

International Workshop of the Cluster of Excellence “EurAsian Transformations”, organized by the members of Sub-Node 1A (“Ecologies and Economies of Power”), Cluster 2 (“Wealth, Labour and the Formation of Empire”)

Modes of Coercion in Premodern Eurasian Empires. Inventorying and Graphing Court Records for a Comparative Geography of Power

**3–4 June 2024, University of Vienna
Schreyvogelsaal, Hofburg Vienna, Heldenplatz, 1010 Wien**

This workshop addresses the language of power in imperial court records from Ancient Mesopotamia and the medieval period to the Venetian and the Ottoman Empire and Ming China, and explores new ways of historical comparison. The case studies focus on the semantics of trial and their underlying grammar of coercion and contribute to the development of a prototype of cross-corpora comparison, developed by Claude Chevalyere (CNRS, ENS Lyon) and Juliane Schiel (University of Vienna) and based on a computational historical semantics approach and graph modelling. The workshop brings together scholars of the recently launched Cluster of Excellence on “EurAsian Transformations” with members of the COST Action “Worlds of Related Coercions in Work” (WORCK) and other colleagues interested in semantic analysis, graph modelling and historical comparison.

Programme

MONDAY, 3 JUNE 2024

Chair: Michael Jursa (Vienna)

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| 9:30 am | Welcome Address
<i>Claudia Rapp (Vienna)</i> |
| 10:00 am | The Social in Court – Graphing Eurasian Grammars of Coercion: An Introduction into a Prototype Graph Model for Cross-Corpora Comparisons
<i>Claude Chevalyere (Lyon) & Juliane Schiel (Vienna)</i> |
| 11:00 am | Geographies of Power in a Convict City
<i>Hamish Maxwell-Stuart (University of New England) (online via zoom)</i> |
| 12:00 pm | <i>Lunch</i> |

Chair: Juliane Schiel (Vienna)

- 2:00 pm Slaves and Slavery in Court Records from Ancient Mesopotamia (3rd-1st mill. BCE)
Michael Jursa (Vienna)
- 2:30 pm Litigations in the Assyrian Middle Bronze Age
Jan-Gerrit Dercksen (Leiden)
- 3:00 pm Comment by Kathleen Abraham (Leuven) & Discussion
- 3:30 pm *Coffee Break*
- 4:00 pm Neo-Babylonian Litigation Documents from the Town of Sippar
Małgorzata Sandowicz (Warsaw)
- 4:30 pm Theaters of Power: the Dynamics of Trials in the Roman Empire
Anna Dolganov (Vienna)
- 5:00 pm Comment by Paola Corò (Venice) & Discussion
- 5:30 pm *Finger Food*
- 6:30 pm Keynote Evening Lecture: How Do We Move From Sources To Data?
On the Cumulativity of Database and Archives
Alessandro Stanziani (Paris)

TUESDAY, 4 JUNE 2024

Chair: Claude Chevalleyre (Lyon)

- 9:00 am Power, Coercion, and Mistrust: Digging up the Bones of Inquisitorial Records in Medieval Languedoc
Delfi Nieto-Isabel (London)
- 9:30 am Semantics of Trial in and Out of Court. Tatar Slaves Transgressing (Narrative) Boundaries of Sexuality in 15th c. Venice and Barcelona
Corinna Peres & Juliane Schiel (Vienna)
- 10:00 am Comment by Sieben Feys (Ghent) & Discussion
- 10:30 am *Coffee Break*

- 11:00 am Tabacco Smugglers in Lower Austrian Small Town Courts
Leonhard Engelmaier (Vienna)
- 11:30 am The Semantics of Serfdom in Upper Lusatia in 18th c. Court Records – a Project Sketch
Josef Köstlbauer (Bonn)
- 12:00 pm Comment by Giorgio Lizzul (Torino) & Discussion
- 12:30 pm *Lunch*

Chair: Michael Jursa (Vienna)

