

TECHNOLOGIES OF TRUST:  
LAW, CUSTOM AND PROCEDURE IN HISTORICAL AND COMPARATIVE PERSPECTIVE  
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How were business practices crafted and sustained over time and space as trade expanded producing connections and contradictions? Existing scholarship on merchant networks, especially in the Indian Ocean have explored the ramifications of trade and social experiments that in the case of networks like that of the Armenians produced legal digests and cultural values (Aslanian) whereas other networks like Indian merchants turned to new colonial institutions for settling debts and adhering to obligations (Bishara). The working of indigenous and imported practices in the Indian and Atlantic Oceans deeply impacted the actual workings of early modern and modern business as it interfaced with law and assumed the form of new technologies and protocols to neutralize risks and to even reshape the notion of trade and business and its social calling. The proposed workshop hopes to address these issues with a strong focus on comparative dimensions bringing the experience of Europe, Africa and Asia in one field, and thereby inviting a deeper conversation between the Atlantic and Indian Oceans. Existing and emerging scholarship on trust technologies has emphasized practices such as letter writing, ledger upkeep, contracts – myriad forms of paper as well as oral/body practices as a sort of embedded DNA in actual trade and commercial regimes. By implication, this would mean that practices are not to be simply seen as data to be mined but to be seen as artifacts in a world of commerce and transaction. The transformation of this world was manifest in new modes of knowledge that included accounting and standardized account keeping protocols that could include or exclude certain players.

From Portuguese commercial networks that were markedly different and more decentralized than the later North European joint stock companies to a range of actors in the Indian Ocean, there were practices and technologies that ensured cohesion within networks and expanded the limits of commerce. What were these practices and how extensive was their remit? Does network analysis enable us to look more closely at reputation and reciprocity in networks? (Trivellato) What did trust mean for actors? How did it inflect articulation of law especially as customary obligations were not

always adequate immunity against risk and breach of trust? How did the breakdown of trust make way for external mechanisms of protection and safeguards on the one hand, and how did it alter the internal ethos of groups and networks? Did a new system of accounting or at least a new appreciation of form that could be adhered to emerge? (Gervais) How did custom intervene in the consolidation of trust practices? How can these be decoded especially when the connotations of custom vary across cultures making equivalence challenging? For example, we know that in the case of the slave trade the French word coutume carried multiple meanings and that coutumes and presents were prerequisites for the establishment of a relative degree of trust in course of trade.

These are some of the questions that the workshop will explore. The idea really is to consider new and fresh questions, new reflections on source material and how best to read them, to look at law and actual procedures more carefully and to reconcile them with practice in as far as we can recuperate them. The idea is also not to take a mechanistic view of law but to balance formal conceptions and procedures with customary localized practice, wherein social aspects of commerce carried weight. The intention then is to explore whether we can simultaneously balance a historicized understanding of calculations, of risk management, of an economic logic with the articulation of law and legal conventions.

Some of the issues that we hope the workshop will take forward are as follows:

1. State of the art and beyond: reviewing scholarship and the nature of the archives at hand. Challenges of reading archives could be a useful introductory session.
2. Credit and commerce in transition: contrasting narratives from Europe and Asia to make a case for entangled destinies with forms and practices that overlapped and diverged.
3. Technologies of trust across time and space: Accounting techniques in historical perspective
4. Trust in law
5. Decoding customs and customary practices
6. Capitalism or Capitalisms?