape.³² These examples illustrate that the emotional, physical and psychological abuse such women and their children endured within their homes and meeting houses was almost endemic to the experience of nonconformity in early modern England.

IMPRISONMENT AND CHILD LOSS

Nonconformist mothers might face not only domestic persecution during their pregnancies, but also the deprivations of imprisonment. They themselves might be arrested, and their children may accompany them, or they may join their husbands behind bars where they could establish, at times, quite large prison households.³³ The reasons for the latter scenario were not just wifely duty, loyalty or love for one's spouse. Wives of imprisoned husbands could often not afford to lodge themselves and their burgeoning families in two separate places. In such cases, a mother's decision to uproot her children for the squalor of a gaol was an economic necessity as much as an emotional choice. Such a relocation was not without risk.³⁴ An estimated 8,000 religious nonconformists, including women, died during their imprisonment under Charles II.³⁵ Carceral detention punished the whole family, not just its male members.

Imprisonment also, of course, frequently separated nonconformist families. From his Newgate cell in 1646 the Leveller Richard Overton heaped scorn on the House of Lords for 'depriv[ing] husbands of their wives, and wives of their husbands; Fathers and Mothers of their Children' by casting 'them into severall infamous tormenting prisons'.³⁶ Similar accusations were made in other early Brownist, Baptist, Presbyterian and other Leveller petitions of persecuted wives and husbands.³⁷ These complaints evidence the ways that imprisonment for nonconformity was perceived to have hurt the family unit. The punishment and impoverishment of nonconformist households was also spelt out in the Restoration's penal religious laws. Under the Conventicle Act (1664), for example, magistrates were empowered to send married women to prison for a year if they had been caught attending a conventicle – unless their husbands paid forty shillings for their release.³⁸ This, just like the imprisonment of male heads of families, placed a financial and emotional strain on nonconformist households. Imprisonment, thus, had the potential to sever not just the bonds of married couples but the maternal bonds of motherhood, leading to erosion of the family itself.³⁹ This was part of a wider trend of scattering recalcitrant religious and political sectarians. By sending 'some to one prison & some to another', the authorities hoped to prevent nonconformist

prison communities from forming.⁴⁰

The hardships these families, and mothers in particular, endured whilst incarcerated are sometimes overshadowed by better known examples of imprisoned nonconformists. This is the case with Richard Baxter whose wife, Margaret was industrious in moving in with her husband, along with their 'best bed', when Richard was sent to Clerkenwell prison in 1669. This was for violating the Five Mile Act (1665) prohibiting ministers who had not conformed to Prayer Book services from nearing their former livings.⁴¹ When chronicling this experience, Richard assured readers that, 'intruth', Margaret had never lived 'a more pleasant Life'.⁴² Richard's depiction of an idyllic carceral lifestyle with his wife was, however, somewhat idiosyncratic and does not appear to have epitomised the prison experience of other nonconformist families. The couple had no children and thus no dependants.⁴³ What this meant in practice was that Richard was the sole beneficiary of Margaret's succour and financial support whilst locked up. The examples below show that this was not 'intruth' the happy lodgings enjoyed by several imprisoned nonconformist couples whose large families paid a heavy price, if not the heaviest price, as a result of being mewed-up in cramped, dank, fever ridden cells, entirely devoid of the 'best bed[s]'.⁴⁴

All inmates of early modern gaols were subject to physical abuse and pregnant women were no exception. This was the case with Elizabeth Milburn, another member of the Lathrop congregation.⁴⁵ In a petition to the Commons in 1643, Elizabeth asked for financial compensation after the physical abuse she and her husband, John Milburn, had endured behind bars during the early 1630s (see Fig. 3). The couple had been arrested and held in Maiden Lane prison 'for a year and a half' which was, according to John Milburn, 'to the ruin of his family and calling'. To make matters worse, while in prison they were visited by

John Ragg, servant to the Archbishop of Canterbury, who, coming on the Lord's Day, 7th July 1632, with officers and halberts, so affrighted [the] petitioner that she was prematurely confined; and not long after, her husband, being so greatly damnified [damaged], died, leaving her with four small children, much in debt.⁴⁶

The arrival of the armed officers so 'affrighted' Elizabeth that she prematurely gave birth in the prison. We are not told whether the child was delivered safely and, if so, whether it survived. Either way, John was so 'damnified' by the ill prison treatment he received that he did die, leaving Elizabeth without a husband and her 'four small children' without a father. It remains unclear whether MPs responded to her pitiful case.⁴⁷ However, it is telling that, like Elizabeth Eaton's petition, Elizabeth Milburn's petition was used by the Commons in the trial of Archbishop William Laud as evidence of the violence used against religious nonconformists more generally, and women in particular.⁴⁸

Some nonconformist women were taken to prison either heavily pregnant, after having given birth, or with young suckling infants. Their unborn and infant children sometimes died as a result of the malnutrition, violence



Figure 3. 'Petition of Elizabeth Milborne', undated 1643, CSPD, p. 518, The National Archives, London.

and squalor that pervaded early modern prison houses. Mary Overton), wife of the Baptist turned Leveller Richard Overton, is a case in point. While her husband was in Newgate prison, the authorities came to Mary's house in Southwark and arrested her on 6 January 1647. Here they found her stitching together copies of the pro-regicide pamphlet *Regall Tyrannie* (1647), attributed to John Lilburne (despite his denials).⁴⁹ At the time Mary had four children, one of which was a six-month old infant. She had no choice but to carry the baby to Maiden Lane prison, leaving the three older children to be cared for by her husband's sister and brother-in-law. Neighbours watched helplessly as Mary was carried to prison clasping the 'young suck[ling] Infant in her Armes'.⁵⁰

Mary's sufferings were recorded by her husband in his prison pamphlet *The Commoners Complaint* (1647). Richard was meticulous about the details of his wife's mistreatment. When Mary's jailors came to transfer her from Maiden Lane to Bridewell – the 'receptacle of bauds, whores, and strumpets' – Richard notes how 'she would not obey' and refused to comply.⁵¹ This ensured that both her and her infant were handled in the most 'inhuman barbarous usage'.⁵² Richard describes how the prison authorities:

laid violent hands upon her, and drag'd her down the staires, and ... drew her headlong upon the stones in all the dirt and mire of the streetes, with the poore Infant still crying and mourning in her Armes ... and all the way as they went, utterly to defame and render her infamous ... the fellowes which dragged ... her on two Cudgels, calling her *Strumpet* and vild [*sic*] *Whore*.⁵³

This outrageous treatment endangered both mother and infant. Mary's ordeal illustrates that nonconformist women as 'Commoners wives' were, at times, on the same receiving ends of 'violence' and 'defame' as their husbands, though the way they experienced this was different.⁵⁴

In March 1647 Richard and Mary Overton co-authored and printed a petition calling for Mary's release

from the 'miserable distresse and deplorable condition of your Petitioner'.⁵⁵ A month later, Mary petitioned the House of Lords privately for her release, by which time her 'poore Infant' had sadly died, likely from gaol fever or malnutrition.⁵⁶ Mary's petitions, like those of Elizabeth Milburn and Elizabeth Eaton, should be seen alongside the petitions of

penurious Leveller wives who called for the release of their imprisoned husbands and charted the dire plight of their children and families.⁵⁷

Elizabeth Rogers, wife of the Fifth Monarchist leader John Rogers fared no better in prison. Her prison plights were assiduously recorded via her husband's treatise *Jegar-Sahadotha ... Or... the past and present sufferings of John Rogers* (1657). Elizabeth, like many other nonconformist wives, lived with John during much of his imprisonment in five different prisons during the mid-1650s. During this period, the prison cell became a substitute for the birthing chamber, and, just like the raids on nonconformist homes, the authorities would not let new mothers rest. Whilst immured at Windsor Castle, the prison officials deliberately separated Elizabeth from her husband after she had just given birth. John was seized and hastily transferred to Sandham Castle on the Isle of Wight. He recalls how soldiers 'fetched me out of my Chamber by violence, and rent me from my weak wife in childbed, and weeping babes and children about me'.⁵⁸ This enforced separation was not just psychologically distressing to but physically dangerous for Elizabeth. Her condition was precarious after 'so hard & sore a labor' which 'gave her up (in the judgment of them about her) for a dead woman, or at least the child' as likewise.⁵⁹ These fears were not unfounded. As we have seen, a mother's trauma was seen to have had a direct effect on the life of unborn and newly born infants alike. This experience, and the subsequent abuses Elizabeth endured from the prison guards, 'frighted [her] (almost unto death'. For 'dayes and nights' her continual cry was, 'They would KIL HER, they would be her DEATH, they wil make an END of her'.⁶⁰ This was not a display of histrionics, but expressions of a distinctly justifiable anxiety. Mary's prison experience shows how pain manifested itself as not just physical suffering, but mental trauma.⁶¹

This was not Elizabeth's first and only experience of maternal hardships. Earlier at Lambeth prison in 1654, Elizabeth had lost her newborn infant, named Peter, to 'Swine-Pox'. Tragedy was piled upon tragedy as 'another sweet Childe' of hers became 'very weak' and 'died within three or four days after', likely of the same

disease. In a touch of tragic irony, John surmised that the children had contracted the illness from playing with the 'Gaolers Children'.⁶² Elizabeth gave birth to another child a year later, aptly named 'Prisonborn', whose death date is uncertain.⁶³ Based on the risk of disease and infection, it is safe to say that Elizabeth would not have wanted to rear 'Prisonborn' within a prison.

John Rogers was not immune to the ill prison treatment of his wife, rather it deeply affected him. 'I must confess the present condition, weakness, and illness of my dear yoakfellow', he plangently wrote, 'doth cut deep'.⁶⁴ He did all he could to alleviate her discomfort. When Elizabeth was finally reunited with him at Sandham Castle, due to 'my Wives long weak-ness', he let her sleep on the only prison bed available in their cell, yet such was the guards' malice that they endeavoured to 'tear away this bed... that my Wife now lay upon'.⁶⁵ John looked in shame and horror at the gradual disorder and deterioration of his wife's condition during their long imprisonment. '[S]o ill as my Wife was', he remarks, that she fell into 'fits' whereby 'al her flesh would fal a trembling', 'her whole body [would] be as in an agony', and how 'her head... doth swel' which caused constant headaches.⁶⁶ It is not known when Elizabeth died, but it is significant that when recounting her prison sufferings, John confessed that he 'wrote brokenly' his 'minde being so distracted'.⁶⁷ Nonconformist wives and husband may have suffered in different ways behind bars, but their suffering greatly impacted each other. Despite its rather solipsistic title, the *Sufferings of John Rogers* aptly illustrates this. This evidences how nonconformist accounts of child loss were at times consociated and connubially orientated, though, depending on the author, still distinctly gendered narratives.⁶⁸ For example, John Roger's anger over his prison mistreatment would have been prioritised by some readers over his wife's trauma. As Olivia Weisser has recently argued, according to contemporary medical manuals, echoed in a flurry of misogynistic tracts, 'women's weaker, volatile constitutions fostered anger, whereas wrath was a positive attribute of men's "stout heartes"'. In other words, when it came to describing the experience of persecution, a husband's or father's ire would have been viewed as more justifiable, courageous and persuasive than a wife's or mother's perceived natural inclination towards exaggeration, hyperbole and hypersensitivity.⁶⁹ This may partly explain why some, though not all, printed accounts of child deaths in prison were authored by male rather than female nonconformists.

The dangers of child loss in prison did not end after birth, infancy or adolescence. Mothers experienced similar traumas when their adult children were apprehended for holding radical religious beliefs. This was the case with the mother of the seventeen-year-old Quaker Elizabeth Braithwait Elizabeth was arrested in May 1684 and committed to Kendal gaol for not attending Sunday services at the local parish church. After two months she fell 'sick in prison'. Frequently visiting Elizabeth, her mother, 'seeing her lie under great weight of sickness' would occasionally 'weep'. On one such visit, Elizabeth remarked that she was 'grieved' at the 'little tenderness or pity in the hearts of... [her] persecutors', though she avowed 'The Lord forgive them, I can freely'.⁷⁰ Elizabeth

died eleven days later. Whether in their homes or prison cells, nonconformist mothers might lose their children in a variety of sorrowful ways.

