

uta (University "1 Decembrie 1918", Romania) presented a work method and recent results in the project of reconstructing the ancient town *Colonia Augusta Ulpia Traiana Sarmizegetusa*. In addition to the virtual reality were also papers regarding the application of GIS tools. A most interesting example was the project of Eleni Mantzourani (University of Athens) and colleagues. Their analysis is based on fuzzy logic, by which they predict new archaeological locations on an island of the western Cyclades. Further, we saw some practical solutions to archaeological documentation (Juan Barcelo, Universitat Autònoma Barcelona). Damien Green (Brunel University) presented an innovative tool for 3D reconstruction of structures during archaeological excavations. The author is originally a computer scientist and was somewhat critical of classic archaeological documentation. And finally, I must mention the papers concerning analysis of artifact collections. The emphasis was mainly on classifying ceramic material.

The second section was also quite broadly set. The common denominator was acquiring and manipulating spatial data by satellite identification, aerial photography, cartography, terrestrial measurement, geophysical measurement and excavation. The data was then more or less successfully integrated in GIS and analyzed. Remote identification is still used for reconstructing landscapes connected to actual archaeological contexts (e.g. K. Lambers et al, Institut fuer Geodäsie und Photogrammetrie, Switzerland or M. Forte et al, Istituto Universitario Orientale). Some projects of visualizing geophysical measurements in GIS were presented (e.g. A. Sarris et al, Institute for Mediterranean Studies, Crete). Dana Jensen of Stanford University presented a good study of transhumance in northern Chile with the help of an accomplished algorithm, geoglyphs and GIS. It proved that we might achieve exceptional results with relatively simple tools, but a correct approach. The Polish method of surveying the route of the future motorway was presented by Agnieszka Dolatowska (Adam Mickiewicz University) together with Andrzej Prinke (Poznan Archaeological Museum). The pilot project of the future 2500 km motorway was based on aerial photography from helicopters. The potential locations are first recorded and the "foundations" are set for later excavation.

The last of the conference sections was the most topically homogenous. It was devoted to presenting and discussing the solutions and questions of establishing, preserving, manipulating and subsequently using the digital heritage. Some of the contributions explained methods of presenting various archaeological data and information on the global network (e.g. K. Fernie, University of York et al). The task demands profound knowledge of archaeological objects and knowledge of the properties and capacities of modern information technology. An imperative through all the various pres-

entations was the need for systemization and standardization. Philip Carslile (National Monuments Records Centre, UK) pointed out the issue of naming periods. It is a known fact that the geographic position often determines the time span. Thus the Roman period is differently understood in Italy as opposed to in Britain.

This year's conference again showed that the trend in computer and quantitative methods in archaeology is to make the best possible use of information technologies for solving archaeological problems on various levels. GIS have been fairly adopted by archaeologists and their use has become a prerogative for studying spatial relations in regions as well as at individual sites. This year there were fewer papers on the topic of documenting archaeological excavations. The emphasis, as indicated in the conference's title, was more on archiving and the visualization of archaeological heritage.

And finally I would like to mention that in addition to the formal part of the conference we had a rich social program. Such meetings are also necessary for establishing new connections in a relaxed atmosphere.

The last day we had a session of CAA members at which we approved the candidature of Florence for organizing the upcoming conference in 2004. The organizers of the next meeting, which is scheduled to take place in Vienna between 8. – 12. April 2003, presented the progress of their preparations (further information can be obtained at <http://www.archaeologie-wien.at/caa2003/caa2003.htm>).

