

The Cluster of Excellence  
**Understanding Written Artefacts**  
cordially invites you to the workshop

## **Authenticating Written Artefacts**

Thursday, 9 November 2023, 2:30 pm – 6:30 pm CET  
Friday, 10 November 2023, 12:00 pm – 5:45 pm CET

Warburgstraße 26, 20354 Hamburg

Hybrid Event

Organisers: Hannah Boeddeker, Elsa Clavé, Claudia Colini,  
Michael Kohs, and Ulla Kypta (Universität Hamburg)

Registration:

<https://www.csmc.uni-hamburg.de/en/register/workshop44>

Some written artefacts can do more than others: For example, they identify a person (in the case of passports), transfer property (contracts), protect from harm (amulets) or command the awe of the beholder (artefacts in a museum). Written artefacts – i.e. artificial or natural objects with visual signs applied by humans – achieve their noteworthy status, functions, or power through complex and varying processes. We propose to collectively identify and analyse these processes as ‘authentication’ (other possible terms are validation or authorisation).

Authentication is based on all material and immaterial conditions, procedures and other aspects that provide a written artefact with authority or agency, as perceived by a certain social group or audience, and often according to established criteria or conventions. By analysing authentication, one can better understand how and why these particular written artefacts were produced, disseminated and used – and how they influenced their respective socio-cultural setting. Authentication as a social practice is shared by very different (if not all) cultures, both in various regions of the world and in different periods. Hence, studying authentication in a comparative perspective promises to yield insights into how and why authentication processes either worked similarly in different surroundings or changed over time.

## Programme

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**Thursday, 9 November, 2:30 pm – 6:30 pm**

### Session 1

Chair: Ulla Kypta (Hamburg)

- 2:30 – 3:00 Registration and Introduction (Michael Kohs)
- 3:00 – 3:45 Livia Briasco (Rome)  
*Graphic choices and use of symbols in subscriptions as support to the authentication of Late Antique Egypt contracts (V-VI centuries) through the lens of the Notae System*
- 3:45 – 4:30 Lucia Consuelo Colella (Rome)  
*The evolution and disappearing of Roman double document in Western and Eastern legal practice (I–V CE)*
- 4:30 – 5:00 Coffee Break

### Session 2

Chair: Claudia Colini (Hamburg)

- 5:00 – 5:45 Zina Cohen (Berlin), Wissem Gueddich (Paris)  
*Exploring the legal system of medieval Egypt through ink analysis of legal documents from the Cairo Genizah*
- 5:45 – 6:30 Josef Ženka (Prague)  
*Life after death of notary documents in the 15th century Granada*
- 7:00 Conference Dinner (Balutschi, Grindelallee 31)

## Friday, 10 November, 12:00 pm – 5:45 pm

12:00 – 1:00            Tour of the Lab (Claudia Colini)

1:00 – 2:00            Fingerfood Lunch

### Session 3

Chair: Hannah Boeddeker (Hamburg)

2:00 – 2:45            Julia Bruch (Cologne)  
*Authentication practices in late medieval manuscripts from  
German-speaking regions*

2:45 – 3:30            Eveline Szarka (Zürich)  
*The cryptological key in early modern Germany – Visual  
representation and authentication*

3:30 – 4:00            Coffee Break

### Session 4

Chair: Elsa Clavé (Hamburg)

4:00 – 4:45            Joseph S. Freedman (Alabama)  
*Jus archivi (the legal right to establish and maintain an archive) and  
legal authentication in the Holy Roman Empire (1597–1806)*

4:45 – 5:30            Dang Anh Minh Nguyen (Hanoi)  
*Authentication of written artefacts and land property question in  
the history of the Bahnar, Central Highlands of Vietnam (1850–1945)*

5:30 – 5:45            Conclusion

## Abstracts and Contributors

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### **Livia Briasco (Rome)**

*Graphic choices and use of symbols in subscriptions as support to the authentication of Late Antique Egypt contracts (V-VI centuries) through the lens of the Notae System*