CONCLUSION

Accounts of child loss were just one way for nonconformist women to reinforce the legitimacy of their cause, in short, to make their personal tragedies part of the public plight of that cause. In so doing, they made the inexpressible trauma they suffered from child loss legible, recognisable and memorable. Though the majority of these accounts failed to persuade the authorities to redress grievances, secure prison releases, or offer reparations for personal losses, they offer important insights into the religious and political agency of nonconformist women. Active petitioning by several mothers undercuts the idea, as Claire Gheeraert-Graffeuille has posited, 'that women could only be *represented* by their husbands', being deprived 'of a political and legal identity of their own'.⁷¹ In demanding that their experiences of suffering and child loss be recognized, seen as avoidable and thus reprehensible, nonconformist women also brought domestic matters to the fore of the public sphere. Through printed pamphlets, repeated petitions, and circulated diaries, such women maligned the idea that their voices belonged to 'household affaires' and not 'statematters', affirming how infringements by the latter drastically and determinately effected the former.⁷² Though it is harder to chart how such accounts were read and received, the fact that so many women engaged in literary and petitionary activities speaks volumes to their self-assertiveness, determinacy, political savvy and agency, evincing the downward and outward expansion of a participatory political culture. When the experiences of persecuted women were mediated through the words of godly men, child loss was communicated as a shared parental one, rather than solely a paternal or strictly maternal one – their grief was jointly felt. Even if the accounts that expressed it were not always jointly authored, they were jointly authorised.

Though such accounts should be treated cautiously, recognising their rhetorical construction and clear agenda, the stories of suffering they relate offer important insights into the plights of nonconformist women, their husbands and children. While such women were not imperturbable in the face of their trials, neither were they completely enfeebled by such tribulations. Many of those discussed here, who suffered with their husbands, outlived those husbands.⁷³ Hardships and deep personal losses ensured that nonconformist women recorded their experiences out of urgency – to increase public awareness of (and create pressure to resolve) their struggles – but also for posterity to be passed down through their families, communities and churches. Consequently, the major roles that women played in co-authoring and featuring in these accounts confirm just how far from quiescent and passive they were in forming and fostering the nonconformist movement – not just as authors, petitioners, printers or intermediaries, but also as wives and mothers.

NOTES

1. N. H. Keeble, *The Literary Culture of Nonconformity in Later Seventeenth-Century England* (Leicester: Leicester University Press, 1987), 49–50. The term ‘nonconformist’ changed with time and context during seventeenth-century England. For this reason, my use of it encompasses a broad array of religious and political radicals from both pre- and post-Restoration England. For a more traditional definition see *ibid.*, 41.
2. For the dangers of pregnancy during this period see Philippa Carter, ‘Childbirth, “Madness”, and Bodies in History’, *History Workshop Journal* (2021), 1–22. For child deaths and motherhood see Hannah Newton, *The Sick Child in Early Modern England* (Oxford: Oxford University Press, 2016), 121–160. For nonconformist marriages and female agency see Raymond A. Anselment, ‘Samuel Clarke’s *Lives* and husbands’ remembrances of their wives’, *The Seventeenth Century* 34/4 (2018), 513–530.
3. This is the case with Mary Franklin, Elizabeth Heywood, Ellen Larnier and Mary Overton (discussed below). I have attempted to provide, where possible, birth and death dates throughout. When omitted, it was because these dates could not be found.
4. See Richard L. Greaves, ‘Foundation Builders: The Role of Women in Early English Nonconformity’, in Richard L. Greaves, eds, *Triumph Over Silence: Women in Protestant History* (Westport: Greenwood Press, 1985), 75–92; Hilary Hinds, *God’s Englishwomen: Seventeenth-Century Radical Sectarian Writing and Feminist Criticism* (Manchester: Manchester University Press, 1996), 108–45; Rachel Adcock, *Baptist Women’s Writings in Revolutionary Culture, 1640–1680* (London: Routledge, 2015), 117–46; Melinda S. Zook, *Protestantism, Politics, and Women in Britain, 1660–1714* (New York, NY: Palgrave Macmillan, 2013), 16–57.
5. See Kate Narveson, *Bible Readers and Lay Writers in Early Modern England* (Farnham: Ashgate, 2012), 101–30; Susan M. Felch, ‘“Half a Scripture Woman”: Heteroglossia and Female Authorial Agency in Prayers by Lady Elizabeth Tyrwhit, Anne Lock, and Anne Wheathill’, in Micheline White (ed.), *English Women, Religion, and Textual Production, 1500–1625* (Burlington, VT: Ashgate, 2011), 147–66. Alexandra Walsham, ‘Holy Families: The Spiritualization of the Early Modern Household Revisited’, in *Religion and the Household*, ed. John Doran, Charlotte Methuen and Alexandra Walsham (Woodbridge: Boydell Press for the Ecclesiastical History Society, 2014), 122–60.
6. See Richard Brathwaite, *The English Gentlewoman* (London: 1631), 89–90.
7. For the intrusions and assaults experienced by nonconformist households see Oliver Heywood, *The Rev. Oliver Heywood, B.A., 1630–1702; His Autobiography, [and] Diaries*, ed. J. Horsfall Turner, 4 vols (Brighouse: A.B. Bayes, 1882), vol 1, 176; Thomas Jollie, *The Note-Book of the Rev. Thomas Jolly, A.D. 1671–1693*, ed. Henry Fishwick (Chetham Society, 1894), 17–18; Mary Franklin, ‘The Experience of Mary Franklin’, in *She Being Dead Yet Speaketh: The Franklin Family Papers*, ed. Vera J. Camden (Toronto: Iter Press and the Arizona Centre for Medieval and Renaissance Studies, 2020), 131–52 (pp. 139, 141).
8. *To the Supreme Authority of England The commons Assembled in Parliament. The Humble Petition of divers well-affected Women* (London, May 5, 1649), n.p.
9. For nonconformists being dragged from their beds to prison see Anon, *The innocent in prison complainyng* (London: 1646); pp. 11, 12; William Jeffrey, et al, *The Humble Petition* (London: 1661), *passim*; Vavasor Powell, *Tsofer bepah, or, The bird in the cage* (London: 1661), B3r; Michael R. Watts, *The Dissenters: From the Reformation to the French Revolution* (Oxford, 1978), 232–34.
10. A recent study of sampled parish registers from Lancashire, London, Yorkshire and Essex, dating from 1578–1812, found that for every 34,507 births 1,618 were stillbirths. See Chris Galley, ‘The stillbirth rate in early modern England’, *Local Population Studies* 81 (February 2008), 75–83 (81).
11. John Bunyan, ‘A Relation of My Imprisonment’, in Roger Sharrock (eds), *John Bunyan: Grace Abounding to the Chief of Sinners* (Clarendon Press: Oxford, 1963), 103–31 (128).
12. OED Online, ‘Dismay, v.1’, Oxford University Press, <www.oed.com/view/Entry/54756>. Accessed 28 September 2019. For the association between ‘frights’ and miscarriage, see Jennifer Evans and Sara Read, ‘“Before Midnight she had Miscarried”: Women, Men and Miscarriage in Early Modern England’, *Journal of Family History*, 40 (2015), 3–23 (4, 6, 9, 15).
13. Newgate was notorious as a prison house replete with nonconformist inmates. See Arthur Griffiths, *The Chronicles of Newgate* (London: Chapman and Hall, 1884), 120–21.
14. ‘Petition of Elizabeth Eaton’, undated 1641–3, in *Calendar of State Papers Domestic: Charles I, 1641–3* (hereafter CSPD), ed. William Douglas Hamilton (London, 1887), 518. Her husband is not to be confused with the religious Independent minister of the same name. See S. J. Guscott, ‘Eaton, Samuel (d. 1665)’, *Oxford Dictionary of National Biography* (hereafter ODNB), September 2004. <<https://doi.org/10.1093/ref:odnb/8424>>. Accessed 11 December 2019.
15. See W. T. Whitley, ed. ‘No. 1 manuscript: “The Records of An Antient Congregation of Dissenters [...] ex MSS of Mr H. Jessey”’, *The Baptist Historical Society* 1 (1908–9), 203–25 (224).
16. Joseph Patrick Ward, ‘Introduction’, in *Violence, Politics, and Gender in Early Modern England*, ed. Joseph Patrick Ward (Basingstoke: Palgrave Macmillan, 2008.), 1–16 (4–5).
17. For an account of Elizabeth Lilburne’s petition to save her husband see Anne Hughes, *Gender and the English Revolution* (London: Routledge), 97.
18. Ellen Larnier, *A True Relation of All the Remarkable Passages, and Illegall Proceedings of some Sathanicall or Doeg-like Accusers of their Brethren, Against William Larnier, a Free-Man of England* (London, May 1646). It is worth noting, as Mowry points out, that no petition from Ellen appears in the *Journal of the House of Commons*, making it likely that it was written for the pamphlet alone. Melissa Mowry, ‘“Commoners Wives who stand for their Freedom and Liberty”: Leveller Women and the Hermeneutics of Collectivities’, *Huntington Library Quarterly*, 77 (2014), 305–29 (note 26, 314). It is unclear whether Larnier’s unborn child survived its mother’s ‘dangerous sickness [sickness]’.
19. Katherine Chidley, *The Justification of the Independent*

Churches of Christ (London: 1641), H2r-v. Chidley and her husband, Daniel, were persecuted for participating in a conventicle in Shrewsbury, Shropshire, in the late 1620s and they fled to London where she became a leader of Leveller women during the 1640s. Ian J. Gentles, 'Chidley, Katherine (fl. 1616–1653)', ODNB, September 2004, <<https://doi.org/10.1093/ref:odnb/37278>> Accessed 11 October 2019.

20. P. R. S. Baker, 'Larner, William (d. 1672?)', ODNB, September 2004. <<https://doi.org/10.1093/ref:odnb/66643>> Accessed 11 December 2019. For the inconsistency with which petitions were taken up and acted upon see Jason Peacey, 'Parliament, Printed Petitions and the Political Imaginary in Seventeenth-Century England', *Parliaments, Estates and Representation*, 38.3 (2018), 350–63 (354–5).

21. 9 July 1651, in *Journal of the House of Commons: Volume 6, 1648–1651* (London, 1802), 599. British History Online: <https://www.british-history.ac.uk/commons-jrnl/vol6/p599> Accessed 30 November 2020.

22. Mary Love, *Love's Name Lives, or, A publication of divers petitions presented by Mistris Love to the Parliament in behalf of her husband* (London: 1651), 1–2.

23. Rachel Weil, 'Love [née Stone], Mary (fl. 1639–1660)', ODNB, September 2004, <<https://doi.org/10.1093/ref:odnb/74442>>. Accessed 12 February 2020.

24. See Camden, 'Introduction', in *Franklin Family Papers*, ed. Camden 1–77 (50–1). For the intended communal and congregational readers of manuscript life-writings more generally see Robert W. Daniel, "'Have a little book in thy Conscience, and write therein": Writing the Puritan Conscience, 1600–1650', in Jonathan Willis (ed.), *Sin and Salvation in Reformation England* (London: Routledge, 2016), 245–58.

25. A county jail in Buckinghamshire where many nonconformists were imprisoned after the Restoration. See Adam Taylor, *The History of the English General Baptists*, 2 vols (London, 1818), vol. 1, 226. This was one of several occasions where Robert was imprisoned for his religious dissent. Camden, 'Introduction', in *Franklin Family Papers*, ed. Camden, 20.

26. Franklin, 'The Experience', in *Franklin Family Papers*, ed. Camden, 137. Franklin often reports her 'fright/s' over miscarrying which were often tied to her family's persecution, see *ibid.*, 138, 140, 147.

