

## Female Testaments as Social Discourse: A Textual Analysis Under a Critical Discourse Analysis Approach

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**Abstract** *The following article is an analysis of 33 female wills (from 16<sup>th</sup>-20<sup>th</sup> centuries) found in notarial protocols at the Murcia Regional Archives (Murcia, Spain). Using a Critical Discourse Analysis framework, with special emphasis of Pierre Bourdieu's postulates, this article studies how women handle gender, cultural, and power relations, challenge social hierarchies and, at the same time, reproduce them in their attempt to look respectable/honorable, assert their power, redefine themselves and negotiate their public image.*

**Keywords:** *female wills, social discourse, power relations, public image, creating face.*

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### 1. Introduction

When attempting to write anything related to the 'history of women,' it is not infrequent that some scholars experience a series of disruptions. Because of the development of specific demographic or socio-cultural, historical events, women's voices have not always been shown to the general public, recorded for future generations, and more importantly, they have not always been given the chance to make their voices heard in a Western society where, since time immemorial, the male authority has prevailed. As Zemon Davis and Farge (1993:1-2) claim, "what men said and wrote about [women] did not capture the reality of women's presence. (...) Woman was not revealed but invented, defined by means of a learned gaze that inevitably robbed her of her substance. (...) It is not surprising that historians (...) long neglected the presence of women. Writing history in the masculine gender, they did not allow sexual differences to inflect their narrative."

These views confirm one specific fact: throughout the years, almost anything written about women reflects what men think of women rather than women's universe from a woman's perspective, and therefore women have seen how their chances to express their views have been significantly restricted, due mainly to male dominance and their negative characterization of women in several scenarios. During the Middle Ages, as specified by Casagrande (1992:77) in her discussion of how the Dominican Humbertus de Romanis and the layman Francesco of Barberino classified women in their respective works, "for both writers, however complex a society they portrayed, the female half was identified according to a value-system and a hierarchy set up by the male half."<sup>1</sup> This continued during the Renaissance, the Enlightenment years,<sup>2</sup> and with the 20<sup>th</sup> century struggles to achieve the equality of sexes. Throughout the years and in different countries, women have faced these male-dominated views and have been witnesses of how the latter limited their role in society, and yet, despite the limitations that society might have

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<sup>1</sup> Of course, there are differences in the appreciation and status of women, depending on which social group they belonged to

<sup>2</sup> For example, Hufton (1993:15) quotes an excerpt from British essayist Richard Steele offering the following definition of a woman: "A woman is a daughter, a sister, a wife and a mother, a mere appendage of the human race" (*The Tatler*, no. 172).

imposed upon them, women have kept trying to eliminate obstacles, develop their own perspective and eventually be heard. It is the researcher's goal to find those voices and study what these women have to say, and with that aim in mind, the purpose of this article is to study and analyze the testaments written by women from the city of Murcia (Spain) from the 16<sup>th</sup> to the 20<sup>th</sup> centuries. More specifically, the idea is to use these testaments as a tool to reconstruct and identify female social discourse, how they used it to make themselves 'heard' and, crucially, how they use language to negotiate and redefine social roles, gender, class and cultural practices and, eventually, power relations. It is for this reason that a critical discourse approach to the analysis of these documents (with special emphasis on Bourdieu's views on the process behind social change and the maintenance of earlier experiences/traditions) seems to be the most appropriate framework.

As specified by van Dijk (2001:352), critical discourse analysis (henceforth CDA) is "a type of discourse analytical research that primarily studies the way social power abuse, dominance, and inequality are enacted, reproduced, and resisted by text and talk in the social and political context." If as specified by Fairclough and Wodak (1997: 271-80), discourse (1) addresses social problems, (2) constitutes society and culture, (3) does ideological work, (4) is historical, (5) is interpretative and explanatory, (6) is a form of social action, (7) addresses social problems, (8) functions as a mediator between society and text, and (9) power relations are discursive, this framework seems to provide the most accurate tools to do the type of analysis specified above.