Claudio Povolo

Announcement of the international scientific conference: *THE VICTIM IN THE SCENE OF THE CRIMINAL TRIAL*. From victimless crimes to the appearance of the victim in the social and political debate. Koper, October, 2003

In October 2003 the international scientific conference *"THE VICTIM IN THE SCENE OF THE CRIMINAL TRIAL: From victimless crimes to the appearance of the victim in the social and political debate"* will take place in Koper (The Republic of Slovenia). At the conference, organized by the Scientific and Research Center of the Republic of Slovenia, Koper, the Faculty of Humanities Koper, the Historical Society of Primorska, Koper and the Department of History of the University of Venice, scientists with different disciplinary backgrounds dealing with the main conference topic will participate. However, the professionals, from Slovenia, Italy, Croatia, United States, Spain, Austria etc participating at the international meeting, will put a special emphasize on the history as well as on the current and actual events

dealing with the broad and complex issue of trials. In this regard, the last ten years of Balkan conflicts, and the current events in Afghanistan, Iraq and in the Middle East are of especial interest. In the following part we shall introduce the main conference headwords and the complex nature of the dealing with this topic.

The history of the criminal trial can be defined as the history of a perpetually and variously repeated tragedy whose characters played and still play a role that is constantly modified under the push of various causes. This kind of history is obviously connected to the broader history of crime and criminal justice and to the criteria of punishment expected and accepted by society. Various studies and interpreted by historians of law and scholars of social sciences, attention has mainly focused on those protagonists who better lent themselves to point out the close relationships between legal institutions, developed in order to define and repress the crime, and society at large.

From this perspective, the figure of the accused has been placed at the center of social and political interrelations that have been realized in some important topics for the history of crime and of criminal justice. The relationships between judge and accused, between inquisitorial procedures and procedures based on testimony, between system of legal proofs and discretionary power of the judge, have become preferred fields of research, leaving behind other protagonists and themes.

The choice to focus on the victim is not only related to the previous observations, but also to the fact that, paradoxically, it was the very absence of the essential role of the victim the defining characteristic of many crimes in the past. The victim was absent or played a quite marginal role and remained in the background as the inquisitorial procedure appeared in the classical legal debate.

Preliminarily, it is necessary to consider that in almost all criminal cases – also in those where the victim is recognizable and active – it is society, first and foremost, that acts as victim and arranges (in terms of organization and costs) repressive and preventive measures toward behaviors defined *a priori* as forbidden by law. The classic distinction between civil and criminal law (even if it has been ambiguous for many centuries) prevents us from seeing the freedom of initiative that a person had to call for proceedings intended to solve a personal injury committed by others.

In the late Middle Ages, the inception of inquisitorial proceedings made the roles of the judge and the trial apparatus rise to prominence, by eroding both the importance of the legal cross-examination and the profile of the victim. The plaintiff was quickly supplanted by the *ex-officio* initiative performed by the judge according to the social and political importance of the committed crime.

The evolution of the European criminal trial (except

for England) led to the creation of public officials (such as in France or in Venice) entrusted to defend considerable interests of the state. A wide range of crimes, which sociologists defined as victimless crimes, developed along with these transformations.

In a society where the law of men was so closely intertwined with the law of God, the distinction between crime and sin was often vague, not only because it was hard to distinguish them in the culture of the time, but also because the secular justice set itself as defender of religion. First and foremost, among victimless crimes, one recognizes that those crimes prosecuted by clerical and secular courts, directly threatened the fundamental values of a particular society (crimes such as witchcraft, heresy, blasphemy, or bigamy).

These crimes were perceived particularly dangerous toward society and their condemnation presupposed the defense of the specific interests of predominant groups whose characteristics were strongly theocratic. This was also the case in American colonies, whereas in Europe, the predominant groups were characterized by the alliance between throne and altar.

This process lasted for a long time even if, in the early modern age, it was seriously challenged by the emergence of secular power that challenged the ecclesiastical direction of fundamental ideological values of society. That is why some differences were singled out within the crimes with profound religious connotations; these differences undermined the ideological foundation that so narrowly bound the crime to sin. For example, in Venice during the first part of the sixteenth century, a distinction was made between heretical and non-heretical swearwords. The latter were put under the jurisdiction of a new magistracy, the *Esecutori contro la Bestemmia* (literally, judges against blasphemy).