27. See OED Online, 'bear, v.1' senses 1.a and b. <www.oed.com/view/Entry/16543>. Accessed 12 January 2020.

28. Miscarriages brought on by enforced spousal separation were not unusual amongst nonconformist women. In October 1680 authorities arrested the Quaker Elias Osborn and sixty-nine others at a meeting in Ilminster, Somerset. Osborn's wife, Mary (d. 1675), 'being then big with Child', due to the stress of the situation 'miscarry'd upon it' when she returned home. Elias Osborn, *A brief narrative of the life, labours, and sufferings of Elias Osborn* (London: 1723), 39.

29. Elizabeth Lilburne and Mary Overton were similarly thrown down the stairs by state officials. See Lilburne, *London's Liberties in Chains discovered ... published by Lieutenant Colonel! John Lilburn, prisoner in the Tower of London* (London, 1646), 33; Richard Overton, *Commoners Complaint* (London: 1647), 19. While nonconformists labelled such actions 'unmanlike cruelty', conduct books

actually recommended such abuse in the governance of unruly women. See Thomas Heywood, *A Curtaine Lecture* (London: 1637), 205, 208.

30. Edmund Calamy, *The Nonconformist's Memorial*, 3 vols (London: 1802), vol. 2, 390–91. The aggressors later argued that Mrs Yaxley had aggravated them. See John Nicholls, *History and Antiquities of the County of Leicester*, 4 vols (London: 1795–1811), vol. 2, pt. 2, 651.

31. John Yaxley lived out the rest of his life near West Smithfield in London preaching into his late 70s. Calamy, *The nonconformist's Memorial*, vol. 2, 391.

32. Calamy, *The nonconformist's Memorial*, vol. 3, 317. Possibly a misprint, it is intriguing to note that an earlier version of this account records that 'several women with child stood about him'. Edmund Calamy, *The nonconformist's Memorial*, 3 vols (London: 1775), vol. 2, 461 (my italics).

33. Examples of religiously radical women choosing to join their husbands in prison include the godly patroness Lady Joan Barrington (c. 1558–1641), the religious authoress Theodosia Alleine (fl. 1654–77), Abigail Heywood (d. 1707), the second wife of the ejected Presbyterian clergyman Oliver Heywood (bap. 1630, d. 1702), Philip Trenchard (1663/4–1743), wife to the Whig conspirator Sir John Trenchard (1649–95), and Mary Love (as mentioned above).

34. Qtd. in Thomas Crosby, *The history of the English Baptists, from the Reformation to the beginning of the reign of King George I*, 4 vols. (1738–40), vol. 2, 378.

35. *Ibid.*, 377. Figures, however, vary. See William Braithwaite, *The Second Period of Quakerism* (London: 1919), 114; Craig W. Horle, *The Quakers and the English Legal System* (Philadelphia, University of Pennsylvania Press, 1988), 46–55.

36. Overton, *Commoners Complaint*, 20.

37. See British Museum, Harl. MS. 6848, fol. 150; Champlin Burrage, *The Early English Dissenters*, 2 vols (London: 1912), vol. 2, 215; *The Humble Petition of divers well-affected Women* (London, May 5, 1649); Love, *Love's Name Lives*, 1–2.

38. Robert Halley, *Lancashire: Its Puritanism and Nonconformity* (London: 1872), 395.

39. Burrage, *Early English Dissenters*, vol. 2, 318.

40. This was the verdict of the Court of High Commission in May 1632 to a group of convicted conventiclors. Burrage, *Early English Dissenters*, vol. 2, 320. Of course, despite these efforts, nonconformist prison communities did form and flourish. See Peter Lake and Michael Questier, *The Antichrist's Lewd Hat: Protestants, Papists and Players in Post-Reformation England* (London: Yale University Press, 2002), 187–228; Sharon Achinstein, *Literature and Dissent in Milton's England* (Cambridge: Cambridge University Press, 2003), 59–83.

41. For the operation of this law see Keeble, *Nonconformity*, 46.

42. Samuel Clarke, *The Lives of Sundry Eminent Persons in this Later Age* (London: 1683), II, 186.

43. See Richard Baxter, *A Breviate of the life of Margaret ... wife of Richard Baxter* (London, 1681), 101–2.

44. For the poor prison conditions experienced by nonconformists see Robert W. Daniel, "'To make a second Book of Martyrs': Re-Appropriating Foxe in Nonconformist Prison Writings in Seventeenth-Century Britain'. *Bunyan Studies*, 23 (December 2019), 45–61.

45. Variant spellings of this name, 'Milburn', 'Melborne'

(and possibly 'Milborne') appear in the records. See Burrage, *Early English Dissenters*, vol. 1, 322, 326; vol. 2, 296, 299, 318.

46. 'Petition of Elizabeth Milborne', undated 1643, CSPD, 529. Milburne was about twenty-six when she was committed on 12 May 1632. The records of the High Commission indicate that she was questioned on 8 May 1632, along with other members of the church. I am grateful to Rachel Adcock for bringing this petition to my attention. This and other Lathrop petitions can also be accessed via British History Online: www.british-history.ac.uk/cal-state-papers/domestic/chas1/1641-3/pp517-553.

47. The answer may lay in the Exchequer Papers during the 1640s. These, however, are mostly uncatalogued.

48. 'Charles I—volume 499: Undated 1643', CSPD, 517-553 (529).

49. These copies may have been supplied to Mary by Elizabeth Overton the preceding month. If true, this reaffirms how nonconformist women were supported by distinct female networks. Mowry, 'Leveller Women', 321.

50. Overton, *Commoners Complaint*, 18.

51. *Ibid.*, 17.

52. *Ibid.*, 19.

53. *Ibid.*, 19–20. Similarly, after the Act of Uniformity in 1662 the Quaker Jane Whitehead (d. 1674) was imprisoned for five months in Ivelchester with 'a young child suckling at her breast, during a cold winter' which 'brought her tender body into weakness'. *Piety Promoted: In a Collection of Dying Sayings of Many of the People Called Quakers*, ed. Thomas Evans and William Evans, 4 vols (London: 1854), vol. 1, 72.

54. Overton, *Commoners Complaint*, 20. Some nonconformist wives languished in prison for more than a decade. On 31 August 1639 it was reported that 'Mrs. Traske' a Sabbatarian – and possibly the widow of John Traske (c. 1585–1636) the separatist minister – had lain in the Gate House Prison, London for eleven years. Whitley, ed. 'No. 1 manuscript', 222, note 26.

55. Mary Overton, *To the Right Honourable, the knights, citizens, and burgesses, the Parliament of England, assembled at Westminster, the humble appeale and petition of Mary Overton* (London: 1647), 11. Most historians have accepted Richard Overton's claim to have written Mary's petition, printed in *An Appeal from the Degenerate Representative Body of the Commons of England* (London, July 1647), 4. Some, however, have convincingly contested this. See Mowry, 'Leveller Women', 322.

56. See B. J. Gibbons, 'Overton, Richard (fl. 1640–1663)', ODNB, September 2004.

<<https://doi.org/10.1093/ref:odnb/2097>>. Accessed 11 September 2019. Mary's petition to the House of Lords is, however, not recorded in the CSPD and *House of Lords Journal*. While Overton was released from prison on 16 September 1647, it is not exactly clear when Mary was released.

57. See Ann Hughes, 'Women and the Levellers: Elizabeth and John Lilburne and their Associates', in *John Lilburne and the Levellers*, ed. John Rees (Abingdon: Routledge, 2018), 49–60.

58. Rogers, *Jegar-Sahadutha*, II, 19.

59. *Ibid.*, II, 18.

60. *Ibid.*, II, 126.

61. For scholarship that disputes the 'myth of two pains', that is mind and body, during this period see Van Dijkhuizen, 'Partakers in Pain: Religious Meanings of Pain in Early Modern England', in *The Sense of Suffering: Constructions of Physical Pain in Early Modern Culture*, ed. Jan Frans van Dijkhuizen and Karl A. E. Enenkel (Leiden: Brill, 2008), 189–220 (192–3).

62. *Ibid.*, II, 12, 14.

63. See Richard L. Greaves, 'Rogers, John (b. 1627)', ODNB, Oxford University Press, 2004; <https://doi.org/10.1093/ref:odnb/23983>. Accessed 12 January 2020.

64. Rogers, *Jegar-Sahadutha*, II, 127.

65. *Ibid.*, II, 129.

66. *Ibid.*, II, 126, 130.

67. *Ibid.*, II, 17.

68. This ties into the wider literary trend of religious life-writings as spousal and socially orientated documents. See Andrew Cambers, 'Reading, the Godly, and Self-Writing in England, circa 1580–1720', *Journal of British Studies* 46.4 (2007), 796–825; Elizabeth Clarke, 'Elizabeth Jekyll's Spiritual Journal: Private Diary or Political Document?', *English Manuscript Studies* 9 (2000), 218–37; Elaine Hobby, 'Autobiographies and Biographies of Husbands,' in *Virtue of Necessity: English Women's Writing, 1649–88*, ed. Elaine Hobby (Ann Arbor: The University of Michigan Press, 1988), 76–84. For the opposite view see Effie Botonaki, 'Early Modern Women's Diaries and Closets: "Chambers of choice Mercies and beloved retirement,"' in *Recording and Reordering: Essays on the Seventeenth- and Eighteenth-century Diary and Journal*, ed. Dan Doll and Jessica Munns (Lewisburg: Bucknell University Press, 2006), 43–64, esp. 50–3.

69. Olivia Weisser, 'Grieved and Disordered: Gender and Emotion in Early Modern Patient Narratives', *Journal of Medieval and Early Modern Studies*, 43:2 (Spring 2013), 247–73, 261.

70. *Piety Promoted*, ed. Evans and Evans, I, 93.

71. Claire Gheeraert-Graffeuille, 'Leveller Women Petitioners and the Rhetoric of Power in the English Revolution (1640–1660)', *Caliban*, 27 (2010), 15–26, 24. Such petitions, as representative of female agency, can also be compared to those by wives on behalf of their captured husbands held hostage by Barbary pirates. See Brodie Waddell, '"2000 Wives": Women Petitioning on Barbary Captivity, 1626–1638', in *The Many-Headed Monster*, Blog Post, November 11, 2016.

<<https://manyheadedmonster.wordpress.com/2016/11/11/2000-wives-women-petitioning-on-barbary-captivity-1626-1638/>>. Accessed 11 September 2019. Or those by Civil War widows, Stewart Beale, 'War widows and revenge in Restoration England', *The Seventeenth Century*, 33.2 (2018), 195–217.

72. For the contemporary notion that a woman's authority was limited to the domestic rather than the political realm, see Brathwaite, *The English Gentlewoman*, 89–90.

73. This was the case with Elizabeth Bunyan, Elizabeth Eaton, Mary Franklin, Mary Love and Elizabeth Milburn. Most of their husbands died of natural causes, Mary's husband, however, was executed.

IN PROFILE



In Profile Erin Newman

PhD Candidate, Nottingham Trent University

Tell us about your area of expertise?

My PhD focuses on Gender and Criminality within the East Midlands, during the Civil War and Interregnum. My wider expertise is generally anything relating to sex, violence and the

criminal underworld during the Early Modern period, but with a particular focus on the seventeenth century. I also concentrate on Early Modern Street Literature, particularly those focusing on gender and criminality – the more scandalous the better! I am able to combine my love of literature and history to look at the representation of criminality in a variety of sources; I consider motivations, punishments and other factors that are influenced by gender - as well as taking into consideration coeval social, economic, religious and political dynamics.

What motivated you to become an historian?

I've always had a fascination with history since I was a child. My family were National Trust and English Heritage members and our days out were often spent exploring country houses, castles and ruins. As I got older, I noticed that a lot of the narratives concerning these historical buildings had a similar focus: difficult histories and dubious connections were easily brushed aside, to make way for grand narratives. However, heritage charities have now worked hard to address these failings and are still working towards diversification.

I was able to pursue history throughout my education. However, it was never in an area that 'spoke to me': a lot of it, particularly at A-Level, was militaristic based or concentrated on 'great figures'. Sadly, this made me unsure of what I wanted to do. So, at university I chose English and History for my degree. Thankfully however, there was an amazing teaching team at the university. I was offered a wide variety of modules and that allowed me to choose the aspects of history I wanted, which were those generally outside of the hegemonic norms – the criminals. I also chose a time period that surprisingly wasn't a part of the school curriculum, but represented so much change (politically, religiously, socially), making it a fascinating period to study. It was then, essentially the absence of diversity (in both the historical places visited and the curriculum) that forged my path towards histories that challenged the norms and ideals of society.

