

Primary Sources: Evaluating and Analyzing Historical Trial Records

A list of questions to help you “read” historical trial records and related evidence.

Establishing Authorship/Sourcing Evidence

Who wrote/created the document/source?

Who was the intended audience?

What was the intended purpose?

What do we know about the author?

- From the document itself?
- Independent of the document?
- How is the author associated with the case? Accused? Victim? Family member? Civil servant? Judge, jurist, lawyer or witness?

Is the source autobiographical?

- Is the source meant to serve as an autobiography, memoir, or recollection of the events of the case?
- Does the role of the author in the trial (or absence thereof) affect the way you evaluate the text’s historical accuracy?
- Does the author have a particular agenda—personal or political—with regard to the trial and/or its outcome (whether stated or implied, direct or indirect)? If yes, how does it affect how you read the document?

Is this an official document (transcript, pleading, opinion) of the trial?

- Who produced it?
- In what collection does it live? (Court records, county records, personal files, etc.)
- In what language was it originally produced?
- Is this the native language of the people involved in the case?
- Did the trial participants have any opportunity to review the document?
- Did anyone else have reason to review or change the document?

Details/Checking for Other Biases

When was it created?

- Any edits, changes, updates?

Was the document created at the same time as the trial itself?

If there was a delay between the trial events and the creation of the document, can you account for that delay?

Do matters or events, which explain the delay (if one exists) between the trial events and the creation of the document undermine the reliability of the text?

What class, type or genre is the document?

- Does the genre affect the reliability?
- Do genre conventions, norms or other features affect how you evaluate the document or its reliability?

Understanding Context/Corroboration

What other accounts of the events exist?

Are these accounts autobiographical, recollective or transcriptive in nature? None of these? What kind of documents are they?

Do these accounts corroborate or contradict the source in question?

Are there factors that may explain why these accounts validate or differ from your source?

Are there non-textual sources that exist that address the events in question? (Photographs, paintings, art, film, etc)? Do these corroborate or contradict the source in question?