- 1:30 pm Interrogating the Poor. Vagrants and Beggars in Court in 18th c. Upper Austria
Teresa Petrik (Vienna)
- 2:00 pm Graphing Missteps: Desertion in 18th c. Denmark
Johan Heinsen (Aalborg)
- 2:30 pm Comment by Karin Hassan Jansson (Uppsala) & Discussion
- 3:00 pm *Coffee break*
- 3:30 pm Graphing the Social in Songjian Prefecture (early 17th c.). Sources and Prospects
Claude Chevaleyre (Lyon)
- 4:00 pm Court Cases from Imperial Istanbul (16th–17th c.)
Hayri Özkoray (Aix-en-Provence)
- 4:30 pm Comment by Magdalena Moorthy-Kloss & Discussion
- 5:00 pm *Sandwiches*

Chair: Juliane Schiel (Vienna)

- 6:00 pm The Court Records from the Gender and Work Project (GaW)
Karin Hassan Jansson & Jonas Lindström (Uppsala)
- 6:30 pm The Old Bailey Proceedings: The Digitisation, Analysis, Mapping and Reuse of Evidence of London Court Cases, 1674 to 1913
Robert Shoemaker (Sheffield) (online via zoom)
- 7:00 pm Graph Modelling, Story Telling and Comparative History
Roundtable Discussion with Pierre Magistry (Paris), Tara Andrews (Vienna), Thomas Wallnig (Vienna)
Moderator: Claude Chevaleyre (Lyon)

Paper Abstracts

Claude Chevaleyre / Juliane Schiel: The Social in Court – Graphing Eurasian Grammars of Coercion: An Introduction into a Prototype Graph Model for Cross-Corpora Comparisons

Comparing modes of labour coercion between different time periods, geographical areas and contexts of language use remains a widely debated issue among labour historians and within the field of global labour history. The “problem”, in a manner of speaking, has proved insurmountable when approached with comparative methods focusing, mainly, on the (in)commensurability of the multiple variations of emic labels and categories with the finished numbers of categories used in the social sciences and humanities. Relying on computational methods and inspired by recent trends in global and social history, in this presentation we will propose a way to relate and compare cases of labour coercion across time and space that replaces the theoretical mindset of the modern West with a less biased analytical tool of comparison. Using examples from 17th c. China late medieval Venice, we will introduce our graph data model and its conceptual background in order to initiate a conversation about its possible applications (and limitations) to improving comparison in the global history of coercion and in social history at large. This presentation will be completed by the perspectives of Pierre Magistry who, in his presentation, will offer insights about the prospects and technical challenges of using vectorization and clusterization methods to compare graph data.

Hamish Maxwell-Stewart: Geographies of Power in a Convict City

Historically, large numbers of slaves in the US and convicts in Australia were deployed in urban settings. Charleston, New Orleans, Sydney, Hobart and Launceston all evolved as carceral port cities. This presents something of a conundrum. Historically, urban areas have been associated with greater levels of freedom than plantations and rural estates, yet preliminary work reveals that male and female convicts located in towns in Australia in the years 1820-55 were at significantly greater risk of prosecution than their rural counterparts. This paper will explore ways in which the deployment of unfree labour impacted upon urban planning, as well as the lives of free and unfree residents of port cities. It will do this by surveying the relationship between architecture, evolving urban landscapes, and labour management practices across a range of locations focusing on Hobart. Using innovative digital mapping techniques to reconstruct evolving urban landscapes, it will model changes in labour management over time and by sector of employment, sex, and civil status. Recent research in urban slavery in the US and elsewhere in the Americas will be used to place the results of this work within comparative context.

Michael Jursa: Slaves and Slavery in Court Records from Ancient Mesopotamia (3rd-1st mill. BCE)

The paper investigates court records of three millennia of Mesopotamian history for their representation of chattel slaves and for the varying degree of agency and an independent voice they allow the coerced. The hypothesis to be tested is that causation for change over time will depend on the evolving language of legalistic narrative on the one hand and on socio-economic development on the other.

Malgorzata Sandowicz: Litigation Documents from the Town of Sippar

The bulk of currently available litigation documents from first-millennium BCE Babylonia comes from a relatively brief period of about 40 years (c. 559–520 BCE) and only three localities, Babylon, Uruk, and Sippar. This paper investigates a group of court records from Sippar. In contrast to comparable sources from the major cities of Babylonia, these documents shed light on a socially and ethnically diverse group of litigants, including women, slaves, and West Semites. The paper explores how the standard formulations of Sippar documents reflect on the local judicial traditions and relations of power among the participants of judicial proceedings.