What achievement are you most proud of?

I think the most significant achievement was being accepted for my PhD. It has always been my dream (since about GCSE time) to work in academia and become a Doctor of Philosophy. So, I'm extremely lucky to be able to say that, so far, I am achieving my dream. Another proud moment was when I secured the funding to do my PhD.

If you could choose five historic figures to enjoy dinner with, who would they be, and why?

1. Mary Queen of Scots. As someone who spent half of their childhood and youth in Scotland, she was one of the

first female figures in history I became enamoured with. I was especially intrigued with the scandals that surrounded her and her potential challenge to Elizabeth I. In a world where powerful men did not trust women of authority, I would ask what was that truly like?

2. Mary Hobry, a French Catholic Midwife in the 1680's who murdered her abusive husband. This tale then became featured in Broadside Ballads. I think in a world where her nationality, faith and gender ideals of the time made her the ultimate criminal, she would provide a fabulous insight into the representation of female criminality.

3. La Maupin (Julie D'Aubigny). From what we know of her life (she being a sword-fighter, an opera singer and perhaps a bi-sexual) it was filled with scandal and sauciness – who wouldn't want such tales at a dinner party?

4. Margaret Cavendish – the writer and philosopher who was perhaps most famous for her work of science fiction. Writing for other women, she was one of the first women authors to write under her own name, rather than a pseudonym. I'd ask her, what made her want to strike out and challenge the authorship of the time? And anyone known as Mad Madge sounds like an entertaining guest!

5. Brilliana, Lady Harley, who defended her home for the Royalist forces during the English Civil War in her husband's absence. It would be fascinating to hear her first-hand experience of the courage that it took to accomplish such a feat. And perceive how those around her responded to her acting in what was traditionally a masculine role.

What book about women's history has most inspired you?

In all honesty, it was a combination of sources - particularly publications similar to the following: the pamphlet entitled, *the Arraignment and Burning of Margaret Fernseed*; Henry Goodcole's *The Adultrresses Funeral Day in Flaming Scorching and Consuming Fire* and Garthine Walker's *Crime, Gender and Social Disorder in Early Modern England*. These helped ignite my research passions. I wished I had looked at these types of sources far earlier than I had, as they got me started on my research into the criminal underworld. Moreover, I wanted to know if there were cases of female criminals who challenged the gender norms, but not necessarily for crimes that were considered gendered (such as the crimes in the pamphlets). Walker's work provided a fundamental exploration of the gendered nature of law, authority and justice within the Early Modern period - one that made me want to further explore those notions and aspects of non-gendered crimes also.

What important piece of advice would you impart to a budding historian?

Your path might not always be straight forward or exactly how you wanted to do things, but keep going. I planned to do my Masters full-time, within a year. But unfortunately, life happened and I had to change to part-time - plus I ended up simultaneously working full-time. At the time, it felt like a step backwards, but it gave me time to really think about what I wanted to do and gain a world of experience outside of academia. This experience has become useful in my research organisation and other roles I have undertaken as a PhD candidate. So, don't worry if things seemingly go sideways. You can still achieve what you want to do. Plus, you never know what you might gain or learn on the way.

DOING WOMEN'S HISTORY

ELIZABETH & MARY: ROYAL COUSINS, RIVAL QUEENS AT THE BRITISH LIBRARY, 96 EUSTON ROAD, LONDON, NW1 2DB
(8 OCTOBER 2021 – 20 FEBRUARY 2022).

Karen Limper-Herz and Andrea Clarke

Lead Curator Incunabula & Sixteenth Century Printed Books and Lead Curator Medieval & Early Modern Manuscripts, The British Library



Portrait of Mary, Queen of Scots painted by the leading French painter François Clouet (c. 1560-61), lent by Her Majesty the Queen from the Royal Collection.

Elizabeth & Mary: Royal Cousins, Rival Queens' is the first major exhibition to focus on Queen Elizabeth I and Mary, Queen of Scots together. The two queens never met, but their fates were always intertwined and their complex relationship dominated English and Scottish politics for three decades. The exhibition explores the relationship between these two powerful women, from amicable beginnings to suspicion, distrust and betrayal, in the context of the religious reformation between Catholics and Protestants that divided Europe at the time, revealing how their battle, first for dynastic pre-eminence within the British Isles and then for survival, became inseparable from the national religious struggles of their respective kingdoms.

We began discussions about an exhibition on Elizabeth and Mary around five years ago. While there had been a major exhibition on Elizabeth I at the National Maritime Museum in 2003 and one focussing on Mary, Queen of Scots at National Museums Scotland in 2013, we soon realised that the two women had never been

considered together in one exhibition. Therefore, right from the start, our aim was to put both women centre stage and give them equal billing - and we have carried this through into the final selection of objects and the design of the present exhibition. In our interpretation of the objects, we let the queens and their contemporaries speak directly and we aim to present as balanced a view of the story as the original documents allow, so our visitors can immerse themselves in the story and see events from both queens' points of view.

The British Library's outstanding collections of sixteenth-century manuscripts and printed books lie at the heart of the exhibition, providing a unique opportunity to see letters written by the two queens and the courtiers closest to them. Thanks to the generosity of twenty-six lenders from across the UK and Spain, we are also able to show spectacular portraits, jewellery, sculptures and other objects. The two queens dominate different parts of the story. We use colours to indicate this and to highlight objects linked to them directly: the red of the St George's Cross is used to represent Elizabeth, and the blue of Scotland and France to represent Mary. The exhibition uses architectural scenography to evoke key spaces such as palaces, churches and corridors of power where events unfolded, making the visitor experience immersive and dramatic. Each section has its own distinctive atmosphere, moving from open and light spaces to claustrophobic and dark spaces.

The exhibition is divided into five chronological sections, each one dealing with a period of Elizabeth and Mary's lives and drawing out key themes such as kinship and gender, the impact of the reformation and the triangular politics that connected England, Scotland and France. The last section looks forward to the reign of James VI/I, Mary's son and Elizabeth's successor, but it leaves visitors in the central space of the exhibition with replicas of the tomb effigies of the two queens from Westminster Abbey, giving them the opportunity to see the queens' faces close up and reflect on what they have just seen.

There are many highlights in the exhibition, but here are some must-sees: the locket ring belonging to Elizabeth, c. 1575, containing miniature portraits of her and her mother, Anne Boleyn, on loan from the Chequers Trust; a portrait of Mary by François Clouet, c. 1558, on loan from Her Majesty The Queen; a portrait of Elizabeth, c. 1567, on loan from a private collection and virtually unknown; the speech by Elizabeth dissolving Parliament and berating her members of parliament for troubling her with questions about the succession, 1567; the first letter written by Mary to Elizabeth after she arrived in England in 1568; the Marian Hanging embroidered by Mary and Bess of Hardwick during Mary's imprisonment, 1570-85,



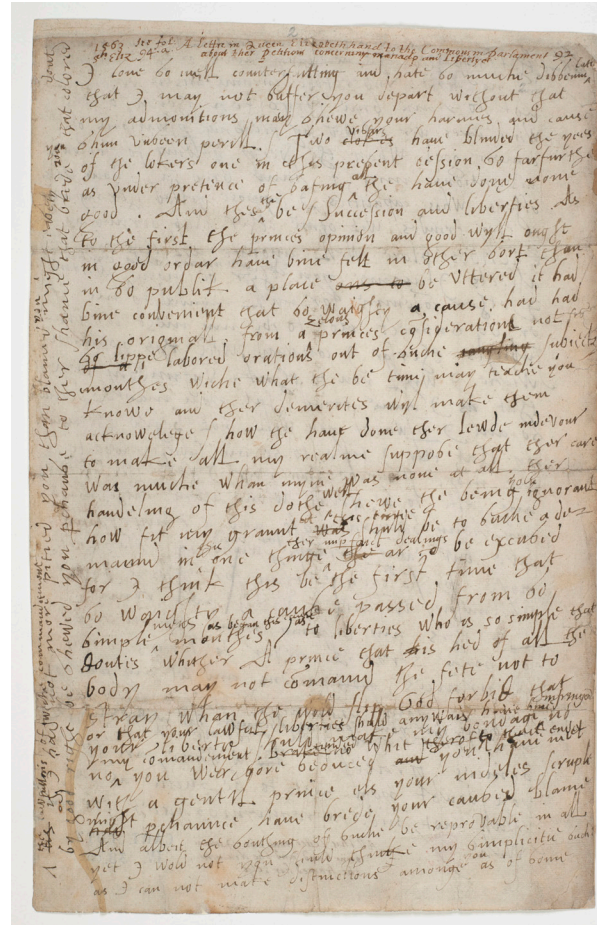
Portrait of Queen Elizabeth I, attributed to George Gower, c. 1567, on loan to the exhibition from a Private Collection.

on loan from the V&A; a letter from Elizabeth to Sir Ralph Sadler, in which she wished the wrongs Mary had done to her had never happened or could be forgotten and expressing an openness to reconciliation, 1584; and the sonnet Mary wrote in French on the eve of her execution in 1587, on loan from Bodleian Libraries.

Without a doubt, the restrictions caused by the pandemic posed the greatest challenge to the exhibition. Although by the first lockdown, we were in the fortunate position of having selected our exhibits, had written the entries for the catalogue and appointed the exhibition designers. The editing of the catalogue, the approval of the final exhibition design and the label writing however, were all done online. The change of the opening date, from October 2020 to October 2021, meant that loans had to be renegotiated, but our colleagues in other institutions were very supportive and accommodated our changing needs as much as possible.

It is difficult to say which aspects of the exhibition visitors are particularly drawn to, but judging from the comments we have had so far, it is the wealth of the material, the immediacy of the drama that comes through in the letters by the two queens (which are still in excellent condition) and the personal objects that the queens once owned, that strike people most. Our visitors have told us they feel very emotional, having followed the story, whose outcome they know well but whose complexities they had not appreciated. Elizabeth and Mary's upbringings, personalities and paths to their thrones were very different and influenced their decisions and actions. Both

women ruled their respective countries in their own right, but the exhibition explores the challenges they frequently faced as sovereign queens ruling in a man's world. We hope that reading Elizabeth and Mary's own words will be an opportunity for our visitors to reassess their views of these two powerful women.



Speech by Queen Elizabeth I dissolving Parliament, 1567, British Library, Cotton Ch. IV. 38 (2).

FROM THE ARCHIVE

VOICELESS WOMEN: SLAVERY, MARGINALITY AND TRUTH IN THE ARCHIVES

Angela Zhang

PhD student, York University, Toronto

My archival project is one that is close to my heart, as are all archival works for scholars. I study the processes of enslavement and the social world of slavery in fourteenth and fifteenth-century Florence. Enslaved women (93% of the enslaved population) came into Florence from the Black Sea, the Balkans and later in the fifteenth century, West Africa. They were used in domestic labour, working as housemaids, wet-nurses, mistresses and caregivers, in close contact with the elite women in whose households they found themselves. Since the children of enslaved women were free, all enslaved peoples in Florence were foreign. However, they only counted for about 1% of the population of Florence. When I heard about the existence of enslaved women in Florence, I was horrified. During my undergraduate studies, I was taught in the Burckhardtian tradition - where Florence was the cradle of the Renaissance. I initially identified with Marsilio Ficino, Leonardo Bruni and Lorenzo de' Medici. Now, knowing that they were living in a world that benefited from the sexualization of young foreign women imported into their city, I have come to realise that I was never part of their world. Accordingly, it became my goal to help amplify these women's voices.