From all theoretical perspectives associated to CDA, Bourdieu's views, in fact, provide an excellent background to the topics that will be discussed here. In his discussion of "symbolic violence" i.e. "the subtle imposition of systems of meaning that legitimize and thus solidify structures of inequality," (Wacquant 1998:217), Bourdieu considers masculine domination the paradigm of symbolic violence, and it has been present from ancient to our contemporary times, as the following examples will show. For example, according to Roman law, women were considered to have "weakness of mind (*imbecilitas mentis*), flightiness, and general infirmity (*infirmitas sexus*)" (Thomas 1992:144). In King Alfonso X the Wise's description of marital duties in the late Middle Ages in his *Siete Partidas*<sup>3</sup> (more specifically, in number four), women are portrayed mainly as mothers, children caretakers, and wives, all within the 'closed context' of their households.<sup>4</sup> Alfonso X the Wise specifies rights and duties of both men and women towards each other when they marry, also adding that part of the man's job is to teach and correct her when she does/says something wrong, and whereas men can fulfill their duties, functions and roles in the 'outer space,' women are confined within the house walls.<sup>5</sup> In Spain, for example, women's own decisions to acquire property, work, open bank accounts, etc., lacked legal value and had to be authorized by a male figure (this law was not changed until the May 2<sup>nd</sup>, 1975 law reform of the Spanish civil code).

This particular view could be explained as a result of what Bourdieu defines as 'habitus,' i.e. the (re)production of societal structures and practices that are perpetuated throughout time.

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<sup>3</sup> "Seven-part Code."

<sup>4</sup> Of course, this needs to be taken cautiously, since social and economic differences shaped the impact of these views among women (e.g. the discourse is different in testaments depending on which level of the social scale the woman belonged to; different social stratification conveys different types of discourse, although some commonalities can be found). An exception to this can be found in the case of abbesses, for example, who as part of their duties, held a type of power that regular women did not possess. Another example would be the case of female members of nobility who eventually managed to govern territories.

<sup>5</sup> There are some exceptions to this. For example, in one of the documents from Peter I from Castile, which specifies the salaries for workers, there is a distinction between 'male' and 'female' workers, and the document makes reference to the fact that they work 'outside.' Of course, nothing is said about what kind of worker a woman was considered to be, whether she actually went to work somewhere else or whether it was something she might do outside her household in her free time.

As Wacquant explains (1998:220-1), “these unconscious schemata are acquired through exposure to particular social conditions and conditionings [and are] shared by people subjected to similar experiences (...) these dispositions are malleable, but within the limits set by primary (or earlier) experiences.” What is very interesting is the relationship between ‘habitus’ and ‘fields,’ the latter being “arenas of struggle (...) a ‘battlefield’ wherein the bases of identity and hierarchy are endlessly disputed over (...) these dispositions are malleable, but within the limits set by primary (or earlier) experiences.” (Wacquant 1998:221). If male domination has been perpetuated as a ‘habitus’ throughout the centuries, and we view testaments as ‘fields’ and the venue through which women could potentially make their voices heard, in spite of their fixed nature and structure, last wills are the perfect tool for women to question hierarchy, social status and power relations, given the fact that, despite the male domination, last wills were the only documents that women were able to write without a male’s permission, therefore, a chance to be distinct and position themselves in society.

As a matter of fact, ‘distinction’ and its relation to the study of cultural practices is one of the most crucial elements discussed by Bourdieu. According to him, any cultural practice takes its social meaning and ability to express social difference/distance from its location of similar objects and activities, i.e. how it relates to them. He defines the ‘hierarchy of lifestyles’ as the ‘misrecognized retranslation of the hierarchy of classes,” i.e. how members of a particular group reposition themselves according to the crossing of what Bourdieu defines as ‘economic’ and ‘cultural’ capital through the negotiation of these two parameters. More specifically, “the representations that individuals and groups inevitably engage in their practices [are] part and parcel of their social reality. A class is defined as much by *its perceived being* as by *its being*” (Bourdieu 1979/1984:564; emphasis mine).