Anna Dolganov: Theaters of Power: The Dynamics of Trials in the Roman Empire

Already in the Republican era, Roman judicial administration is revealed to be a highly public context in which power relationships were enacted on a multitude of levels, from the arbitration by Roman generals of conflicts between subject communities, to the imposition of legal definitions on cases by Roman governors, to the forensic debate between elite Roman orators on behalf of provincial litigants. Verbatim records of judicial proceedings from the Roman provinces (several hundred of which have survived from the province of Egypt alone) vividly attest to the performative dimension of Roman jurisdiction. In addition to showcasing the role of public trials as an expression of the coercive power of the Roman state, judicial records show individual cases functioning as edifying spectacles reflecting the values and virtues of the political and social order promoted by the Roman state within its empire.

Alessandro Stanziani: How Do We Move From Sources To Data? On the Cumulativity of Database and Archives

Data and sources are usually contrasted: humanities scholars consider data to be a construct and often take archives for granted, while social scientists are sceptical about the “objectivity of the archives”. Quite conversely, Ann Laura Stoler, like Ginzburg before her, points out, without developing the case, the related discussions on archives and data, and more generally on the cognitive status of “evidence” since the 17th c. This presentation takes this line of reasoning further and shows that, apart from major differences, despite the tensions between social sciences and the humanities in this respect, it is the similarities between sources and data as historical artifacts that deserve attention. If one enters the historical epistemology of these boundaries, that I previously investigated, then one may show that the tensions between data and sources are historically defined, they shifted over time and across spaces, throughout areas, not just in Europe and the “West”, but also across Eurasia and the Indian Ocean Worlds (from Africa to China). Here I would move a step forward; first, it seems to me that one needs to clarify the meaning of these terms; “data” usually include very distinct artefacts: measure and tools of measuring; numbers; database. Beyond the very rude distinction between primary and secondary sources as invented by historical positivism during the 19th c.; “sources” as well include multiple artefacts, and first and foremost, archives. And yet archives are differently structured and conceived, they have different meanings in 17th c. China and 19th c. France, in turn different from the US etc. This concerns the origin of documents, their access and their classifications, which are not without strong implication in historical interpretations. To this, one has to add studies produced during the period under examination (for example enquiries on the society, the environment, legal concerns etc, produced in the 18th or 19th c.); archaeological artefacts; oral investigations, again, in the past and nowadays. My first claim is that if we just

put all these artefacts under two simple umbrellas, data and sources, we miss crucial epistemological and historical pathways.

My second related question is: can we cumulate these multiple artifacts? For example, can we put into one single database information provided in heterogeneous archives, with other data produced and collected in time?

The answer depends, among other things, on the boundaries we set between fields: is a unity of knowledge (and which one) acceptable? Or should we rather focus on the interplay between fields? According to the answer, the cumulativeness of “data” and “sources”, and their very definition will change.

Judicial archives and judicial statistics issued from different places and Empires will be discussed according to these broader epistemological questions.

Delfi I. Nieto-Isabel: Power, Coercion, and Mistrust: Digging up the Bones of Inquisitorial Records in Medieval Languedoc

Medieval inquisitors pioneered the use of long-term imprisonment as a coercive strategy meant to extract confessions from reluctant deponents. In the early 14th c., Bernard Gui would openly advocate the use of imprisonment in case the accused “persists throughout the deposition and obstinately denies the accusations, as I have seen many times; [the accused] must by no means be released, but imprisoned for several years so that the ordeal enlightens them.” Furthermore, Gui would add that in order “to extract the truth from these [the accused], it is allowed to coerce them by denying them food, by imprisoning and keeping them in chains.”

Inquisitors based their enquiries on in-depth questionings and evidence, and this seemingly logical and reasoned approach has led scholars to praise the rationality of their methods even if noting its faults and despising the premise behind their actions. However, in the effort to dispel the notion that the only aim of inquisitorial tribunals was to punish as many ‘heretics’ as possible by sending them to the stake in large numbers it is necessary to avoid going too far. As many authors have already pointed out, the sources left behind by the inquisitorial process are ultimately textual sources, and must be treated as such, and analysed within their specific context and not as clinically detached reports meant only to provide historians with information. When, in November 1325, a woman from Montpellier named Alisseta Boneta, having spent “a long time in prison,” confessed and recanted her errors “freely and spontaneously” before the Dominican inquisitors, she was not merely conveying a piece of her own reality but ultimately answering a hostile interrogation. The inquisitors’ questions provided the basic script for the confessions that were to be extracted from the deponents, and different interrogation techniques produced vividly different results.