Yet, despite, or because of, the idea of Florence as representing the beginning of Western modernity, writings about enslavement are sparse. The challenges in researching a topic that is not well-studied comes from the fact that typically, the subject has been ignored, because it's hard to find the evidence; and once found, it's hard to gather enough data to make a more expansive and forceful argument. While enslavement in premodern Italy has been researched and studies published, most scholars tend to look at cities with larger enslaved populations, such as Genoa, Venice or Sicily. These works have been crucial in exploring this fascinating and necessary topic. However, smaller-scale enslavements in less-studied geographical areas offer more information on the enslaved people, due to the closer association between those enslaved and those not.

A historian's work is cooperative, despite the image of the lone researcher musing over documents in the archives. Disabusing that notion is the first step to any archival project. When I began my project, I looked at books that tangentially touched on slavery in Florence and followed their footnotes to archival documents. On the advice of my advisor, I contacted established scholars for their help and to ask if they had any more notes on enslavement in Florence than their published materials had let on. I was astonished by the amount of support and material that I received. It was also reassuring to hear these scholars revealing tales about their first experiences of the archives and how many of them struggled through that initial day. It made me realise that the idea of the lone historian, sitting at her desk in the archives, was not an accurate picture. I was also fortunate to be able

to get palaeography training onsite (in Florence) with the Medici Archive Project, without which I would have been completely lost. They provided a base of English-speaking scholarship, which I could relate to and rely on, in the year that I was living in Florence and conducting archival researches.

I decided to write this 'archival advice', which is particularly aimed at neophyte archival researchers working away from home, before I tackled the methodology of locating lost voices in the archives, because the act of researching people ignored by history will be emotional. Some days you will leave the archives with your head in a haze, trying not to cry, because you found records of a shipwreck that carried West African slaves from Lisbon - and it was listed coldly as a credit in an account book. Alternatively, finding an account of an 11-year-old Bosnian girl, who had to strip naked in front of strangers so they could check for her value in the slave trade, sends shockwaves through time and space. Be warned - the callousness with which people treated human lives not so different from their own may disturb you.

As an immigrant reading about these women and girls, who were forcibly removed to a place where they had no relatives and did not speak the language, I related to the pangs of their loneliness in connection to my own childhood struggles. As a racialised person, reading about the dehumanisation of those with a different skin colour, I could empathise with the frustration and the confusion that being amongst a minority in an uncaring new land brought upon these people. As a woman, I heard the helplessness of a pregnant slave who was raped on the ship on her way to Florence and then forced to give up her child. At the Florentine Foundling Hospital (*Spedale degli innocenti*), I found a list of 34 enslaved Africans from Lisbon, imported and sold in Florence. That afternoon, I felt greatly affected. It is not weakness to be touched by history. We are doing what we love because we have an emotional attachment to it. It makes us human.

With lost voices, such as those of enslaved women in Florence in the fourteenth and fifteenth centuries, it is only possible to find fragments of lives. Furthermore, it's rare to encounter anything more than a tertiary reference to an enslaved woman. Most often, they appear once in any document and disappear. Only on one occasion, did I find the same enslaved woman's resale by following her owner's notary in the 1380s. Other than her age (20) and her race (Greek), there is very little further information about Anna, the slave from Constantinople, other than her price. Four months after her purchase, she was sold again, but for a loss of 2 florins. Due to the use of enslaved women as a solution to the high turnover rate for domestic servants, this sale is striking in that she lost value (most of the time reselling a slave turned a profit) and that she only stayed with her first owner for four

months. Unfortunately, the rest of her story comes from conjecture, due to the lack of concrete evidence. Based on letters about enslaved peoples in the fourteenth and fifteenth centuries, it is possible to imagine her resale came from the lack of satisfaction on the part of her owners. Alternatively, she may have become pregnant before she was bought by her owner, who feared for his investment due to the dangers of childbirth. Any of these issues may have caused the falling value of the woman. Notarial documentations are usually formulaic, telling nothing more than a vague identification. However, piecing together these small clues can help form a bigger picture of the roles of enslaved women in society.

In a city where records of enslaved women are as hidden as they are, notaries became my friends. When one enslaved person appears in a notarial document, there would surely be more? Sometimes when an owner died, the enslaved woman would be included in a will, other times she would be manumitted before his death. It's always worthwhile to look in the same notarial book, because it was likely the slave or their owner would reappear. It also helped to search for the private records of slave owners, which sometimes provided additional details, or in the *Registro degli schiavi*, Florence's unique record of enslavements in the fourteenth century. Sometimes though, private records would only mention the purchase and nothing else. In these cases I am left wondering what became of the women who were turned into merchandise. On one occasion, when the purchase record for a slave wasn't listed in the *Registro*, despite the frustration of not having details of the purchase, I felt like the tax authorities, catching a man for evading taxation 700 years on!

The archival work of finding a narrative from

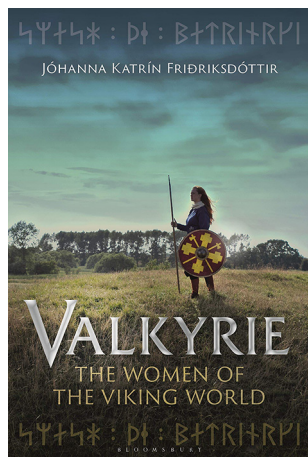
piecemeal sources is an act, ultimately, of creativity. This is not to say that I advocate for creating evidence where there is none, but in the absence of a coherent narrative of one slave, an aggregate of experiences could potentially be hypothesised. Other scholars have done the same, the most notable being Marisa J. Fuentes and Saidiya V. Hartman. Their use of narrative, critical theory and archival research, demonstrates that the traditionally accepted methods of history are insufficient for those whose lives have been erased by the very people we study in the historical canon. New scholars, many of whom are from disadvantaged groups, are reinvigorating the field through their creativity. Writing, in any form, is a form of creative production, as is trying to piece together a slave's life from birth to death using sparse resources. Creativity however, does not indicate falsehood. In my work, I use the methods of microhistory to dwell on the small precise records, drawing out the humanity of these enslaved women from a place of empathy, rather than empirical detachment. To do this, it is necessary to read widely and to consult as many tangential sources as possible. My training in microhistory helped me to see that there was more to the act of history writing than finding truths. Sometimes things existed in the 'in-between' and here everyone's story becomes a version of their own truths. Sometimes the problem is finding nothing. For an entire month, I found no enslaved people in the various archives where I worked, despite attending every day. However, I kept going back - determined. And my luck picked up the next month. A lot of archival work relies on a little good fortune and a great deal of resilience. In reality then, our necessary recourse to stored material from the past is as much an exercise in providence, tenacity and understanding, as it is in palaeography.

BOOK REVIEWS

Jóhanna Katrín Friðriksdóttir, *Valkyrie: The Women of the Viking World*, London, New York: Bloomsbury Academic, 2020. £20.00, 978-1-78831-477-0 (hardback), pp. viii + 252

Reviewed by Jennifer Markey

Independent Researcher



While often popularly depicted as buxom, blonde barmaids, graciously welcoming fallen warriors into Valhalla, valkyries (as the definition of their title, 'she who chooses the slain', indicates) had a far more sinister role in Norse mythology (p.3). Sent to the battlefield by the god Odin, valkyries were tasked with selecting victims to join the elite *einherjar*, destined to fight alongside the gods at

Ragnarök. The focus of this book is not, however, the

development of the valkyrie myth, but real Viking women, who could prove themselves as fierce and vital as their legendary counterparts.

Drawing on archaeological evidence, medieval sagas and historical chronicles, Jóhanna Friðriksdóttir provides an engaging and illuminating portrayal of women's lives from infancy to old age. Such lives were often marked by hardship, including forced marriages, a high maternal and infant death rate and the sexual enslavement of lower-class and captive women. Odin's regular rape of women in Norse mythology is depressingly illustrative, Friðriksdóttir suggests, of 'how women's bodies [...] become fair game for men so they can achieve their goals' (p. 48). The outlook was not, however, unremittingly bleak, as women were permitted to initiate divorce, act as court poets and own property. Frequently left alone while men were on expeditions, women could additionally enjoy considerable independence as *de facto* heads of the households, and even claimed power as rulers.

Most appealing to the modern imagination is the possible existence of female warriors. *Valkyrie* dismisses most epic depictions of women warriors as part of the 'fantasy elements' of the mythic sagas, together with the

dragons, dwarves and magical weapons often featured in such tales (p. 56). Of greater historic interest is Friðriksdóttir's careful assessment of the Birka grave, excavated in 1878. A 2017 study revealed that the body, interred 'with a rich array of weapons' was biologically female, leading Friðriksdóttir to speculate whether this individual might now be considered transgender (p. 58). Such modern understandings of gender must however, be used with caution when decoding the past; Friðriksdóttir further notes that the bones show no signs of the injuries typically suffered by warriors and suggests convincingly that the weapons may have been family heirlooms. The existence both of the Birka grave and the Oseberg burial ship, demonstrating a spectacular funeral for two elderly women, nonetheless signalling the possibility that women could attain high status and be considered worthy of commemoration in the Viking world.

Through her analysis of the sagas, Friðriksdóttir provides poignant examples of both the harshness of Viking life and the considerable authority some women could attain. Unnr the Deep-minded, of the *Laxdæla saga*, is highlighted as an example of 'steely determination', successfully escaping war in her native Scotland to establish her own homestead in Iceland (p. 165). The *Völsunga saga* further provides chilling portrayals of revenge-driven characters, such as Guðrún and Signý, capable of deep familial love but remorseless in their pursuit of blood-feuds. Of particular interest when considering female roles in exacting revenge is Friðriksdóttir's analysis of 'goading', in which a woman urges the men around her to violent action. Refuting simplistic suggestions that this was a misogynistic trope scapegoating women, she notes various instances in which women are able to de-escalate simmering feuds, demonstrating their potential in acting as diplomats and peacemakers in addition to leaders.

Reading this accessible, compelling history, it is difficult not to feel an admiration for the tough, determined women Friðriksdóttir depicts. Fittingly, her final chapter recalls the mythic depiction of death as an old woman named Elli. 'Strong and unbending', Elli defeats the god of strength, Thor, in a wrestling match; a worthy tribute to the complex, often brutal and vindictive, yet always courageous women of the sagas (p. 195).

Jennifer Godfrey, *Suffragettes of Kent*, Barnsley: Pen & Sword, 2019, £16.99, 978 1 526 72351 2 (paperback), pp.xii + 276

Reviewed by Clare Wichbold

Independent scholar

Jennifer Godfrey has set out to chart stories from the suffrage movement in Kent and is to be commended for tackling the subject, which has instituted 'a vast array' of information (p. ix). By her own admission, Godfrey's book is an overview of what was happening in the county with both suffragettes and suffragists, so the title is a little misleading. The book begins with an account of Ethel Violet Baldock, a working-class suffragette from Gravesend, who found herself in the thick of the action in London through her window-breaking and subsequent imprisonment. After Ethel's story, the book settles into chronological chapters and goes on to chart a number of journeys, both physical and political, beginning with the 1866 petition and coming to a close in 1928 with the Equal Franchise Act, taking in the activities of various

militant and law-abiding suffrage organisations. Notes about the County of Kent, sets the scene for the suffrage story and provides extremely helpful background information about the state of the country, in relation to subjects such as education, communication and transport links.

The book has a good range of illustrations, including some wonderful images of individuals and

campaigning in Kent, bringing a new dimension to what could so easily be a well-trodden path detailing pictures of famous suffragettes. The photographs of Ethel Baldock, held by her descendants, provide a woman, who would have otherwise remained anonymous and unseen for her deeds, with a face and accordingly, a perceptible identity.

As well as Ethel, there are some other remarkable characters, to whom chapters are devoted, Irene McLeod is one of them. Amongst her many exploits, as a remarkably young suffragette, she wrote several plays and, together with her sister Janet, founded the Drummer's Union in 1909. Also included is Olive Walton, a militant suffragette who was imprisoned on more than one occasion and who achieved notoriety, when she and Emily Wilding Davison interrupted a speech by Earl Beauchamp in 1913 - just a couple of months before Emily's death.

