

Alli Aranguren, Juan-Cruz (Universidad Pública de Navarra / Nafarroako Unibertsitate Publikoa): Instrucciones y formularios de las Cortes de Navarra a la Diputación del Reino, siglos XVIII y XIX (Orig. es).

In *Iura Vasconiae*, 21,

Abstract: In 1501, the Cortes of Navarre created a council, which was permanent from 1576 onwards and which extended its functions as their activity was reduced, so that it became the main institution of the kingdom. It received «instructions», increasingly more precise and numerous, and was accountable for their fulfilment. Both institutions acted in accordance with the «ceremonies» and «forms» approved to order their relations with the monarchy and their functioning, codifying the custom until the establishment of internal regulations in the 19th century.

Key-words: Cortes of Navarre. Council of the Kingdom. Instructions. Forms.

Alkorta Idiakez, Itziar (Universidad del País Vasco / Euskal Herriko Unibertsitatea (UPV/EHU): La condición jurídica de la mujer en el Derecho histórico privado de Vasconia: estudio de las fuentes y propuesta de líneas de investigación (Orig. es).

In *Iura Vasconiae*, 21,

Abstract: This paper responds to the need to establish the starting point or state of the question from which to design a research plan to study the private legal status of women in historical Basque law. It is a state of the question on the research undertaken to date with the aim of evaluating the findings obtained by legal historiography and other related disciplines, which have also tackled the issue, from which lines of research are to be proposed to, fill in the large gaps in the subject now.

Key-words: Women. Inheritance. Matrimonial property regime. Widowhood. History of Civil Law. Vasconia.

Argudo Périz, José Luis (Universidad de Zaragoza): La comunidad doméstica consuetudinaria del Alto Aragón: familia, mujer y patrimonio (Orig. es).

In *Iura Vasconiae*, 21,

Abstract: This article deals with the institution of the *Casa* («Household») in the historical legal system of Aragon, as an expression of the Pyrenean domestic community of Upper Aragon, and the family and inheritance institutions that have shaped it, looking at them as they were at the end of the 19th century from the perspective of the studies on the customary law of Upper Aragon by the renowned Aragonese jurist Joaquín Costa Martínez, and adding the contributions made by historians and jurists on their evolution up to the present day.

Key-words: Household. Upper Aragon. Customary law. Joaquín Costa. Domestic community. Real estate trunk lineage. Marriage contracts. Universal inheritance.

Ayerbe Iribar, Rosa M.^a (Universidad del País Vasco/Euskal Herriko Unibertsitatea (UPV/EHU): La troncalidad en Guipúzcoa. Notas para su estudio (Orig. es).

In *Iura Vasconiae*, 21,

Abstract: The author addresses the issue of the trunk institution by beginning with an analysis of its conception and typology, based on the authoritative viewpoint of Braga da Cruz, and goes on to study its medieval origin, already present in the Visigothic *Liber Iudiciorum*, and its peninsular diffusion through Castile and the chartered territories of Aragon, Navarre, Bizkaia and Ayala, in order to analyse the documentation that demonstrates its existence in Gipuzkoa through the charter of San Sebastian and the customary law present throughout its geography, this being the main objective.

Key-words: Trunk lineage. Basque civil law. Gipuzkoa. Bizkaia. Ayala. Navarre. Aragon. Castile.

Gorostiza Vicente, José Miguel (Universidad de Deusto): Troncalidad vizcaína y mujer (Orig. es).

In *Iura Vasconiae*, 21,

Abstract: The study and understanding of our past is essential in order for us to live in the present with awareness and thus successfully chart the future path of our people with boldness and without discrimination.

The women who preceded us in the fight for equality in the private legal sphere found themselves confronted with values and traditions that were part of a society and a legal framework in which the apparently neutral rules incorporated elements of subordination and inequality between women and men as if it were the most natural thing in the world.

However, the private legal systems of the Historical Territories of Vasconia offer us clear examples of institutions, protagonism and participation of women in conditions of equality and non-discrimination, which we must always appraise and analyse in the social and historical context in which they occurred, within family, traditional and customary practices.

With regard to our own Foral Civil Law and the provision of professional advice and the interventions by the associations of lawyers and the courts, the situation that we present and analyse in relation to the legal position and participation that women have obtained in order to achieve respect and equal opportunities in the exercise of their legal capacity and their ability to act, and to combat discrimination, will be very different.

“Our past – and the pioneers who acted as our vanguard – provides a lamp to illuminate the doors to the future” (in the words of the French philosopher Félicité Robert de Lamennais, 1782 - 1854, a liberal Catholic priest who has been said to be one of the precursors of Christian socialism).

Key-words: Trunk lineage. Family heritage. Basque civil law. Historical law of Vasconia. Private legal status of women. Principle of civil liberty. Principle of non-discrimination based on gender.

Nanclares Valle, Javier (Universidad de Navarra): La condición jurídico-privada de la mujer en el Fuero Nuevo: orígenes y evolución (Orig. es).

In *Iura Vasconiae*, 21,

Abstract: The position of women in the foral civil law of Navarre has undergone a profound evolution, in accordance with constitutional requirements and the demands of society. Beneficiaries at puberty and with equal capacity to men upon reaching legal age, the Navarrese legal tradition that inspired the drafting of the 1973 Compilation nonetheless assigned them a secondary role after getting married. This deferred role was legally reflected both in the patrimonial sphere and in matters of responsibility regarding common children. However, the successive modifications of the New Charter in the last half century have finally confirmed the end of the subordination of women to men in the sphere of family relations and the achievement of full formal equality.

Key-words: Women. Capacity. Age. Marriage. Parental responsibility. New charter.

Valverde Lamsfus, Lola (Universidad del País Vasco / Euskal Herriko Unibertsitatea (UPV/EHU): La mujer vasca en la Edad Moderna: familia y propiedad (Orig. es).

In *Iura Vasconiae*, 21,

Abstract: In all the small valleys of the Pyrenean chain, the right of primogeniture prevailed in matters of succession, regardless of sex, except in Catalonia, where masculinity prevailed. In the northern Basque territories (currently known as Iparralde in Basque), the same absolute right was also exercised, although it underwent an evolution towards masculinising patterns.

Key-words: Women. Family. Property. Succession law. Right of primogeniture.

Vivas Tesón, Inmaculada (Universidad de Sevilla): La mujer en el Código civil de 1889: la capacidad jurídica negada y las puertas abiertas a la igualdad (Orig. es).

In *Iura Vasconiae*, 21,

Abstract: Women have been marginalised by civil law, and this is because the Code of 1889 was written by and for men; it exuded a deeply androcentric ideology, typical of the patriarchal society of the time at which it was created. In this article we provide a brief overview of the situation of women from 1889 to the present day and we learn which doors that were locked tight were later opened with Herculean efforts so that we could pass through them today with absolute freedom.

Key-words: Women. Legal capacity. Marginalisation. Equality. Freedom. Gratitude.