We can now turn to the analysis of female wills, how these documents reflect these issues, how these women handled this situation, and what their discourse in these documents shows. The choice of female testaments as our object of study is not arbitrary. Testaments are documents with a very straightforward format and a content full of formulaic language, thus not the type of writing were one might expect any ‘vindicating’ attitude. In fact, and as specified by Benadusi, “male testators [...] defined the boundaries of patrilineage and the order of gender hierarchies [...] Research on testamentary practices and other legal texts has clearly pointed to the legal and economic marginalization of women. The legal tradition in conjunction with familial practices excluded women from property rights and inheritance, while placing the responsibility for the preservation and the distribution of wealth on men.”<sup>6</sup> As a document that might inherently show how women’s were constrained in their opportunities to “inherit and bestow property,” in Benadusi’s words, the study of the ‘(hidden) content’ of the language gives as a unique chance to learn about women’s fears, attitudes in life, views on society, class, family and gender relations. As a matter of fact, testaments were the one and only documents with legal validity that women were able to produce without a man’s permission<sup>7</sup>. What women reveal in their last wills is valuable information about how their lives were structured in terms of power, moral principles, attitudes towards the afterlife, and how all this shapes social behavior. After all, and as Salter (2007:118) claims, the use of testaments is particularly valuable when “reconstructing the lives and attitudes of people who are otherwise lost to history.” If there is a topic where this statement fully applies, it is in the study of women and their role in society throughout history.

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<sup>6</sup>Therefore, it is crucial to study these documents and try to determine what women really do when they distribute their belongings.

<sup>7</sup> However, as pointed out by Reid (2004:155) in his discussion of women’s rights to make a will in Roman times, “women were able to make a will but only with the consent of guardians who should not have a direct interest in the will.” As he explains, women had to undergo a process known as *capitis diminution* in order to seek “the protection of a guardian independent of her family [...] who might look after her interests and approve the will.” (2004:278)

The insights that this analysis can provide to the study of female testaments are numerous. In a society where women were not valued beyond their role as mothers and caretakers, a society which diminished their legal value and presence and limited their performance outside the house walls, women get the chance to be in charge of drafting a document for which they do not need male authorization. With this in mind, our research will specifically focus on the following:

- (1) Using the relationship between 'habitus' and 'field' and focusing more on the procedure rather than in the implications for the class debate, how do these women negotiate social parameters and practices and represent themselves through the language they use?
- (2) Do they use language to depict their social roles and challenge them?
- (3) Based on their language use, and using the terms that Bourdieu chose to define class, are these women more interested in their 'being' or in their 'perceived being'? Specifically, are these last wills a tool to transmit wealth to future generations, reflect the 'habitus' that surrounded them, or did these women have an 'agenda' that shows in the drafting of the document?

## 2. Analysis of Wills

The testaments selected for this presentation have been chosen with a diachronic perspective in mind, also trying to reflect different layers of the sociodemographic scale and seen as social discourse. Although constrained by the lack of specification and description of many of the documents analyzed (e.g. no references to any traditions, their social relations, and the deteriorated state of most of the documents), especially those pertaining to the 16<sup>th</sup> century, one thing seems to be clear: in the analysis of the thirty-three female testaments used for this article, we have been able to corroborate the same trends pointed out by Benadusi in her study of female servants testaments in Italy. As she specifies, "female and male testators exhibited distinctive patterns in their legacies. Women spent more time than their male relatives distributing gifts and dictating itemized lists of their jewels, clothes, household objects, and other personal items. They bestowed their possessions on relatives as well as friends and on sons and brothers as well as daughters, daughters-in-law, and sisters. They rarely forgot to give something to their servants and made donations to charitable and religious institutions, chapels, and hospitals more often than their male kin did. (2004:181). This is indeed the case in almost every document, where the lists of churches or convents to which these women donate some money, together with the charities they support, seem to be endless sometimes. In a similar fashion, the itemized lists of clothing and household items and their beneficiaries are clearly stated, sometimes explaining the reason why that specific person was entitled to them.

