# Explaining the social use of shaming punishments cross-culturally – shamestudies.de – a digital resource and analytical tool in legal history

# I. Historical Background

In recent years, a debate about the influence of church law on the development of public penal law in the European high and late Middle Ages has shed some light on the strong interconnections between theological discussion about penance and the practical execution of law in this period. It has become clear that secular penal law borrowed in many ways from ecclesiastical law, and the emergence of some 'new' forms of punishment, for instance the institution of the pillory in the second half of the 12th century, can only be understood in this context.

## **II. Method and Architecture**

In order to investigate this topic in a comparative and interdisciplinary perspective, an internet platform for data analysis and presentation has been created and published in 2007. The www.shamestudies.de platform was established as a mostly database driven website to facilitate and enable this research project on the social usage of shame in different cultural contexts, namely Western Europe and East Asia. The basic goal is to collect primary and secondary source material, to encode the data for quantitative analysis and provide easy access to the content of the collection. Starting with an extensive bibliographical database (more than 3000 references) and a collection of texts (2400 titles in PDF Format with OCR) that can be searched for keywords with Apache Solr search engine, the platform also provides free online access to almost 800 texts published before 1900. A source database has been established for the West European sources with more than 1100 entries up to now, covering a timespan from the early middle ages to the early 19th century. On the analytical level, different types of punishments have been collected and encoded for date, place, offence, punishments, execution/executioner of the punishment, source type and context. Statistical measures and data aggregation are provided.

Shaming punishments in medieval
This map provides an overview or shaming punishment
Lock database on www.shamestudies.de.

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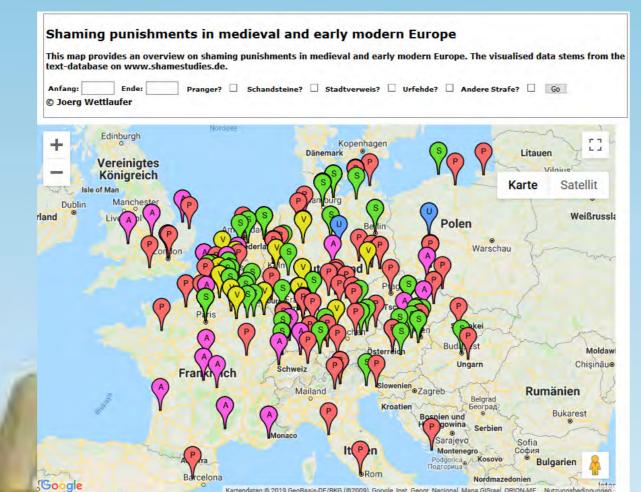
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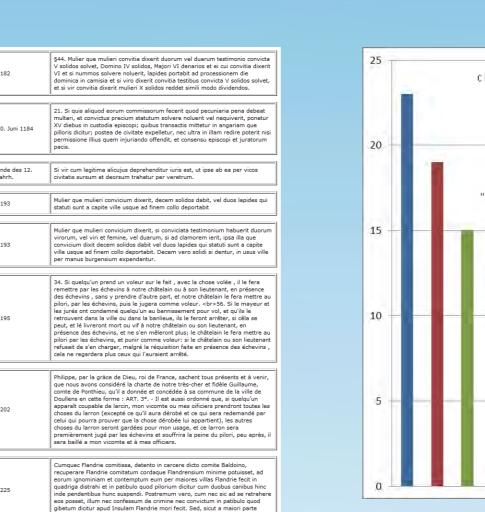
### **III. Services and Results**

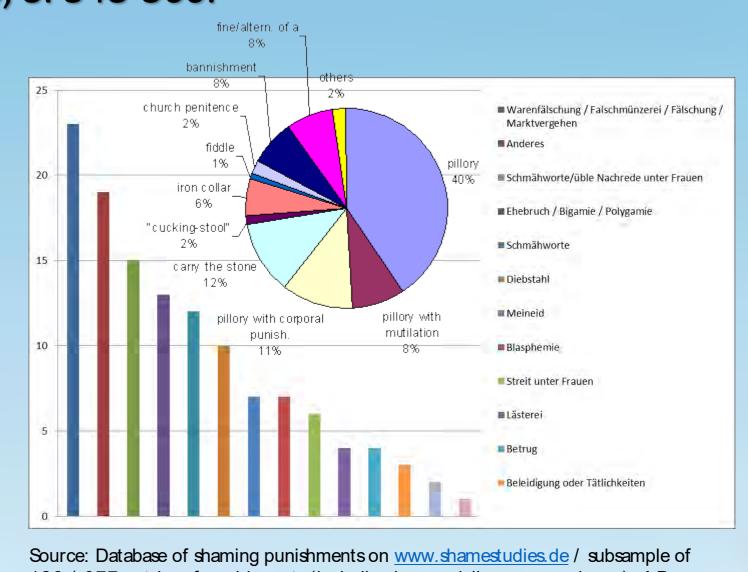
The project integrates quantitative digital with qualitative hermeneutical methods. Over the years several improvements and releases have been necessary to meet the requirements of new research questions and the developing infrastructure (relaunch 2017). In 2012 a visualization of punishment types on a map was established. In 2018 the www.opensemanticsearch.org framework was tested offline to provide a faceted full text search and automated NER. Online Integration is planned for 2021.