The chapters on imprisonment and forcible feeding include some grim descriptions of the treatment of women at Maidstone Prison, illustrating that the brutality experienced by women prisoners was not limited to places such as Holloway and Liverpool gaols. A contrast is to be found between these chapters and those on the rural campaigning journeys (undertaken by the Women's Freedom League, National Union of Women's Suffrage Societies and the Women's Social and Political Union between 1908 and 1913). However, these pastoral travels were not always without opposition. Godfrey's descriptions of the lively exchanges between the speakers (doggedly carrying out their mission for the cause) and the local rowdy elements (who did everything to stop them) really bring these stories to life.

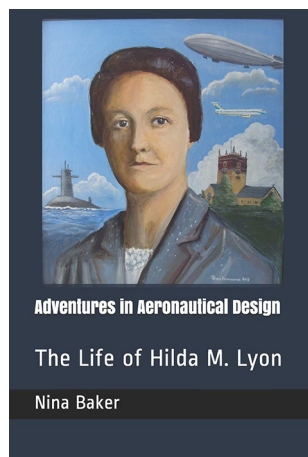
There are a couple of minor niggles: the typesetting of the text was inconsistent and quoted text from other sources was sometimes difficult to distinguish from the author's own writing. A bibliography to complement the endnotes would have been beneficial, to enable ease of following up quoted sources. These points aside, there is much to be gained from the huge amount of primary sources that Godfrey has crammed into this book. This volume could be read in two ways: a 'dip in' and 'dip out' volume, with the chapters being readable as essays in isolation; or as a complete work. The book presents many opportunities to begin further exploration of particular topics or individuals and provides inspiring material on the suffrage campaign for education at every level.



Nina Baker, *Adventures in Aeronautical Design: The Life of Hilda M. Lyon*, Glasgow: Crampton-Moorhouse Publishing, 2020. £8.50, ISBN 9798650270584 (paperback), pp. 64

Alison T. McCall

University of Dundee



The story of the women who worked at Bletchley Park during the Second World War is now well known, after decades of post-war silence. The work of the women engineers of the Royal Aircraft Establishment (R.A.E.) remains a largely untold story. This slim book, the life story of Hilda Margaret Lyon, may help rectify this. In 2019 a plaque was unveiled to Lyon on the site of her childhood home in Market Weighton,

and an entry concentrating on Lyon was included in the *Oxford Dictionary of National Biography*. This book, therefore, is a timely publication coinciding with increased recognition of her work.

Hilda M. Lyon (1896-1946) studied Mathematics at Newnham College, Cambridge, at a time when Cambridge noted exam results as being degree-equivalent, but did not award degrees to women. She then went to work in the aircraft industry, becoming an expert on stress analysis. In 1930 she obtained a travelling scholarship which enabled her to study at MIT, gaining a Masters degree. She then gained a second scholarship to study in Gottingen, where she witnessed, first-hand, the early years of Nazi Germany. However, her mother's illness obliged her to cut short her studies in 1933 and return home.

Her expertise was sufficiently recognised for her advice to be sought whilst at home caring for her mother, and so, unlike many other women, a break obligated by domestic responsibilities did not end her career. Following her mother's death, she returned to work for the R.A.E. There is little information on her work at the R.A.E. during the war and in its immediate aftermath, Lyon was sent to Germany to recover German aeronautical research.

Her early death, aged 50, in December 1946 cut short a career which still held much promise; two papers were published posthumously. Lyon's name lives on in the "Lyon Shape" hull, still used by American submarines today. Of particular interest in this book is the text of a talk given by Lyon to the Women's Engineering Society in 1944, detailing her career and travels in her own words.

The book is richly illustrated with photographs, diagrams and cuttings. It also includes lists of her publications and technical reports, in chronological order. However, there is no index nor list of illustrations.

Adventures in Aeronautical Design concludes with a request for further information. It is to be hoped that this is but an initial foray into the life of Hilda Lyon and her fellow female R.A.E. engineers, seven of whom are named in the book. There is also a link to the author's blog, which

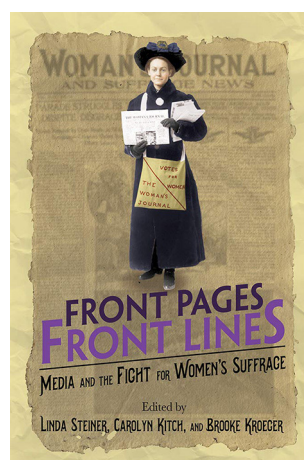
is of excellent quality and contains many fascinating stories.

In conclusion, Baker's life of Hilda Lyon is a succinct and engaging illustration of a woman who achieved much, in a life cut tragically short. The book whets the appetite and, given the nature of Lyon's work, there may well be much more still to tell.

Linda Steiner, Carolyn Kitch and Brooke Kroeger (eds), *Front Pages, Front Lines: Media and the Fight for Women's Suffrage*, Urbana: University of Illinois Press, 2020. \$25.00, 978-0-252-08497-3 (paperback), pp. vii + 254.

Kate Marks

Independent Scholar



This book provides a timely intervention into suffrage history. Developed from a special issue of *American Journalism* essays marking the anniversary of the ratification of the 19th Amendment enfranchising women in the USA, the work ambitiously assesses from the Antebellum period through to the 1920s. The authors recognise the importance of suffrage groups' use of media organs and mainstream journalistic

responses. The diverse chapters successfully sustain an intersectional outlook throughout, making extensive use of varied disciplinary approaches.

Linda Lumsden provides a historiographical overview outlining the development of historical scholarship in relation to the women's suffrage movement. She charts the progression from the 1970s' recuperative history of suffrage narratives to the 1980s' emergence of cultural histories, referencing influential research by Linda Steiner. Work developed in the 1990s became increasingly intersectional, with black feminist scholars demanding a more inclusive outlook. Lumsden draws attention to the centrality of images in suffrage print media and the importance of recent work in this area. This chapter establishes the state of the field and grounds the subsequent chapters within this historiographical trajectory. The following sections are loosely chronological, developing an overarching sense of the importance of journalism and its transformative potential, both for the individuals involved in production and for the readers.

In chapter three, Sherilyn Cox Bennion sheds light on a lesser-known suffrage publication from Utah, the *Women's Exponent* – a pro-suffrage journal published for women of the Church of Jesus Christ of Latter Day Saints. This is placed in dialogue with an oppositional journal, *The Anti-Polygamy Standard*, which wrote strongly against women's suffrage on the grounds that women would vote in line with their husbands and therefore would strengthen support for polygamous relationships

in Utah. This new insight demonstrates the potential for studying regional diversity and the conflicting opinions within the suffrage debate. This intersectional approach is reinforced in further chapters, which pay close attention to racial diversity and the importance of the black press outlets. The inclusion of source illustrations help to build an immersive understanding of the ongoing debates.

The later sections of the book draw attention to the importance of high-profile men and women within the suffrage movement. Such figures provided integral support and helped build momentum for the movement by taking on the roles of 'framer, funder, facilitator, media influence' (p.188). As the chapters move beyond 1920 and the ratification of the 19th Amendment, Maurine Beasley's work demonstrates how this momentum did not lead to a solid women's voting bloc, but rather divisions continued to proliferate.

The central thesis of the book, the important role of the media, is emphasised by Carolyn Kitch, as she draws connection from the 1920s through to the present day. Women's suffrage has been 'alternately remembered and forgotten in mainstream journalism' (p.211). The continuity of women's feminism has been frequently denied, with failure to draw connection between the valuable work of those in the earlier period and those fighting in more recent times. Kitch joins other scholars, such as Nancy Hewitt, in denouncing artificial divisions in time as they reduce the complexity of suffrage history.

Despite emphasis on intersectionality, the book concludes without mention of sexuality or the part played by LGBTQ+ media ventures, which worked within distinct communities outside of the mainstream journalistic realms. Nevertheless, it successfully fulfils Linda Steiner's call for a reconsideration of the role of media in womanhood and the suffrage sphere. The book reinforces the idea that 'new theoretical frameworks can revitalise familiar topics' (p.28) through the funding of a Women's Suffrage and Media website and the work offers a rich avenue for future scholarship.

Paul Crawford, Anna Greenwood, Richard Bates and Jonathan Memel, *Florence Nightingale at Home*, Cham: Palgrave Macmillan, 2020, £19.99, 978-3-030-46533-9 (paperback), pp. XIX + 263.

Linda Henderson
University of Exeter

Published during a global pandemic that witnessed wholesale 'Staying at Home' and the adoption of the Nightingale name in Britain to symbolise the fight against Covid-19, this must be one of the most topical books of the year. By combining the emblematic Nightingale name with an exploration of the home in all its contexts, the book's interdisciplinary style and physical size make it eminently portable and accessible to a wide readership, reflecting the differing focus and expertise of the four authors within the Health Humanities.

The book sets out, by using newly available personal archival material, to re-establish the woman beyond the iconic status and explore Florence Nightingale's world

through the multi-layered ideas of the home. This is a challenging task, given the plethora of existing scholarship on Nightingale as well as an abundance of mainstream iconography that remains centred around 'The Lady with the Lamp'. However, the book successfully achieves its objective without resort to hagiographical narratives to such an extent, that at times, the reader feels exasperated and frustrated with the many human paradoxes and frailties that Nightingale displayed as she railed against, but also colluded with, society's expectation of her as an upper-class woman. Nonetheless, the authors take great care to move away from previous simplified versions of the Nightingale story that have constructed her as 'manipulative or dominating', by re-establishing her work and values within the wider context of Victorian studies (p.12). This results in a book that can be read and used by scholars across a variety of academic disciplines, as well as being an entertaining and informative read for the non-specialist.

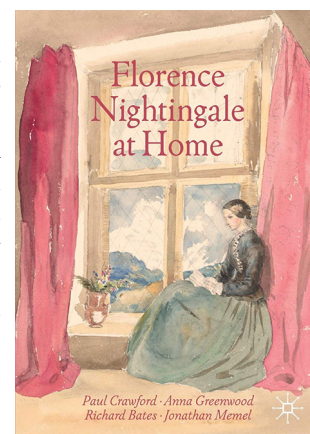
Chapter 1 introduces the different constructs and understanding of home in Victorian society and to Nightingale personally. These ideas travelled with Nightingale, both literally and metaphorically, as she spent her later years confined to her bed. However even this confinement was, as the authors explore in later chapters, often self-constructed by using prevailing social mores to her own advantage. These competing ideas of home lie at the heart of the Nightingale paradox and are a motif running throughout the book.

Highlights are found in chapter 3 (Leaving Home), where Nightingale's novel *Cassandra* is used to show her intellectual foresight in challenging the social expectations of her time. It also illustrates her understanding of the primary role played by men in constructing the domestic ideology of the Victorian age and the constraints this placed on women (pp.56-57). Further examples of Nightingale's modernity are displayed in her comments regarding the social etiquette of 'correspondence' being used by society to restrict the intellectual and economic growth of women; comments which inevitably draw comparisons with concerns over the use of social media today:

being obliged to spend time 'answering a multitude of letters which lead to nothing, from her so-called friends' prevented young women from becoming intellectually independent (*Cassandra* pp 566-567, quoted on p.54).

Meanwhile, chapter 4 (Health at Home) explores Nightingale's evolving pedagogical methods to reveal a circular narrative, which ultimately led to her returning 'home' to the traditions of the 'Lady Bountiful' through interventional home-visiting and interactive lectures rather than book-learning.

Throughout all the chapters, the idea of home moves beyond a physical place, to reside within people, emotions and institutions and exists on personal, cultural,



BOOKS RECEIVED AND CALLS FOR REVIEWERS

The following titles are available for review, so if you like to review any of the titles listed below, please email Helen Glew, Book Reviews Editor, at bookreviews@womenshistorynetwork.org

You don't have to be an expert to review - if you have a general interest and knowledge of the relevant historical period or territory then that will count for a lot. The ability to summarise a work (within the word limit!) and write interestingly about it is the most important thing. Any suggestions for books to review are also welcome - just email the book reviews editor as above.