The other thing that seems very recurrent is that, regardless of the century, and conforming to Bourdieu's idea of 'habitus,' not much progress seems to be made when it comes to women's cultural attainment throughout the years. In all documents consulted, only two women sign the testament themselves, with the rest either not mentioning this at all or actually specifying that a witness signed for them since they were illiterate.<sup>8</sup> In spite of this, the analysis of the language of these documents allows to uncover the way in which these women negotiated how they portrayed themselves to society, how they used their possessions and belongings to shape their relations to others and, in Bourdieu's terms, establish power relations, distance

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<sup>8</sup> None of the testaments include further information about cultural attainment: the woman just states that she is illiterate, without any mention to the fact that she might have been unable to study, or whether she regretted that fact. Women's cultural attainment is minimal, especially within the context of academic achievements. With the exception of very few of them, they did not know how to read or write; in fact, the references in their testaments to the fact that they cannot write are constant, and the ones who do have very rudimentary handwriting. There is no reference to the distribution of books between their heirs.

themselves from others in order to exercise power and reproduce some of the power dynamics that, paradoxically, men exercised and used in women's detriment.

As mentioned in previous paragraphs, women showed a preference to leave their possessions to the less favored. Their testimonies seem to portray a desire to produce an equitable distribution of what they had. If the woman had several children, everything was equally distributed among them,<sup>9</sup> and if one of the children got more inheritance, the woman normally specifies that the reason behind it has to do with the fact that that particular son or daughter took care of her during a long illness, or (s)he allowed her to live with them when she was undergoing a difficult situation and had nowhere else to live. The beneficiaries are those related by blood to the woman writing the testaments and others who are not.

Although there is no doubt that, generally speaking, these women were thankful individuals, sensitive to the affections displayed towards them, and willing to reciprocate accordingly, we have to wonder whether these women did not have other reasons to show such affection and behavior. If we think of the idea of the testament as the 'field' in which women 'battle' and 'struggle' to (re)define themselves in spite of the 'habitus' that surrounded their lives, we get very interesting readings out of those words stated in the testaments. In these documents, we see women clearly stating what they own, how charitable they are, and making very obvious what balanced, fair, forgiving and thoughtful individuals they are. Here you have some examples found.<sup>10</sup>

### 2.1 Looking Respectful

(a) Josefa Guerrero y Ruiz (October 4, 1800): "I declare that my only and universal heirs be (...) María Teresa Tuero and Agueda Martínez, **my servant**, so that what they find, take and inherit **be shared and divided equally.**"

(b) Juana Hernández Jiménez (July 7, 1800): "I declare that Salvadora García, my niece, owes me some money (...) I want **by my own will to forgive her and release her of that debt and as my duty**, I release her **and ask her to commend my soul to God.**"

(c) Ana Hernández (February 25, 1750): "I want, and it is my will, that Miguel Torralba, my son (...) he owes me some *maravedís*,<sup>11</sup> but I definitely **forgive him/release him from** that debt for all the help that he has provided me and for the love that I have for him."

(d) Catalina de León (November 20, 1607): "I name my children as my universal heirs **dividing all my possessions equally among them, without having arguments with each other, nor demands/claims [against each other], because they will only rest in heaven if they behave as good brothers and sisters.**"

So besides portraying them as good-willed human beings, very equitable and forgiving, thus reflecting the fairness that comes with the exercise of power (as seen, for example, in the figure of a king), what else does this language do for these women, and most importantly, how does it portray them as? The analysis of these documents seems to support the idea that women used this language in their attempt to create 'face' (Brown and Levinson 1987).<sup>12</sup> As mentioned

<sup>9</sup> The study of these female wills confirmed the fact that women accepted marriage as a social status for their protection. Only 7% of the women are single, whereas the number of widows who remarry increases to a 12%. Women seem to have a longer life span than men (40% of the women are widows), and 70% of them have children.

<sup>10</sup> Emphasis mine in all examples. The translation from the original documents is also mine.

<sup>11</sup> Type of currency.