This paper will analyse the language of power that we can extract from inquisitorial sources and explore how, steeped in mistrust, it imposed its own language of belief and religious practice through coercive means. Finally, I will also discuss the data models and some of the digital tools that we can use to map it.

Corinna Peres & Juliane Schiel: Semantics of Trial in and Out of Court. Tatar Slaves Transgressing (Narrative) Boundaries of Sexuality in 15th c. Venice and Barcelona

From a legal point of view, Italians drew up a rigid set of rules for cases in which slaves *carnaliter* interacted with people who were not their owners, with the intention of protecting individual property rights and public social order. Some sexual crimes with Tatar slaves as the alleged perpetrators were tried in court, resulting in criminal records. Others were settled out of court, often by payment of money, leaving traces in commercial letters. What the sources have

in common is that they belong to *narrative* genres in which chains of events are ordered and interpreted by a more or less present narrator in a way that is logical and plausible to those judging their criminal nature – the slave owners. Focusing on the intersection of slavery, sexuality, criminality, and ethnicity, this paper asks whether the coerced ‘other’ – the Tatar slaves – *forced* the coercer – the Italian slave owners – to use a particular language of power that disempowered the ‘guilty’ but empowered the ‘slave’ by emphasising her humanity as dangerous to those in power. Combining approaches from literary theory, historical semantics, and social history, the paper contextualises the semantics of trial of official legal proceedings with their unofficial settlements through a micro-analysis that crosses genres, languages, and customs.

Leonhard Engelmaier: Tobacco Smugglers in Lower Austrian Small Town Courts

Among the many conflicts between the actors involved in tobacco production and trade in seventeenth- and 18th c. Austria, illegal trade, smuggling, looms large in the historiography. Based on normative sources from the legislature and the correspondence of officials in monopoly administration and the judiciary, previous researchers have reconstructed the person of the smuggler. The smuggler was often from the lower classes, lowest rung of a band, exploited missive of a trading company, protected by the rural population, landlords and priests alike and passing the internal and external borders of the Habsburg Empire with ease. But how much of this is based on who the legislature and officials *thought* smugglers were? And what could court cases tell us about the actual smugglers, their suppliers, allies and customers? Or at least, who the courts deemed them to be? Research into smuggling in the Habsburg Empire using court cases thus far only reaches as far back as the early 19th c.. I will therefore attempt to use graph modelling on 17th and 18th c. court cases from Lower Austrian small towns involving tobacco smugglers to answer these questions.

Josef Köstlbauer: The Semantics of Serfdom in Upper Lusatia in 18th c. Court Records – a Project Sketch

Leibeigenschaft (serfdom) is commonly understood to refer to feudal or tenurial labor relations characterized by peasant populations bound to the land. But in early modern Germany's complex societal and legal realities, it covered institutions and practices that differed significantly and were known by diverse, quite specific names, like the *Erbuntertanen* of Upper-Lusatia. *Leibeigene* often appears as an umbrella term encompassing various strongly asymmetrical relationships, implying extensive, proprietorial control over individuals' bodies, labor, and mobility. As such it far exceeded the sphere of feudal labor organization; for example, it was also used synonymously with “slave.”

The project plans to use records from patrimonial courts in Upper Lusatia to explore the language and vocabularies of power and coercion, focusing on the semantics of serfdom.

Teresa Petrik: Interrogating the Poor. Vagrants and Beggars in Court in 18th c. Upper Austria

For many working people in the early modern period, mobility was a central element of their biographies and strategies of survival. Despite this ubiquity, the mobility of the lower classes continued to be seen as an exception and a reason for suspicion from authorities' perspectives. In this context, an extensive body of legislation regulating movement, vagrancy, begging and

rights of residency emerged. Such laws could act as “coercive engines” (Ocobock 2008) regulating labour mobility and forming the basis for a far-reaching regulation and criminalization of people’s movement. At the same time, such laws and the practices surrounding their enforcement were the scene of disputes about the demarcation between work and non-work, as well as discursive efforts to categorize people who participated in a variety of ways of making a living into clear-cut binaries.