Furthermore, the shamestudies.de website provides information on the project results, information about related conferences or publication projects and allows at the same time to access and share the collected research material (depending on copyright restriction with participants of conferences or other researchers). For this particular project a mixed method approach has proven most successful. Biggest challenges have been the integration of source material in Non-Western languages and maintenance. Since 2007 over 25 presentations, articles and books have been published, drawing on the results provided by the platform and the collected material. Another volume with conference proceedings on "Honor and Shame in Western History" is in preparation for 2021.

### **IV. Publications**

- Wettlaufer, Jörg, David Nash & Jan Frode Hatlen (Hg.) (2021): Honor and Shame in Western History. Routledge Studies in Cultural History (in preparation).
- Sère, Bénédicte & Jörg Wettlaufer (Hg.) (2013): Shame between punishment and penance. The social usages of shame in the Middle-Ages and Early Modern Times, Tavarnuzze (Firenze, IT) [Micrologus Library 54]
- Wettlaufer, Jörg (2011): Über den Ursprung der Strafe des Steintragens, Miszelle, ZRG (GA), Bd. 128, S. 348-360.





Bibliographical Database

3306 TITEL INSGESAMT | 2406 PDF VORHANDEN | 752 PDF VERFÜGBAR

• A bill to abolish the punishment of the pillory / ordered, by the House of Commons, to be printed, 23 February 1816. [1816].

• Abadía, Jesús Lalinde (1991): La pena en la peninsula Ibérica hasta el siglo XVII, in: La peine = Punishment. Teil: 2: Europe avant le XVIIIle siècle = Europe before the 18th century, Bruxelles, S. 173-203 [Recueils de la Société Jean Bodin pour I histoire comparative des institutions; 56 / Les Actes du congrés. La Société Jean Bodin pour I histoire comparative des institutions; 23.]

• Abegg (1864): Beitrag zur Geschichte der âlteren einheimischen Strafrechtspflege mit Rücksicht auf sog. Malefizbücher, in: ZRG 3, S. 90-124.

• Abegg, Julius Friedrich Heinrich (1830): Untersuchungen aus dem Gebiete der Strafrechtswissenschaft, Breslau (Reprint Glashütten im Taunus 1971).

• Abegg, Julius Friedrich Heinrich (1835): Die verschiedenen Strafrechtstheorieen in ihrem Verhältnisse zueinander und zu dem positiven Recht und dessen Geschichte. Eine criminalistische Abhandlung, Breslau.

• Abelin, Johann Philipp (1635): Theatrum Europaeum, Oder Außführliche/ und Wahrhaftige Beschreibung aller und jeder denckwürdiger Geschichten. Frankfurt (Main).

• Abicht, Johann Heinrich (1797): Die Lehre von Belohnung und Strafe in ihrer Anwendung auf die bürgerliche Vergeltungsgerechtigkeit überhaupt, und auf die Criminal-Gesetzgebung insbesondere, wie auch auf Moral und Theologie nach kritischen Principien neu bearbeitet, Erlangen.

• Abraham, Erin V. (2017): Anticipating Sin in Medieval Society. Childhood, Sexuality, and Violence in the Early Penitentials, Amsterdam: Amsterdam University Press [knowledge communities, 2].

• Abu-Lughod, Lila (1999): Veiled sentiments: honor and poetry in a Bedouin society, Berkeley.

• Adam, C. & D. Longin (2013): Shame: when emotion and reasoning are linked.

EUMAS 2013 (European Workshop on Multi-Agent Systems), Dec 2013, Toulouse, France. 1113, pp.0, 2013. 7hal-011566057

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