Norena Shopland, *A History of Women in Men's Clothes: From Cross-Dressing to Empowerment* (Pen & Sword, 2021)

Dorothy Sue Cobble, *For the Many: American Feminists and the Global Fight for Democratic Equality* (Princeton: Princeton University Press, 2021)

Joanna Martin, Georgina Weldon: *The Fearless Wife of a Victorian Celebrity* (Boydell Press, 2021)

Helen Antrobus and Andrew Simcock, *First in the Fight: 20 Women Who Made Manchester* (iNostalgia, 2019)

Roland Phillips, *Victoire: A Wartime Story of Resistance, Collaboration and Betrayal* (The Bodley Head, 2021)

Lisa Sigel, *The People's Porn: A History of Handmade Pornography in America* (Reaktion, 2020)

Henrietta Heald, *Magnificent Women and their Revolutionary Machines* (Unbound, 2019)

Stephen Williams and Tony Chandler (eds), *Letters from England, 1895: Eleanor Marx and Edward Aveling* (Lawrence Wishart, 2020)

Alexandra J. Finley, *An Intimate Economy of: Enslaved Women, Work, and America's Domestic Slave Trade* (University of North Carolina Press, 2020)

Cassia Roth, *A Miscarriage of Justice: Women's Reproductive Lives and the Law in Early Twentieth-Century Brazil* (Stanford University Press, 2020)

Barbara Jones, John Fagg, Melissa Wolfe, Tom Wolf, *Simple Pleasures: The Art of Doris Lee* (D. Giles, 2020)

Roberta J.M. Olson, *Artist in Exile: The Visual Diary of Baroness Hyde de Neville* (D Giles, 2019)

Louise Ryan and Margaret Ward (eds), *Irish Women and the Vote, new edition* (Irish Academic Press, 2018)

Brianna Leavitt-Alcantara, *Alone at the Altar: Single Women & Devotion in Guatemala, 1670-1870* (Stanford University Press, 2018)

Martin Sheppard (ed.), *Love on Inishcoo, 1787: A Donegal Romance* (Matador, 2018)

Heidi Egginton and Zoe Thomas (eds.), *Precarious Professionals: Gender, Identities and Social Change in Britain*, (University of London Press, 2021)

Helen Wilson, *From 'Lady Woodcarvers' to Professionals: The Remarkable Pinwill Sisters*, (Willow Productions, 2021)

and national levels especially in the context of the British Empire. Nonetheless, while it is understandable - given Nightingale's elite social status and freedom from economic constraints - that much of this construction of the 'home' is dominated by the prevailing high-status view of patronage and philanthropy, a better balance may have been achieved if a greater voice could have been given to the poor, as well as the differences between the class constructs of home in urban and rural areas.

COMMITTEE NEWS

CHAIR AND COMMITTEE REPORT

The year since September 2020 has, for the WHN and its members, been like no other. The Coronavirus pandemic changed our public and private lives and created challenges for historians in their workplaces and domestic lives. The WHN consequently adapted and developed, in order to continue to celebrate Women's History and support historians of women. Innovations undertaken this year have included: our first online student conference on International Women's Day in March and taking on a number of work experience students, who were unable to undertake previously organised placements in the heritage industries due to Winter/Spring lockdown.

Like many organisations, we cancelled our annual

conference in 2020 and had to hold our 2021 Annual Conference online. Nevertheless, a very successful and regular online seminars series provided us all with a wonderful taste of current Women's History scholarship. Online writing retreats, roundtable discussions on heritage and community histories and workshops giving advice on how to get published have brought Women's History and the WHN to a broad range of people. These activities and the numerous applications for WHN prizes or awards have confirmed the vibrancy and breadth of scholarship in Women's History at the present.

It is possible that some of us may feel a tad 'zoomed out' nowadays. However, online activities have enabled those with caring responsibilities, long working hours or who might not have the time or financial resources to attend WHN conferences in the past, to participate and build connections with communities of historians of women. Broadening access to Women's History and celebrating a diverse range of women's histories has remained a key priority for the committee, in our activities and in our blog, journal and website. There have been some lively discussions about how this should best be done, which I am sure will continue.

Women's History regional branches also had to postpone and curtail some of their activities due to Covid-19 restrictions - although the West of England and South Wales region held an online conference. As it is likely that issues of cost and concerns about carbon

footprints and pressures of time may lead more historians of women to question their ability to travel to national and international conferences, we have been seeking ways to support and encourage regional activities and encourage liaison between local and national Women's History groups.

Financial prudence and some very welcome sponsorship from History West Midlands and the History Press, has enabled the WHN to offer a number of fellowships, prizes and awards to Early Career and Independent Researchers and for MA and undergraduate dissertations in Women's History. However, rising postal costs have resulted in us having to raise membership fees for those receiving printed copies of the journal. This will ensure the price differential between online and printed membership categories, reflects the expense of their different production to the WHN.

Covid-19 has resulted in all committee meetings and communications being online or via zoom for more than eighteen months. This has sometimes been less time-consuming and less expensive for the organisation, but has had its challenges. And as retiring chair, I want to say a big thank-you to the many hardworking members of the WHN National Steering Committee. We have, over the year, had a number of changes in the committee personnel, as pressures created by ever-changing working environments or (on a happier note) by committee members taking maternity leave. WHN needs to say special a thank-you to Sian Edwards, Beth Jenkins, Kate Law and Katharine Rowold, who retired this year after many years on the WHN National Steering Committee.

New members who have been co-opted onto the committee recently are: Rachel Chua, Katherine Perry and Norena Shepherd; whilst Hazel Perry, Vicky Iglkowski-Broad, Urvi Khaitan, Samantha Hughes-Johnson. These appointees and the WHN's National Steering Committee's new chair, Professor Sarah Richardson, were welcomed onto the committee at the AGM. Their details can be found on the website. I am sure that in their safe hands, the Women's History Network and its work will continue to develop - whatever challenges next year brings.

Maggie Andrews

Former Chair, WHN Steering Committee

WHN ANNUAL CONFERENCE REPORT 2020-2021

Due to the Covid-19 crisis, the National Steering Committee of the Women's History Network initially postponed and then regrettably decided to take the unprecedented step to cancel its 2020 annual conference, after the National Federation of Women's Institutes proposed the closure of Denman College where the conference was due to be held. Instead, the WHN committee decided to retain that year's conference theme, 'Homes, Food and Farms', and address these subject areas at the next conference, which was due to be held at the Museum of Rural Life (MERL) in Reading on 3 and 4 September 2021. However, due to continuous changes regarding Covid-19 restrictions and uncertainty surrounding group gatherings, the committee collectively decided to opt for a fully-virtual conference in 2021.

Arrangements with MERL were cancelled and a virtual conference, hosted via Zoom from 2 to 4 September, was confirmed.

The conference consisted of nine panels, presented over the three days. These panels focused on everything from food preparation, technology and training, through to farmers, landowners and labourers. We were also extremely fortunate to have three wonderful keynote lectures from Dr Laurel Forster, Professor Samita Sen and Professor Jane Whittle.

We had over 350 people registered to attend across the three days and we would like to thank every subscriber for supporting WHN in the virtual delivery of this highly informative and successful event. Special thanks must also go to our speakers, chairs and technical support team, without whom this event would not have been possible. Next year's conference will be announced in due course and we hope to see you there.

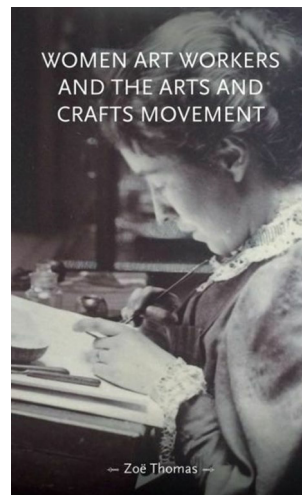
Alexandra Hughes-Johnson

WHN Conference Support Officer

WHN BOOK PRIZE, 2021

This year eight books were submitted for the Women's History Network Book Prize. It was a wonderful set of entries: every book was of a high academic standard, every book was well researched, every book made an original contribution to women's history.

The judges – Dr Paula Bartley, Prof Barbara Bush, Prof Krista Cowman, Prof Ann Hughes and Prof Emily West – found it hard to choose a winner. We were all delighted that women's history is attracting such a high calibre of researchers.



In the end, the judges all agreed the winner should be Zoë Thomas' *Women Art Workers and the Arts and Crafts Movement* published by MUP.

As in many historical studies, women have been written out or overlooked. Indeed men like William Morris and John Ruskin dominate the narrative. Zoë challenges the assumption that Arts and Crafts revolved around celebrated male designers and shows that women were active participants in the Arts and

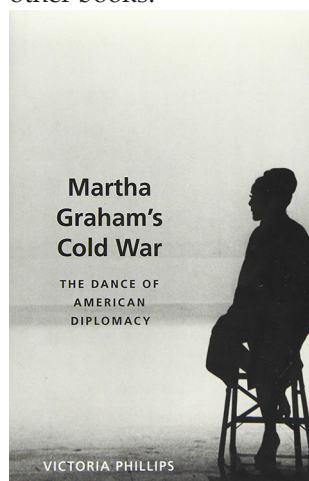
Crafts Movement.

However, Zoë's book is more than recovery history. The judges all admired Zoë's innovative thematic structure which is based around the spaces in which women arts and crafts workers operated – clubhouses, guildhalls, exhibition spaces, artistic homes and studios, businesses and workshops.

We all liked the way in which *Women Art Workers* links an important artistic movement with key social/political movements in women's history. For instance, Zoë showed how members of the Art group supported suffrage by making banners and other visual ephemera.

Finally, we were impressed by Zoë's meticulous research. The range and depth of archival sources used is remarkable: eg manuscript papers, posters, post-cards, institutional archives, memoirs, diaries and letters.

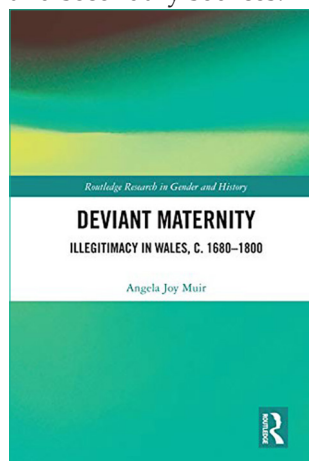
As I mentioned, the entries this year were all of an exceptional quality. We have 'highly recommended' three other books.



The first is Victoria Phillips' *Martha Graham's Cold War, the Dance of American Diplomacy*, published by OUP.

The judges all enjoyed Victoria Phillips' *Martha Graham's Cold War*. It is a cracking read. The book is also an impressive, engaging and original study that addressed the role of dance in the cultural strategies of Cold War diplomacy. It is a highly interesting exploration of 'soft power', written in a lucid and accessible style yet maintains

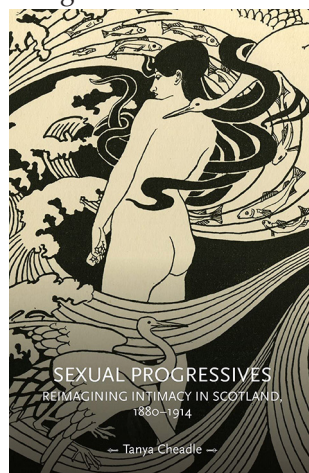
scholarly rigour, incorporating a wide range of archival and secondary sources.



The second is Angela's Muir's *Deviant Maternity, Illegitimacy in Wales, c1680-1800* published by Routledge.

Angela Muir makes an important contribution to women's history, the history of medicine and the history of Wales. Her study of a number of Welsh counties – Denbighshire, Montgomeryshire and Radnorshire – draws on a wide range of archival sources both in English and in Welsh.

The judges were impressed that Angela combines both a quantitative and qualitative approach – analysing the date from parish baptism registers to plot trends and using individual court records to bring individuals to life.



Last, but not least is Tanya Cheadle's book, *Sexual Progressives, Re-Imagining Intimacy in Scotland, 1880-1914*, published by MUP.

This is a study of feminists and socialists who fought against the moral strictures of the Victorian period. All these activists envisaged a new form of sexual intimacy which was based on women's sexual equality, mutual respect and elevated standards of morality.