In the Habsburg monarchy of the 18th c., those suspicious of vagrancy or begging easily came into contact with local courts, especially in the context of patrols (so-called *Landgerichtsstreifen*). In these patrols, court officials searched their districts and seized those who they perceived as suspicious. They were then brought before the court to be questioned about their identity, origin, ways of making a living and reasons for staying in the respective territory. The protocols of such interrogations, as well as other court documents concerning the persecution of vagrants and beggars, are valuable sources for the study of labour and coercion, as they give insight into the social background, routes of movement, networks, work experiences and survival strategies of the mobile lower classes, as well as their strategies of argumentation and legitimation when confronted by authorities. This contribution is based on such protocols from the region surrounding the city of Steyr in Upper Austria from the mid- to late 18th c. Instead of simply adapting the concept of the ‘vagrant’ – constructed by contemporary authorities as a homogenous group and often reified by historians – the contribution focuses on how individuals navigated their (often narrow) scopes of action. I reconstruct the trajectories of those labelled as vagrants and their experiences of coercion, thereby uncovering the interplay between labour relations, punishment and processes of (im)mobilization.

Johan Heinsen: Graphing Missteps: Desertion in 18th c. Denmark

The paper will present an attempt to graph actions and events from an exceptional set of military court records from the province of Jutland in rural Denmark in the early 1780s. The desertion sprawling case involved a group of mercenary soldiers of German descent garrisoned in the small town of Skive in Northwestern Jutland and their quest to leave the garrison and eventually the country. The act of desertion was linked to a series of other events in which the soldiers in question were in conflict with local peasants and estate managers. In this capacity, the case provides a window into the status of migrant military workers in a small community.

Having run, the group split in two – both parties ultimately being caught after having roamed the Danish countryside for weeks. The dense interrogations that followed reveal a web of dynamics in the garrison town, but also makes it possible to trace the movements of the deserters while on the run. Ultimately, the case speaks to labour coercion as an assemblage of geographic constraints, legal status and social practices. Graphing the case provides an experiment in capturing the dynamic heterogeneity of coercion as an assemblage in an actor-oriented perspective.

Claude Chevalyere: Graphing the Social in Songjiang Prefecture, Early 17th c. Sources and Prospects

Late-Ming Chinese judicial cases have survived in various forms, among which one finds several legal casebooks compiled by magistrates and higher officials themselves or by their offsprings. The casebook compiled by Mao Yilu (?–1629) as prefectural judge of Songjiang (the *Yunjian yanlüe*, or *Brief Account of Judgments in Songjiang*) contains 183 court decisions dealing with a wide variety of conflicts, offences, and crimes adjudicated in the early 17th c. In

this presentation, we will first examine the casebook itself. Then, using one example, we will explore its semantic expressions of coercion and language of power, and present ways to turn the information contained in these short legal cases into data that can be submitted to computational analysis in the perspective of better comparing power relations with other historical contexts.

Karin Hassan Jansson & Jonas Lindström: The Court Records from the Gender and Work Project (GaW)

Gender and Work is a combined research and digitisation project with the aim of increasing the knowledge about women's and men's work in the past. As part of the project, extracts of various historical sources that describe how people in early modern Sweden sustained and provided for themselves have been gathered, digitised, classified, and stored in an online, freely available database. Court records make up a substantial part of the content of this database. In this presentation, we will introduce the database, its sources, and the verb-oriented method on which it is based. Then, as an example of how one can use this resource, we will discuss managerial work activities and chains of command and analyse differences in the language of power according to gender, marital status and social position.

Bob Shoemaker: The Old Bailey Proceedings: The Digitisation, Analysis, Mapping and Reuse of Evidence of London Court Cases, 1674 to 1913

The [Old Bailey Proceedings](#), reports of 200,000 trials held at London's central criminal court, are both a quasi-legal record of the court's business and the largest body of English language texts detailing the lives of non-elite people ever published. First digitised 20 years ago and posted on the Old Bailey Online website which has recently been significantly updated, this digital resource enables social, semantic, and statistical analysis, and its data have been frequently reused in other digital resource projects, including the mapping resource [Locating London's Past](#). After introducing these resources, this paper will stress the important limitations of the *Proceedings* as a source, and explain how their content was shaped by the distinctive English common law system. In doing so, it will explore the possibilities and challenges of using this source in comparative research.