

Leitão, Ana (2014). "Hand-written proofs in Portuguese archives: from social to judicial function", at the Conference "Reading and writing from below: exploring the margins of Modernity", University of Helsinki, 21 Agosto 2014. *

ABSTRACT The court files have provided an authentic revolution in the way we consider the written culture in Modernity. It is quite considerable the amount of testimonies brought into the light of our days that are an undeniable evidence of literacy among segments of the population traditionally placed in the shadows.

From proofs gathering until their inclusion in criminal records, there was a succession of steps with particular relevance to the validity of the cause it was intended to judge. Voluntary deliverance, postal interception or through authorized seizure and search, several strategies have been found by the court to use the testimony that, after careful examination, could be used to incriminate the defendant.

The handwritten productions we can find in civil and inquisitorial cases allow us to reconstruct more than just everyday experiences and communication mechanisms outside the law. In fact, their search, seizure, handling and archiving are essential to understand the objective impact of justice as a form of social control, as shown in the content of private letters. Moreover, we find there are types of claims where the writing served, decisively, as incriminatory, including in a different guilt as the one that already ran in the court case.

It is our purpose to discuss how the epistolary productions witnessed the direct involvement of the defendants and allowed to reconstruct networks of sociability, thus identifying new targets. We intend to identify the role played by preservation conditions and legal interest in the collection of evidence between 1550 and 1834 in an inter-institutional perspective. At this level, we will analyze the strategies used in the selection and document dispersion that the investigator is currently facing.

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