Thursday, 9 November, 3:00 pm – 3:45 pm

As is well known, a key role in the authentication of legal documents is played by the signatures of the issuing party(ies) and the witness(es), who testify that the contract or legal transaction took place as stated in the text and approve it in all its content, and by the drafter's subscription, with which he states having carried out all his legal duties. In Late Antique Egypt the authenticity of legal instruments was assured through the participation, as drafter, of a state licensed notary (tabellio). As has been noticed from the very beginning, notarial signatures' position and form clearly distinguish them from the other parts of the document. Signatures' stylization, obtained through different graphic features and the use of specific signs and symbols, contributes to the validation of the document, becoming a distinctive element of a single notary and acting as confirmation of his identity. Besides the official notaries, however, other individuals are known for having played the role of drafters and signatories of documents; those scribes, of which sometimes we know the profession or status, clearly were familiar with legal practice and were able to provide their services to the community. While notarial activity and signatures are well studied, less attention has been given to those scribes who did not identify themselves as notaries in their final subscriptions. This paper, as a result of my research activity within the ERC granted project NOTAE (NOT A WritTEn Word but graphic symbols) will analyze non-notarial signatures, in order to outline which strategies, in terms of graphic choices, were followed by non professional scribes to support the validation of documents, not forgetting the role of signs and symbols, main object of the project.

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### **Julia Bruch (Cologne)**

*Authentication practices in late medieval manuscripts from German-speaking regions*

Friday, 10 November, 2:00 pm – 2:45 pm

Many medieval documents have survived anonymously: Literary texts, copies of antique writings, legal and administrative documents do not require the name of the scribe. In research, this often leads to speculative attribution to scribes or writing workshops. However, these documents are just as valid and valuable both for their time of origin and for research today as those manuscripts in which the scribes name themselves. In my paper I would like to work out in which specific social contexts practices of authentication had their place. In addition, the impact of authentications of texts will be examined.

My focus lies on German-speaking manuscripts produced in the late medieval city. I have selected three case studies according to whether the source type also works without authentication. The spectrum is wide, starting with urban chronicles, which are often anonymous, but can also be personalized by naming the author and/or scribe. My second case study is based on account books as a source type that is more likely to have survived anonymously, but there are also examples where the scribe is named precisely. It is interesting to find out why the accounts were bound to a special person and whether this linking between manuscript and person depended on the use of the accounts or affected an identified group of recipients. Technical manuscripts are analysed in my third case study. This type of manuscripts also tends to be anonymous, but there are also examples in which a scribe's name is clearly recognisable.

The paper can be boiled down to the following questions: What practices of authentication were chosen? In which social contexts were these practices necessary or even conventional? What effects do these practices have on the recipients and on the research?

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### **Zina Cohen (Berlin)**

*Exploring the legal system of medieval Egypt through ink analysis of legal documents from the Cairo Genizah*

Thursday, 9 November, 5:00 pm – 5:45 pm

Our current understanding of the legal system in medieval Egypt is largely based on legal documents and treatises that have survived from the Middle Age. If these sources provide insights into the legal procedures and practices from this time period, our knowledge is still relatively limited – particularly in regard to the social and cultural con-

texts in which the legal system operates. However, ink analysis can provide valuable information to partially fill this gap: the Cairo Genizah, a well-known “archive” discovered in the 19th century in the Ben Ezra Synagogue in Old Cairo (Egypt), came to be an ideal resource for the study of a large corpus of legal documents. This collection, mostly comprised of Jewish documents, encompasses a variety of genres, languages, and writing supports – one notable part of the corpus being a large number of legal documents, written in Hebrew and Arabic. Through the study of those documents, researchers can study the legal production of different courts in medieval Egypt, both Jewish and non-Jewish.