<sup>12</sup> "The term face may be defined as the positive social value a person effectively claims for himself by the line others assume he has taken during a particular contact. Face is an image of self-delineated in terms of approved social attributes." (Goffman 1955:213) Goffman, Erving (1955). On Face-work: An analysis of ritual elements of social interaction. *Psychiatry: Journal for the Study of Interpersonal Processes* 18(3), 213-231. Reprinted in Goffman (2005, pp. 5-46). With this notion of 'face,'

by Huang (1987:71),<sup>13</sup> “face is a sense of worth that comes from knowing one's status and reflects concern with the congruency between one's performance or appearance and one's real worth.” With their choice of words, and the acts they entail (e.g. forgiveness in the previous examples), these women negotiate the most ‘public’ perception of themselves. Being so naturally and genuinely forgiving portrays these women as respectable, worthy human beings and, most importantly, creates a positive and honorable reputation for them. If men in power are supposed to show this fair, forgiving and equitable behavior, these women make sure they display the same features and, once it is reflected in paper, it becomes a statement with long-lasting duration, thus creating a respectful memory. This is crucial because, as stated by Bourdieu, not only do these women want to be honorable, but their choice of words clearly shows that they also want to ‘look’ honorable.

However, it is in the analysis of the items they bestow on others where we get a clearer picture of who these women are, how they use the testaments to thwart male’s “symbolic violence,” in Bourdieu’s words and, most importantly, to negotiate their position in society and their public image in power-related terms and the exercise of power. As Benadusi points out, female wills become “an outlet for voicing publicly and legally women’s vision of the social order they lived in” (2004:819), i.e. the ‘field,’ in Bourdieu’s words, where these women reposition themselves effectively, choose the way to be seen by others, and also a venue to set up that ‘difference’ mentioned by Bourdieu. In other words, testaments are the vehicles used by these women to show some sort of “vindicating” attitude, yet “perpetuating” the “habitus” implied in social differences and hierarchies, specifically, some of the “male attitudes” when negotiating power relations in order to define their own. The analysis of the following example will try to clarify that, and will prove how different aspects of life actually overlap in women’s presentation of themselves in the documents.

## 2.2 Repositioning Themselves in Society

We begin with the examples in which these women (re)position themselves in society. The detailed inventory lists of what they own and who gets it is a good example of that. As pointed out before, women are more accurate in their inventories than men, and after the Tridentine reform, they were definitely encouraged to make donations to the less favored ones. This definitely creates face, but it also has other more subtle implications. Take the following excerpt from the testament of Teresa de Guardiguela (1502): “I wish and I demand that 100 *marevedis* be given to her servant for how she served me, **for my peace of mind.**” This perfectly complies with the values of respectability, charity and honor mentioned before; however, the money she leaves the servants is just a fifth of what she donates to Our Lady of Arrixaca, for example, as specified later in the document. Here we have the case of a woman who is charitable with a servant, but less than with a religious devotion. In fact, and quite paradoxically, religion was one of the outlets where women could find some sort of social promotion and could be seen/considered in the ‘public sphere,’ so to speak. It could be the case that, in her attempt to ‘create face’ and participate in the public domain, Teresa de Guardiguela decided to donate more money to a religious devotion to reinforce her image of pious church member, faithful parishioner and, in fact, contributing to support Bourdieu’s idea that the ‘perceived being’ is almost as important as the ‘being.’ There are other examples in some of these testaments showing how important it was for women to belong to religious brotherhoods; these women were fully aware of the privileges and benefits involved in their membership, therefore feeling entitled to claim them as part of their burial procedures. Besides contributing positively to their own respectability, women realized this was a great platform to negotiate their public image and

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<sup>13</sup> Huang S. (1987). Two Studies of Prototype Semantics: *Xiao* 'Filial Piety' and *Mei Mianzi* 'Loss of Face', *Journal of Chinese Linguistics* 15: 55-89.

convey the honorability and social status they were looking for (some of the women stated in their testaments that they belonged to two of these groups).<sup>14</sup> See the following examples.

(a) Justa Hernández (December 27, 1607): "... that I be buried wearing the St Francis habit and my body be accompanied by 12 clergymen until we arrive at the church and [I also want] the banner of the Carmen and Concepción brotherhoods [to be carried].

