

## IHSS Research Seminar

# “Women's legal history in the Portuguese Empire: Gendering law from a global history perspective”

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Max Planck Institute for Legal History and Legal Theory

**Wednesday 8 February, 1pm AEDT**

To be held in room MEL-460-3-01, level 3, 250 Victoria Parade, Melbourne and online via Teams

**Abstract:** The Portuguese overseas expansion reached many places of the world in the sixteenth century. Different normative systems from America, Africa, China, Japan and Europe came into contact during the colonization of various places of this empire. Although women were present and active in every part of the Portuguese Empire, as well as in places in contact with Portugal, traditional historiographies from the nineteenth and beginning of the twentieth centuries are largely silent about their existence. If they were mentioned, they were represented as fixed racial and sexual beings. By contrast, by drawing on recent developments in feminist legal theory, women's history, legal history, and postcolonial theories, I suggest a new interdisciplinary and intersectional approach to women's legal history, using two case studies: the colonization of the Captaincy of Paraíba (1585–1822), in the Northeast of Brazil, and the conversion of Japanese women in the second half of the sixteenth century and beginning of seventeenth-century Japan. Based on different types of documents from Portuguese, Brazilian and Japanese archives, I challenge both the fixed idea of “woman” in historical documentation and in practices of law, despite the former's heteronormative character. My approach involves a close reading of primary sources in order to develop a legal historical analysis based on knowledge of normativity in a global perspective. In my talk, I will provide various examples of such close reading and its findings.

**Bio:** Dr Luisa Stella de Oliveira Coutinho Silva is a researcher at the Max Planck Institute for Legal History and Legal Theory in Frankfurt, Germany, where she is the Project Coordinator for ‘Glocalising Normativities: Global Legal History (15th-21st century).’ She specialises in women's legal history and the legal history of the Portuguese Expansion, with her current research focused on converted Japanese women in the Portuguese Empire. She has previously published on Brazilian colonial law and a legal history of women in the captaincy of Paraíba.



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