Ed Muir, Darko Darovec and Claudio Povolo to chair a international meeting The language of violence, Koper 11th-13th October 2001.

Ed Muir, Darko Darovec in Claudio Povolo v predsedstvu mednarodne konference Govorica nasilja, Koper, 11.-13. 10. 2001.

These kinds of crimes had strong symbolic values since they threatened social stability and, indirectly, the order of power. The punishments for these crimes were severe penalties that were carried out according to public rituals in order to describe the identity of the guilty party in an infamous way. In all these cases, the law and the concrete judiciary proceedings toward the accused tended not only to define the boundary between Good and Evil, between allowable and illicit, but also and above all, to draw the insuperable limit past which a man could not cross without arousing divine anger directed at the whole.

Obviously, the definition of these crimes and particularly their actual repression reflected not only the cultural and religious values of the time (hence the close correlation between crime and sin), but also represented a type of ideological barrier that had been raised by dominant classes in defense of a system based on the strict connection of status honor, and wealth.

The inquisitorial proceedings were the most effective way to connect a wide range of crimes, – in which the victim was identified with superior or supernatural entities – with society as a whole, itself not always clearly in agreement with religious and political precepts. This becomes even more significant if we consider the input of the victim, or the kind of trust and legitimacy enjoyed by rulers among the ruled. These factors considerably characterized the effectiveness and impact of law.

The relationship between an economically stable society and marginal groups played an important role in victimless crimes.

Many crimes against morals and religion fell under the category of 'victimless crimes'; among them, were also many sexual crimes. This was due not only to the strict connection between morals and allowable sexual behaviors, that exists in any age; this also depended on the fact that many crimes can be considered 'victimless' because the victim consents, more or less, and both victim and accused are (guilty or innocent).

Fornication, prostitution, and sodomy were offenses against the dominant sexual morals, but the victim's complicity in them is often recognizable. Some crimes, such as sodomy, were defined by sixteenth-century criminalists as crimes *a prova difficile* (difficult to prove) because they were committed in the most absolute secrecy. The theme of the victim's complicity can obviously be extended to other types of crimes. It had greater importance for those who defended cultural and ideological values thereby they criminalized certain acts. As we shall see, the problems that are related to a victim's alleged complicity can be extended to many other crimes.

The relation among dominant sexual morals, victimless crimes, and the social sensibility shown toward them, is the most relevant theme of this conference that focuses on the figure of the victim. However, the above-

mentioned relationship presents and brings forward the considerable problems of the social and legal transformations that the victimless crimes underwent over time. We also note that they reflect the deepest changes within society as a whole.

It is indubitable that many of the victimless crimes, characterized by the strict relation between crime and sin, began to decline during the eighteenth century, as Lawrence Friedman has pointed out for the United States. As the American scholar remarked, the decline of the crimes with a religious or moral connotation is associated to the stricter self-control that society expected from individuals. Society punished extreme deviance, if it was openly expressed, but it became much more tolerant toward unlawful behaviors that were not openly committed. This was a form of hypocrisy that marked a significant step toward the definitive split between crime and sin. Moral law had begun to lose its absolute value. This phenomenon can be also traced in European society during the eighteenth century. It was due to the growth of urban centers and to economic changes that assigned a greater importance to private property. Moreover, it was associated with the fading of a society based on distinctions of status and values connected with honor and social precedence. These changes were to make crimes better defined and conventional.

Probably, due to these specific transformations, the persistence of other victimless crimes such as drunkenness or gambling was justified. The first was a symptom of individual dissoluteness, whereas the second threatened family property. Nineteenth-century society, once released from the strict relationship between crime and sin, was to create the necessary premises to define new victimless crimes, for instance all crimes that threatened the integrity of the State or the dignity of its representatives or symbols.