Using non-invasive analysis that combine infrared spectroscopy and X-ray fluorescence, we managed to study the ink type and composition of the inks used in legal documents. We specifically targeted documents written around the 11th century and aimed to compare the results obtained from documents issued by the Jewish courts to those issued by the court of the Qadi. More particularly, we focused our analyses on signatures, and compared the results with the ones obtained on the inks used in the main text and additions. Signatures mark a form of authentication of documents, establishing the validity and integrity of written artefacts, therefore, identifying inks entails to better understand the process behind the copying and signing of these documents, and therefore the legal system that produced those documents. As a result, our research has shed light on the system of authentication used in medieval Cairo, on the writing practices, and on the material culture of legal documents in Cairo at the time.

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### **Lucia Consuelo Colella (Rome)**

*The evolution and disappearing of Roman double document in Western and Eastern legal practice (I–V CE)*

Thursday, 9 November, 3:45 pm – 4:30 pm

The Doppelurkunde (double document) was the most common type of authenticated legal document in Graeco-Roman antiquity, and it was also known among other cultures.

Both the Greek and the Roman double document consisted of a sealed inner text (scriptura interior) and of an outer text (scriptura exterior) left unsealed and available for consultation. Not only was the deed sealed, but witnesses added their subscriptions

next to their seals. However, differences in format and in methods of authentication can be seen between Greek and Roman legal practice.

Under the early Empire, in Eastern provinces the Roman double document – customarily written on wax tablets – started to be written on papyrus; authentication practices changed accordingly, as texts from Egypt, from the Judean desert and from Dura Europos show (I-III CE). As most of these double documents are fragmentary and written in Greek, their ‘Romanity’ was not always recognised by previous scholars.

In Late Antiquity, the *Doppelurkunde* was not popular anymore, as one sees from Egyptian papyri or from the *Tablettes Albertini* (Vandal North-Africa).

This paper aims to analyse changes in the authentication practices of the Roman double document, from its ‘adaptation’ to papyrus in the early Empire to its disappearing during the Late Antiquity. Particular attention will be given to the interaction between seals and subscriptions, to autographic subscriptions in different languages (and to the role of literacy), to the influence of local practice, and to the ideological use of Roman *Doppelurkunde* by Greek-speaking new citizens after 212 CE. This analysis will be possible thanks to digital epigraphic and papyrological databases collecting texts and seals.

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### **Joseph S. Freedman (Alabama)**

*Jus archivi (the legal right to establish and maintain an archive) and legal authentication in the Holy Roman Empire (1597–1806)*

Friday, 10 November, 4:00 pm – 4:45 pm

The principal focus of this proposed paper is the authentication of written artefacts (here: documents and instruments) kept in repositories having *jus archivi*: the legal right to establish and maintain an archive. The first known (post-medieval) discussion of *jus archivi* is in a legal treatise first published in 1597 (republished in 1604, 1617, 1664, and 1724) by Rutger Ruland, a legal consultant at the Imperial Chamber Court of the Holy Roman Empire. For Ruland, *jus archivi* is only accorded - with some exceptions - to those political entities with sufficiently important-status within the political and administrative structure of the Empire.

He discusses private and public documents as well as private, mixed, and public legal instruments. Considered by themselves, private documents and private legal instruments do not have legal validity (authentication). However, they - together with mixed



legal instruments - can be accorded legal validity within repositories having jus archivi. Other criteria that can result in legal validity are the antiquity of documents as well as local customs (consuetudines). But some, almost all, or all of the documents within a repository having jus archivi can - due to their presence therein - be accorded legal validity (authentication).

While the jus archivi concept is reaffirmed within five Central European publications (appearing in 1664, 1668, 1676, 1681, and 1688) on archives, therein jus archivi also 1. is accorded to a larger number of repositories than Ruland did and 2. is linked closer to the upper hierarchy of the Holy Roman Empire than it had been previously. The gradual decline of jus archivi - albeit with some defenders - in the course of the 18th century will also be discussed. Of the six questions posed in the Call for Papers, questions 1 through 5 will be addressed.