(b) María Marco Márquez (November 2, 1800): "I confess that I belong to the Good Star Brotherhood (...) and I also belong to other brotherhoods for which I own registration papers. I want that after my death the Main Brother be informed of my death so that all the benefits that I am entitled to be carried out."

(c) Juana Hernández (July 7, 1800): "I belong to the Saint Rita brotherhood, and I want that after my death the Main Brother be informed so that all the benefits that I am entitled to be carried out."

After reading these fragments, it is clear that women not only want to proclaim their devotion, but they use their testament for an interesting 'being/pretending' game, so to speak. Their detailed voicing of what they own, the number of masses they require for the salvation of their souls and others', and the vehemence with which they claim to be members of those brotherhoods and request that the benefits of such membership be bestowed upon their death only means one thing: they want those things to shape who they are, and the shape the perception of themselves that they want others to have, i.e. again contributing to the creation of face, respectability and honorability.

It is time now to focus on these women's legacies and the gifts they give to their heirs. This is a crucial issue, since the 'reading between the lines' in the words that we read in these documents display the subtle ways in which these women position themselves with respect to their heirs, specifically when they make donations to their servants, and make the 'social distance' more evident. In fact, what we read is how these women reproduce class hierarchies in their donations, thus reflecting the 'habitus.' This is not to say that these women perpetuate the century-long tradition of discrimination against the less favored, but what appears evident is that they reflect the society in which they live and the hierarchies that it conveys. According to Benadusi (2004:817), "mistresses' gifts to their servants, [...] while certainly revealing compassionate feelings of appreciation and generosity, might have also created a bounded space in which the social status of the employer was reinforced and at the same time the social inequality of the relationship between servants and mistresses was reproduced, thus indirectly and symbolically placing mistresses in a dominating position." This is exactly what we see in these testaments.<sup>15</sup> This is even more striking is the case of María Navarro Pérez, whose last words included the following: "It is my will that to Manuela Mateo [...] and to Catalina González, mother-in-law of the former, both of them **who are in my assistance without earning any salary, and I hope will continue until my death** [...] and I want that to each of them 20 pesos are given and if one of them died, the remaining one should get 40 pesos and [I ask them to] **pray for my soul and commend it to God.**" Here you have the case of a woman who actually states that she has two servants working for her who are not being remunerated. Even more striking, she hopes that these two women continue being at her service without any change to their economic situation. For example, Benadusi (2004:822) claims that "it was not unusual for masters to fail to compensate fully their servants for a lifetime of work (...) That

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<sup>14</sup> After the Tridentine reform, it is of no surprise that religious devotions played an important role in people's lives, and these women are no exception. Of course, their participation was very limited, and they did not have a vote; they only have to pay an initial membership, which gave them access to the same privileges than men had when they died.

<sup>15</sup> Take, for example, the words of Teresa de Guardiguela who left 100 *maravedis* to her servant, but 500 for the religious devotion she supported. In her will, Teresa also mentions that she owns several houses; obviously her social status was higher than other women's, and she does make sure it shows in the way she phrases her last will.

masters and mistresses did not pay their servants regularly is apparent in the last wills of both masters and servants,” and here we have an example. However, this woman hopes that, despite this obvious inequality, the two servants keep working for her. It seems that social inequality was very obvious in that time to the point that these two women might be working for their mistress even without being paid for it but at least they got taken care of and were able to eat and live somewhere. Two things need to be pointed out. First, the way in which María Navarro negotiates social hierarchies and how she incorporates a discourse of potential subjugation, since her heirs have to fulfill very specific conditions that she states, therefore reaffirming her authority and power over their servants or other people, their language being clear indicators of this. Consider the following examples.