Paradoxically, other victimless crimes – such as the crime of seduction, which was also called *voluntary rape* – were to be subject to important changes. In the Middle Ages, seduction was a crime in which the consenting woman was seen as a victim; during the Early Modern Age, it began to be reduced to a disapproved social behavior or to be subject to subtle distinctions. During the nineteenth century, for instance, most Codes included the prohibition of the inquiry about paternity.

A society based on lineage and kinship was the unspecified victim in the seduction offence – as well as in the voluntary abduction – but was obviously in a position to make its own reasons heard. This kind of society was very sensitive to any attack or threat toward groups whose power depended upon marriage alliances and transmissions of property that were judicially well defined.

An unspecified or consenting victim (and accomplice, as we shall see) connotes victimless crimes. Some offenses, in which a victim is identifiable, can also be

included in the examined sociological category. Infanticide can be certainly placed in the sociological category of victimless crimes, at least until the beginning of Early Modern Age. Juridical treatises defined this offense as parricide, because killing an infant was considered damage to the *pater familias*, who held authority over the lineage. In this case, the victim was evanescent and its juridical prevision was only justified within a society characterized by extended and pyramidal kinship structures. When the newborn became a juridical subject (rights holder), this offense took a more conventional form. However, its subsequent inclusion within the offenses against honor presupposes a certain indirect responsibility of the victim and still the presence of very strong kinship structures.

Paradoxically, adultery is similar to victimless crimes and this depends not only on its strict relationship between crime and sin. Although it was defined as a private crime in which it was one of the few crimes where the victim had the discretionary power to sue, the adultery offense could hardly be elaborated in an accomplished juridical and jurisprudential formulation because of the inevitable repercussions on the patrimonial level. On the social level, adultery – as a result of a complex ideology of honor – stirred the condemnation of the one who was regarded as the victim by the law. The man who suffered adultery (not the one who committed it) was subject to the disapproval and retorts of the community. Society considered him responsible for what happened and for his inability to defend the honor of his family.

Over time, the line that divided the victimless crimes from the conventional ones became indistinct. As we have already examined, many behaviors – that for centuries had been censured as prejudicial to the morals or the divine law – eluded legal control and fell again under the control of the conscience and the personal sphere. Furthermore, justice and the State apparatus experienced profound transformations. The consolidation of State authority and bureaucratic magistracies also affected the structure of the trial and the relationship between society and administration of justice. This phenomenon has been well examined by the American scholar Malcolm Feeley who has associated it with the decline of the female criminality from the eighteenth until the twentieth century.

During the nineteenth and the first half of twentieth centuries (that we can define as an age of transition), the theme of the victim and victimless crimes reveals a clear distinction between crime and sin and, above all, defines crimes of economic nature. No longer bound by the definition of status and juridical privilege, the figure of the victim was delineated in all its complexity against the background of bourgeois society. This was the time of clamorous trials and of the appearance of criminal themes in literature and public opinion. Newspapers

began to show an interest in and followed juridical cases. For the first time, the relationship between the mass media and the legal sphere took shape in a more significant way; later, it had a decisive importance for the characterization of the victims.

At that time, the state authority exerted the maximum level of influence of its apparatus and ideology, too. The justice administration, an instrument of control and social stability, deeply affected the definition of the characters of the trials. The controversial and contradictory relationship between victim and accused was solved in an almost univocal way, done in order to negatively characterize the violation of the norm and the system of values defended by that norm.

As Dennis Chapman has brilliantly described, the stereotype of the criminal illustrates, as a matter of fact, a one-way relationship between accused and victim. The latter is described as unaware of the intention of the accused and generally available to collaborate with police and magistracy. Even when the victim has contributed to the execution of the crime, this element is considered as an extenuating circumstance for the accused rather than as an act worthy of public condemnation of the victim.

As it has been demonstrated, the victim often plays a crucial role in the occurrence of both common and serious offenses, such as murder, larceny, and rape. In some intense interpersonal relationships, such as in certain types of brawls, fate only decides who is the victim and who is the criminal. It is often possible to find a sort of responsibility or complicity in the behavior of the victim.