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### **Dang Anh Minh Nguyen (Hanoi)**

*Authentication of written artefacts and land property question in the history of the Bahnar, Central Highlands of Vietnam (1850–1945)*

Friday, 10 November, 4:45 pm – 5:30 pm

The Bahnar is an ethnic minority group residing in the Central Highlands of Vietnam. Originally, they had neither a tradition of writing nor one of buying or selling land because land was deemed sacred to them. Shortly after their arrival in 1850, French missionaries, based on the Roman alphabet, created the Bahnar writing system. In the historical period from 1850 to 1945, using this writing system, French missionaries and administrators composed numerous written artefacts including contracts and notes related to the acquisition of land and customary land laws. Studying these written artefacts and their process of authentication is a crucial part of researching the history of the Bahnar.

My study focuses on three research questions:

- 1) In which context and why were these Bahnar written artefacts created by the outsiders of French missionaries and administrators?
- 2) How did the authentication of these written artefacts take place?
- 3) How did the authentication process influence the socio-economic and political status of the Bahnar?

By examining the historical context of composing and various features of the Bahnar written artefacts (date, structure, and contents), the study argues that the French missionaries and administrators created these artefacts first and foremost to occupy the Bahnar's land. The study shows that the Bahnar writing system was transformed from an evangelism tool to a legislative one. Accordingly, the authentication process conducted by French missionaries and administrators was a process of transferring land ownership from the Bahnar to the French missionaries, settlers, and Kinh immigrants. In addition, this process brought about changes in the Bahnar communities' perception of ownership. Ultimately, the study argues that it was during this process from 1850 to 1945, the Bahnar gradually lost political status and autonomy in their own land.

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### **Eveline Szarka (Zürich)**

*The cryptological key in early modern Germany – Visual representation and authentication*

Friday, 10 November, 2:45 pm – 3:30 pm

Every day, we try to protect sensitive data and information from access by unauthorized parties using a wide range of measures. The desire for information security is not a phenomenon of the digital age. In early modern Europe, a popular and quick way of protecting information was the substitution of letters of the alphabet (ciphers) or whole words (codes) by letters, numbers, and other symbols. To convey clandestine messages, the correspondence partners had to exchange keys containing the specific substitution rules. Thus, keys always came in pairs. But how did the spatial and visual arrangements of symbolic resources contribute to the authentication of written data as keys? And what functions did they serve in early modern times?

The Generallandesarchiv Karlsruhe owns over 100 cryptological keys that were used by various margraves between 1650 and 1750. To answer the above questions, a selection of keys from this inventory will be analyzed in more detail. The keys – that range from small and narrow slips of paper to large-format sheets with dense information – are characterized by the fact that they do not contain coherent textual information. They rather display jumbled or continuous letters, numbers, symbols, and words arranged into pairs and groups of data, often in the form of lists and tables. Sometimes they are supplemented by instructions and information about people for whom the keys were

intended. It will be argued that by the specific data representation early modern cryptological keys were not only crucial mnemonic devices, but also technical tools to be applied for both writing and reading processes. They transformed letters, which today are considered secondary media because they only require technical devices on the sender's but not on the receiver's side, into tertiary media that warrant tools on both ends for the communication to succeed. Based on this, the possession and use of diverse cryptological keys served as an instrument of power to enforce communicative exclusivity.

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### **Josef Ženka (Prague)**

*Life after death of notary documents in the 15th century Granada*

Thursday, 9 November, 5:45 pm – 6:30 pm

The fifteenth century offers a significant and remarkable collection of Arabic notary documents for the history of Nasrid Granada. The lifecycle of each document depended on the authentication process by notaries who redacted and signed it with their customary signatures. If a document was used in further transactions or legal disputes, it had to be re-authenticated by the same notaries who were summoned to testify upon their signatures in the document. Without their presence, documents were deemed worthless. However, how could such documents be authenticated after the death or in absence of their creators? This paper will explore this issue and its evidence in the documentary corpus connecting various textual and material cases, including a unique preserved example of the original and a copy of one legal document created in a notary's absence. This discovery was made recently in a private nobility archive. It will illustrate how Granadan jurists developed a sophisticated and legally valid system to give notary documents “life after death” for decades.