The WHN would like to thank the judges (Dr Paula Bartley, Prof Krista Cowman, Prof Barbara Bush, Prof Ann Hughes and Prof Emily West) for all of their hard

work. Next year, Prof Krista Cowman takes over as Chair of Judges of the annual WHN book prize. It has been a great pleasure to read so many superb books over the last four years, and I congratulate all those who have entered the prize for their scholarship and their innovative work. It is good to see women's history in such robust health!

Paula Bartley

Chair of the Judging Panel for the WHN Book Prize

WHN SCHOOLS AND DISSERTATION PRIZES REPORT

The WHN Annual Conference is always a delight for many reasons, not least as it allows us to celebrate the many successes in women's history over the past year. In a particularly challenging academic year for us all, it was wonderful to be able to award so many prizes to those working within and outside of academia on women's and gender history.

WHN SCHOOLS PRIZES

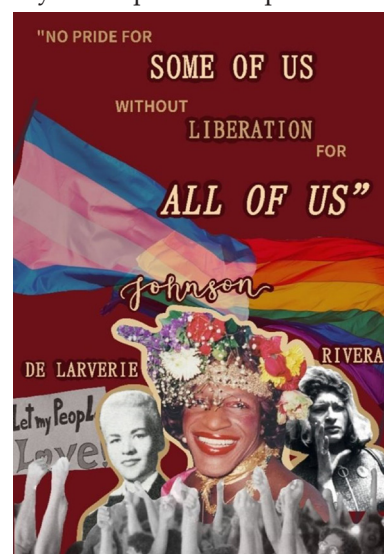
This year we challenged the students to create a poster that illustrates one of two themes:

- Extraordinary women working for today and tomorrow.

- Heroines who have made an impact locally, nationally or internationally in the past or the present.

We had some truly amazing entries at both junior and senior level. It was very difficult for the Steering Committee to judge, as we were so impressed with all of the wonderful and thoughtful posters.

The winning entry in the senior category was a poster of Stormé DeLaverie, Sylvia Rivera and Marsha P. Johnson by Natasha Leerberg. The winning entry in the junior



category was a poster of Simone Biles by Heidi Ihenacho. A full list of winners, their amazing posters and their reasons for selecting their heroines are available on the WHN website. The winners of the competition and



those receiving a recommendation of 'highly commended', will see their designs featured on future WHN merchandise – keep your eyes peeled for tea towels and calendars coming soon!

WHN DISSERTATION PRIZES

Following the success of the scheme last academic year, we were delighted to relaunch our two dissertation prizes for undergraduate and postgraduate students working on any aspect of women's history. Our MA Prize will close on 1 November 2021 and we look forward to announcing the winners in March 2022.

At undergraduate level, we were thrilled to receive 34 wonderful entries. The standard of research was excellent and entries covered a wide variety of time periods, topics and geographic areas - suggesting women's history is thriving at this level.

The winner was Olivia Terry (Brighton) for her dissertation 'Worn in the Words: Women's Relationship with Clothing and Textiles in the American West, 1836-1900'. Congratulations also to our highly commended entries: Frances Norman (Hertfordshire), Sadiya Akter (QMUL), Megan Stuart (Durham) Lauren Murphy (Leicester) and Elissa Stoddart (Sussex).

Thank you to Helen Glew, Sarah Hellawell, Alex Hughes-Johnson, Beth Jenkins, Lyndsey Jenkins and Catia Rodrigues for their assistance with judging.

Anna Muggeridge
WHN Prizes and Grants Officer

WHN FELLOWSHIPS

We are pleased to announce the appointment of Fellows for 2021/22.

The ECR Fellows are:

- Emma Barrett - 'Sex and the City: Gender and the City of London'.
- Natalie Hanley Smith - 'Assigning blame and expressing shame: an account of sexual harassment in an early nineteenth century letter'.
- Vicky Holmes - 'The Domesticated Lodger: Lodging in Someone Else's Home in England, 1840-1900'.
- Rebecca Mason - 'Women and the Law in Early Modern Scotland: Property, Power and Patriarchy'.

The Independent Fellows are:

- Chamion Caballero - 'Princesses Pratibha and Sudhira Devi and Their Relationship with the Mander Family of Wolverhampton'.
- Preeti Dhillon - 'The Shoulders We Stand On: How Black and Brown People Fought for Change in the UK'.
- Ann Kennedy Smith - 'Outrageous Proceedings: Women at Cambridge 1882-1914'.
- Laura Noakes: 'The Professional Identity of Women Workers at HM Factory Gretna in the First World War'.

Anna Muggeridge
WHN Prizes and Grants Officer

WHN COMMUNITY HISTORY PRIZE 2021

This year the WHN received seven entries to be considered for the Community History Prize - half of the number that were received for the same prize in 2020. However, as we have been in the midst of a global pandemic for some time now, it is clear that despite the contagion and its accompanying restrictions, community groups remain committed to participating in women's history projects, employing increasingly interesting and innovative approaches to project development and delivery.

WHN extend thanks to the judging panel: Anne Logan (chair); Helen Antrobus; Sue Brueley; Samantha Hughes-Johnson; Amelia Francis; Cathy Hunt and Donna Moore.

All of the entries received were of high quality and each one was innovative in its own way. Following the panel's Zoom deliberations, it was decided that one entry would receive a highly commended award and from the remaining six, a winner was then decided upon.

The highly commended entry was a project entitled, 'Let's See the Invisible', a venture which saw the East End Women's Museum commissioning six local artists to work alongside museum volunteers and community members, in order to explore the intrinsic meaning of a women's museum and how best to research and tell women's stories within one. The project culminated in an online exhibition of film, poetry, zines and visual arts.

The prize-winning project was the 'Friends of the Factories Plaque Initiative', which was conceived as a way to honour the people, places and buildings associated with the shirt factory industries of Derry and beyond. Incredibly the project began with no funding and accordingly, the judges considered it a true grassroots initiative. It was also developed and initiated during a pandemic, which illustrated the volunteers innovation and determination.

After approaching the Derry Trades Union Council (DTUC) with their ideas, the Friends of the Factories received 'unwavering support' from the council and the group were able to extend the plaque initiative. From its conception, the project had collaborated with a local walking tour company, who agreed to incorporate the newly installed plaques into their tours, thus forming a heritage trail. The project's legacies included: the



encouragement of community cohesion, during a period where pandemic restrictions worked to isolate individuals; the strengthening of links between Derry and Manchester; the lasting provision of a visual reminder of the women 'who worked in the factories and kept the city alive' and the formation of an annual heritage walk, including the ceremonial sounding of the factory horn. The group have also been approached with requests to be involved in school projects, books, culture visits for tourists, along with appeals for media appearances. Critically however, the project has changed the narrative with regard to the history of Derry and encouraged the voices of the women who worked in the shirt factories, to resound into the

twenty-first century – 'to be celebrated and honoured as they rightly deserve'.

The judges were greatly impressed with this project and wish to thank the Friends of the Factories Committee for their remarkable efforts in developing, co-ordinating and implementing this initiative. Accordingly, the judging panel and WHN extends sincere congratulations to Yvonne Norris, Sadie Harkin, Claire Moore, Mary Doherty, Mary White, Isobel Doherty and Julie Piggott.

Samantha Hughes-Johnson
Community History Prize Judge

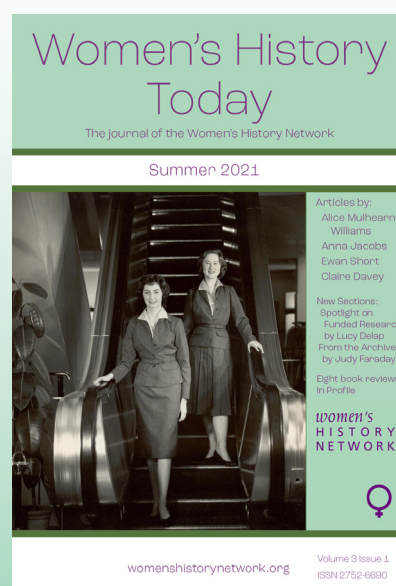
PUBLISHING IN *WOMEN'S HISTORY TODAY*

Women's History Today welcomes contributions from experienced scholars and those at an earlier stage in their research careers. We aim to be inclusive and fully recognise that women's history is not only lodged in the academy. All submissions are subject to the usual peer-review process. Articles should be 3000-8000 words in length. Contributors are requested to submit articles in final form, carefully following the style guidelines available at:

<https://womenshistorynetwork.org/womens-history-today/>

Please email your submission, as a word attachment, to the editors at

editor@womenshistorynetwork.org



WOMEN'S HISTORY NETWORK NATIONAL STEERING COMMITTEE AND OTHER CONTACTS—2021

Chair—Sarah Richardson

Charity Rep—Hazel Perry

Social Media and Blog Editors— Vicky Iglkowski-Broad, Lyndsey Jenkins and Kat Perry

Membership Secretary—Susan Cohen

Treasurer—Becki Hines

(Archive) Secretary—Urvi Khaitan

Conference support role—Alexandra Hughes-Johnson

Website and publicity—Nancy Highcock

Prizes and Grants—Anna Muggeridge

Journal—Kate Murphy, Angela Platt, Laurel Forster, Helen Glew, Kate Terkanian and Samantha Hughes-Johnson

Newsletter Editor—Catia Rodrigues

Community Liaison Anne Logan and Helen Antrobus

Diversity Officer—Norena Shepherd

Schools Liaison—Tahaney Alghrani

Seminar Organisers Erin Newman, Sarah Hellawell and Rachel Chua

Co-opted Members of the Committee

WHN Book Prize Panel Chair —Krista Cowan
bookprize@womenshistorynetwork.org

Community History Prize Chair —Anne Logan
communityhistoryprize@womenshistorynetwork.org

IFRWH rep—Gillian Murphy

*To join the WHN just go to
womenshistorynetwork.org/join-us/ and follow the instructions.
Donations and Gift-Aid declarations can all be
accessed online as well*

WHY NOT JOIN THE WOMEN'S HISTORY NETWORK?

The **Women's History Network** is a national association and charity for the promotion of women's history and the encouragement of women and men interested in women's history. Following our establishment in 1991 we have grown year by year and today we are a UK national charity with members including working historians, researchers, independent scholars, teachers, librarians, and many other individuals both within academia and beyond. Indeed, the network reaches out to welcome women and men from any background who share a passion for women's history. The WHN is controlled by its members who elect a national steering committee who manage our activities and business.

CONFERENCE

The annual WHN conference, which is held each September, is a highlight for most of our members. It is known for being a very friendly and welcoming event, providing an exciting forum where people from the UK and beyond can meet and share research and interests. Each year well known historians are invited as plenary speakers and bursaries are offered to enable postgraduate students or those on a low income to attend.

PRIZES AND GRANTS

The WHN offers annual community history and book prizes, grants for conferences and ECR and independent researcher fellowships.

NETWORKING

Of course, talking to each other is essential to the work and culture of the Women's History Network. We run a members' email list and try to provide support for members or groups who organise local conferences or other events connected to women's history that bring people together.

PUBLICATION

WHN members receive three copies of our peer reviewed journal, *Women's History Today*, each year. The content of the journal is wide ranging from articles discussing research, sources and applications of women's history, to reviews of books, conferences, meetings and exhibitions, as well as information on calls for papers, prizes and competitions, and publication opportunities. The journal is delivered electronically in PDF form to all members via email, but members, can elect to receive a printed hardcopy of Women's History for an increased membership fee.

WHN MEMBERSHIP

Annual Membership Rates September 2021 / with journal hardcopy / with journal overseas delivery

Community Group member	£15 / £25 / £35
Student or unwaged member	£15 / £25 / £35
Low income member (*under £20,000 pa)	£25 / £35 / £45
Standard member	£40 / £50 / £60

Life Membership (includes journal hardcopy)	£375
Retired Life Membership (includes journal hardcopy)	£195

The easiest way to join the Women's History Network is online – via our website – go to
<https://womenshistorynetwork.org/join-us/>

Charity Number: 1118201. Membership application/renewal, Gift Aid Declaration are all available at
<https://womenshistorynetwork.org>