(d) Josefa Guerrero Ruiz (October 4, 1800), leaving her maid as one of her heirs, states: “she must only have the usufruct of the land during the days of her life, **without being able to sell the land at all.**”

(e) Isabel Amador de Lozano (June 16, 1607): “I clarify that to this day Adelino Mercader owes me 300 *reales*<sup>16</sup> from an order of silk that I already delivered and for which he had already paid part of it (...) he still owes me (...) **I order/demand that he pay me.**”

In addition to this, notice how many of the previous examples contain a reference to these women asking their heirs to ‘commend their soul to God’ after they allot some gifts/possessions to them; if the heirs do not fulfill these women’s last will, the heirs’ eternal salvation might be jeopardized, and quite frequently, women resort to this type of ‘religious subjugation’ in order to be seen as powerful individuals who can decide the fate of others. Take, for example, the following excerpt.

(f) Juana Bautista (Feb 3, 1606): “I declare that, together with my husband, we sold a house in the Saint Andrew neighborhood and that the house was part of my dowry (...) **I want masses [for my soul] to be paid with the money from that sale.**” (Husband is her universal heir).

In these examples, not only do women renegotiate their role and ability to exert power, but in a clear role reversal, they ‘subjugate’ these two men and make them fulfill their last wishes; if they do not, they run the risk of creating ‘negative face’ and not looking respectable and honorable, as they are supposed to be. Even more interesting, in the case of Juana Bautista, she makes her husband her universal heir, but she makes him spend the money they got after the selling of their house (a house that was part of her dowry) to pay for masses for her soul. If he does not do it, the husband is not fulfilling her wife’s last will, therefore not looking respectable, but it also jeopardizes his own eternal salvation, since the wife ‘simply’ wants the money to be used for spiritual reasons, which makes her be and look honorable and in tune with the religious atmosphere of the time.

With this ‘role reversal’ by means of which Juana Bautista displays her ability to assert her authority in a public arena, she proves how women are perfectly capable of making decisions and taking control. The patterns these women display in their last wills challenge the idea that women have ‘infirmity of mind,’ since it is clear that women, despite their meaningful good intentions and charitable goals, use language to portray themselves as powerful individuals ‘marking their territory’ who reproduced the discourse of power relations existing in their times. In fact, and as stated by Benadusi (2004:815), these women construct a sense of ‘collective identity’ that included “both the maternal and paternal lines,” i.e. shows the authority always attributed to the father figure and equals it to the one exercised by the woman, thus finding new ways to portray and think about themselves.

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<sup>16</sup> Type of currency.

### 3. Conclusions

The study of female testaments of women from Murcia from the 16<sup>th</sup> to the 20<sup>th</sup> century reveals very interesting facts about how their social environment shaped their lives, and also, how they managed to get through it, challenging at, at the same time, reproducing the patterns of power relations that surrounded their lives in a society where male interests prevailed. Even in these circumstances, we have noticed how these women show maturity, firmness in their decisions, cohesion and clarity of mind when specifying their belongings and to whom they should go. Regardless of their social status, these testaments portray women as conscientious, fair and balanced individuals that do their best to distribute their possessions equitably among their heirs. Their sense of piety and fairness makes them show more gestures of solidarity towards those who might be disadvantaged within society, and regardless of the century, all women show solid, respectful and loyal feelings towards those who helped them and contributed positively to their lives. This is also the means through which women negotiate social hierarchies and use this to their own advantage, i.e. to serve the purpose of creating positive face and showing publicly that they are powerful and they have gained respect. Language is definitely used to negotiate and redefine power, and in Bourdieu's terms, the testament itself is the 'field' where they present themselves as power holders, even when this might include the perpetuation of social distance that, paradoxically, positions them in a "dominant" role. The study of these documents show women equally interested in their 'being' and in their 'perceived being,' thus focusing with similar intensity in their charitable endeavors as well as in their more 'worldly' intentions. We have seen how by safeguarding the more disadvantaged, women show their take in redefining their relationships and affections and 'imposing' their view on the matter.

