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ScienceDirect

Procedia - Social and Behavioral Sciences 161 (2014) 176 – 183

Procedia
Social and Behavioral Sciences

ICWAR 2014

Women's Reformatories and Prisons in the Early Modern Age: Morality, Welfare and Repression of Women in the 17th and 18th Century

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Abstract

The development of absolute monarchies and the appearance of different social dynamics from those of medieval times at the end of the 15th century and the beginning of the 16th century favoured the appearance of new penalisation. As far as women were concerned the new penalisation was limited initially to establishing separate prison accommodation for men and women. The intention was to avoid sins of the flesh without mention of the existence of a greater reformatory interest. From the 16th century and particularly after the Council of Trento, "Casas de Recogidas" (Women's Reformatories) appeared in the main cities that were concerned with receiving and reforming women of "bad repute". Initially these institutions held women whose arrival was apparently voluntary. The publication in 1608 of Magdalena de San Jerónimo's *Razón y Forma de Galera* (prison purpose and design) provoked the construction of women's prisons with clearly reformatory purposes. The criminalisation of women for reformatory purposes was prior to that of men.

We have paid special attention to the case study of Salamanca within the wide network of Spanish cities that had establishments of this type. For this study we have used the documentation of the archives of the Cathedral of Salamanca and the Diocesan of Salamanca.

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Peer-review under responsibility of the Organizing Committee of ICWAR 2014.

Keywords:

"Reformatories; Women's Galleys or prisons; Criminality in the Early Modern Age; Penalisation and reformation of women; Prostitution"

1. Introduction

In the old regime, sin and delinquency were considered to be very similar. In fact the gravity of crimes were derived from their seriousness in terms of sins. The throne and the church followed identical objectives: the defence of a society in which good and bad were defined in terms of the moral principles of catholicism.

With respect to the correction of deviant conduct there was a distinct and discriminatory treatment for men and women. Men were directly responsible for their actions and responded for them before the judiciary but women were also made responsible for the influence of their behaviour on public morality. The Church put special emphasis on the eradication of what were then called public sins, which in general was behaviour which caused social scandal. This could be of a diverse nature and, in principle could be committed by men and women. In this category were crimes such as usury and blasphemy that were generally committed by men but more often the expression alluded to extramarital affairs and in this case women were under the obligation to neither sin nor encourage men to do so.

In the eradication of public sins, which in today's language we would call social alarm or public scandal, there was joint actuation between civil and ecclesiastical power in order to achieve the discipline of society by means of repression of "deviant" women.

Casas de Arrepentidas (Houses for Fallen Women), Casas de Recogidas (Women's Reformatories) and Galeras de Mujeres (Women's Prisons) are sometimes confused but are in fact distinct and independent establishments that in some cities occupied the same premises.

The Casas de Arrepentidas were institutions created to house women who had led a sinful life and who freely decided to retire from the world to do penitence for the bad life they had lived. Meanwhile the Casas de Recogidas were foundations erected to forcibly intern irredeemable women, vagabonds or prostitutes that had been causing a lot of social scandal. Internment in the Casa de Arrepentidas was voluntary while in the Casas de Recogidas it was by force, however, in most cities there were houses that pooled both functions. For that reason and because eventually sibylline mechanisms of social pressure were set up, the boundary between voluntary and forced were not clear (Torremocha Hernández, 2014, pp. 39-40).

The Gallera or women's prison was devised in the 17th century. In those times, in the penal systems of the Mediterranean countries, a sentence meant being sent to the galleys. Imprisonment, at that time, was unilaterally conceived to be an absurd cost. Prisons were not conceived as places of punishment but rather as spaces to custody the presumed offenders until trial was celebrated and sentence passed. In relation to female criminality, forced labour, work in the mines, obligatory military service, galleys, etc. were not feasible. Hence, Mother Magdalena de San Jerónimo proposed to Felipe III, "to make a house in every city with the name Gallera where justice can collect and punish the women vagrants, thieves, sorceresses, madams and others of their like" (Barbeito, 1991, pp. 67-69). Thus the first prisons conceived for punitive purposes emerged. Their creation was justified by the need for women's crimes not to go unpunished and for them to receive a similar punishment to men. The reality is that the inequality between one sex and the other was reflected in the penal laws. A women's prison was devised that in likeness to the "galleys that navigated the seas" was named "women's galley". They were the instrument of institutional violence against the "missing women who were the bane of men" (Loza Fiestas, 1978).

The history of the Casas de Arrepentidas, Casas de Recogidas and the Galeras de Mujeres is the history of a charitable welfare and punitive system endeavouring to keep moral order by means of a peculiar combination of aid and punishment of marginalised women who had tangled amongst delinquency and prostitution. Women alone or in bad company had to find a living on the edge of society which theoretically offered them two models: that of angel of the home and that of the devil. Circumstances had led them to take the role of the devil; but with the intention of remedy and with the help of social mercy could become María Magdalena, the repented sinner.

2. Casa de Arrepentidas and Recogidas: between welfare and repression

Societies of the Modern Age kept the majority of the population on the useful side of poverty. They were satisfied by assuring biological necessities such as food and reproduction. The aspiration of the welfare systems was to keep people at acceptable levels of social usefulness and guarantee the continuity of the species. Charity that grew in European cities concentrated its action on the fight against illness and misery, problems that were particularly grave in cases of breakdown of the family structure caused by death of the family provider. Thus, along with hospitals centred

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