

# THE USES OF JUSTICE AND LEGAL PLURALISM A GLOBAL PERSPECTIVE 1600-1900

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The use of formal law courts to resolve disputes has often been identified as a unique feature of Western civilization since the late Middle Ages. A wide range of semi-formal and formal institutions were frequently used to settle interpersonal conflicts, resulting in a massive growth of court activity. New strands in socio-legal historical research increasingly examine judicial infrastructures from the perspective of its users and explore how the law was shaped in response to the ways litigants actively brought the law into play. The 'uses of justice' are thus central in current research.

Following Max Weber, scholars of various disciplines have often described this European litigation pattern as an unique feature of Western European social history, which was related to major distinctions between European cities on the one hand and Asian cities on the other. However, the comparison between 'the West and the rest' in socio-legal terms merits further analysis. To which extent ordinary people took legal recourse in early modern Europe, and to which extent this reflected supposedly unique forms of solidarity and social organisation, such as citizenship, is hardly ever analyzed in a globally comparative framework. This conference brings together scholars with expertise on early modern Europe, China, Africa and the Americas to explore the concept of the 'uses of justice', to test the alleged uniqueness of litigation patterns in early modern Europe, and to explore the opportunities for carrying out a globally comparative analysis of socio-legal history 'from below'. The discussion will be focussed on cities, because they were important providers of juridical services, and because they allow for the comparative exercise that is central to the discussion.

We aim to receive papers on the following subjects:

- How did ordinary people use various legal infrastructures to arrange their social and economic interests?
- Who drew on which parts of juridical infrastructures to settle disputes and who did not?
- To what degree did men and women pursue different litigation strategies?
- How did ordinary people experience the law? Was the law an element of elite culture that protected elite interest, or was it an element in the family economy of ordinary people?
- Were the Western European experiences indeed as unique as has been suggested in historiography?
- How did people use the legal pluralism of European law, customary law and indigenous conflict regulation in colonial cities?
- How did ordinary people settle disputes in areas where juridical infrastructures were less accessible?

Researchers interested in participating in the conference are invited to send their abstracts (c. 500 words) before **1 November 2015** to Jaco Zuijderduijn and Griet Vermeesch ([c.j.zuijderduijn@hum.leidenuniv.nl](mailto:c.j.zuijderduijn@hum.leidenuniv.nl) and [griet.vermeesch@vub.ac.be](mailto:griet.vermeesch@vub.ac.be))

Candidates will be informed of the selection by **1 December 2015**. Selected participants are expected to send their full paper to the organizers by **1 March 2016** to be circulated in advance among the participants of the conference.

After review, the papers presented at the conference will be taken into consideration as chapters for a special issue or a collective book series on 'The Uses of Justice and Legal Pluralism: a Global Perspective 1600-1900', to be published in 2017. Travel costs and accommodation will be provided.

#### Conference organizers

Griet Vermeesch (Vrije Universiteit Brussels, Belgium)  
Manon van der Heijden (Leiden University, The Netherlands)  
Jaco Zuijderduijn (Leiden University, The Netherlands)