In spite of the formal constraints of the document, and regardless of their social and cultural status, these testaments became the tool through which these women were able to 'tell their stories,' and to make everyone aware of their fears, "aspirations, desires and choices," in Benadusi's words (1992:806), that is, define their place within society and redefining social relations. Specifying who gets what and in which amount, revealing their religious preferences and what should be done about them once they die, acknowledging their gratitude towards those who were kind to them and rewarding them for it was probably one of the few ways in which women were able to exercise some sort of 'authoritarian discourse' (i.e. they were able to impose their will) in a context where they were not precisely encouraged to do so. Within the limits imposed by the very fixed format of the testaments, these women are able to say 'this is I, this is what I think, and this is how I want it done.'

Of course, an interpretation of such level of assertion in the same way that a male would do at that time in history needs to be taken with caution, especially given the amount of testaments analyzed and the need to conduct more research and contextualize it within the appropriate parameters. As specified by Thomas (1992:83), "it is misleading [...] to write the history of women [just] as a series of advances and retreats on [the equality] front. Equality itself needs to be historicized. [...] The problem is to explain how the law shaped relations between men and women and to show how statuses concerning women illustrate their complementary role in a system defined by the rights of men." What the reading of these testaments definitely tells us about the role of women and their position within their society is that women used testaments as a platform to present themselves and be seen as part of the public space, something traditionally reserved for men.

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## References

- Benadusi, G. (2004). Investing the riches of the poor: Servant women and their last wills. *The American Historical Review*, Vol. 109, No. 3, 805-826.
- Bourdieu, P. (1979/1984). *Distinction: A social critique of the judgment of taste*. Cambridge, MA: Cambridge University Press.
- Brown, P. and S. Levinson (1987). *Politeness: Some universals in language usage*. Cambridge: Cambridge University Press.
- Casagrande, C. (1992). The protected woman. In C. Klapisch-Zuber, (ed.), *A history of women: Silences of the Middle Ages* (pp. 70-104). Cambridge, MA: Belknap Press of Harvard University Press.
- Fairclough, N. L. and Wodak, R. (1997). Critical discourse analysis. In T. A. van Dijk (ed.), *Discourse Studies. A Multidisciplinary Introduction, Vol. 2, Discourse as Social Interaction* (pp. 258-84). London: Sage.
- Goffman, Erving (1955). On face-work: An analysis of ritual elements of social interaction. *Psychiatry: Journal for the Study of Interpersonal Processes* 18(3), 213-231. Reprinted in Goffman (2005, pp. 5-46).
- Huang, S. (1987). Two Studies of Prototype Semantics: Xiao 'Filial Piety' and Mei Mianzi 'Loss of Face.' *Journal of Chinese Linguistics* 15: 55-89.
- Hufton, O. (1993). Women, work, and family. In N. Zemon Davis, and A. Farge (eds.), *A history of Women: Renaissance and Enlightenment paradoxes* (pp. 15-45). Cambridge, MA: Belknap Press of Harvard University Press.
- Reid, C. J. (2004). *Power over the body, equality in the family: Rights and domestic relations in Medieval canon law*. Grand Rapids, MI: William B. Eerdmans Publishing Company.
- Salter, E. (2007). *Six Renaissance men and women: Innovation, biography and cultural creativity in Tudor England*.
- Scott, S. P., R. I. Burns, & Alfonso. (2001). *Las siete partidas*. Philadelphia: University of Pennsylvania Press.
- Thomas, Y. (1992). The division of sexes in Roman law. In P. Schmitt Pantel, (ed.), *A history of women: From ancient goddesses to Christian saints* (pp. 83-138). Cambridge, MA: Belknap Press of Harvard University Press.
- Van Dijk, T. (2001). Critical discourse analysis. In D. Schrifflin, D. Tannen and H. Hamilton (eds.), *The handbook of discourse analysis* (pp. 352-271). Oxford, MA: Blackwell Publishing.
- Wacquant, L. (1998). Pierre Bourdieu. In R. Stones (ed.), *Key sociological thinkers* (pp. 215-229). London: Macmillan Press.
- Zemon Davies, N. and A. Farge (1993). Women as historical actors. In N. Zemon Davis and A. Farge (eds.), *A history of Women: Renaissance and Enlightenment paradoxes* (pp. 1-7). Cambridge, MA: Belknap Press of Harvard University Press.