The victim's active role is mostly considered an extenuating circumstance for the accused who is subject to the criteria that define the stereotype of the criminal. As Chapman maintained, the victim's role becomes a fundamental instrument used to understand the dynamics that animate a determined system. The predominant group "is able to change the definition of several situations. The crime can become a valuable act and the criminals can become heroes ... Collective conscience becomes the product of political control, rather than its origin."

The transformations that have marked society and its institutions, since the last decades of the twentieth century, have rendered much more complicated the political and social situation in which the English scholar made his observations. It is not fortuitous that today many scholars point out the controversial relationship – in all European states – between the expansion of criminal justice and the appearance of the victim, as protagonist, on the scene of the criminal trial. The appearance of the victim in the criminal trial occurred simultaneously with the widening of the power to accuse. Everywhere, the magistracy has increased its political role and criminal law has become a real instrument for the

regulation of society. In societies that are organized on a democratic basis and that are very sensitive to the changes in public opinion, mass media have amplified the so-called silent revolution. The State monopoly over criminal justice has been subject to marked erosion under the needs and pressures coming from society.

The trial has lost its old balancing function of restoration of the broken order. The pressure of victims' associations has weakened many areas of the economical and political world that enjoyed wide margins of impunity. The victims' need for justice, supported by the more effective role of the magistracy (less bound to political power), caused a redefinition of the functions of the criminal trial. The theme of criminal responsibility, so important for the jurists of the past, has been supplanted by the necessity to convict at any cost.

In fact, according to this new concept of justice, the victim expects from criminal law an instrument of simplification and conviction a priori. These expectations are often met by the opportunistic help of mass media. As a consequence, the public declaration of blame replaces the verification of that blame. The threshold of deviancy has become lower and at the same time the borderline between normality and deviance has become more indistinct.

In a way, the appearance of the victim in the criminal trial is the final point of a journey that initially gave the victim an indistinct and seemingly non-relevant role. If the rise of the States had underscored the role of victimless crimes, present democracies have amplified the ideological dimension of the victim. Research that centers on the victim's figure and role on the scene of the criminal trial holds much promise for the investigation of themes and problems of broader social and political dimensions.

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Francis Tassaux – Robert Matijašić – Vladimir Kovačić (eds.): LORON (CROATIE). UN GRAND CENTRE DE PRODUCTION D'AMPHORES À HUILE ISTRINIENNES, 1^{ER}-IV^E S. P.C. Mémoires, 6. Bordeaux, Editions Ausonius, 2001, pp. 366

The library of the Istran Peninsula (in Northern Adriatic) has acquired an excellent new monograph from the international team working on the *Istran oil* project. This provides the book's contents with a frame for the much broader spheres of interest of numerous collaborators, particularly the three presented as editors, who are also the co-authors of separate contributions about Loron,¹ the Roman site along the sea north of Poreč (*Parentium*).

The research history, the geographical locus and geological past of the site (particularly the rising sea surface over the last two millennia), the description of work carried out by the mixed international team, the epigraphic analysis of monuments from the near vicinity, the description of fine material-especially earthen artifacts from a Loron kiln and a series of stamps, the analyses of remains of animal bones and of mollusks, are just some of the subjects discussed. The book is divided into 4 parts by its editors: *The geographical and historical context*, *Excavations at Loron in 1994-1998*, *Small finds*, and *The contribution of excavations*. Of particular value are the systematically stated conclusions in Part 4, most notably the comparison of archaeological and historical sources.

In the introduction, É. Fouache presents Istra from the geographical and geological aspects and dedicates himself to the Loron site's surroundings. The most original contribution in this respect is the careful observation of minor phenomena in the narrowest coastal belt of the studied area, where he succeeded in distinguishing some ancient erosions on the rocks and the piers from more recent activities, and was thus able to estimate the increase in the sea-level over the last 2000 years. In contrast to previously held notions, this change has been relatively slight, from 0.7 to 1.2 m. The research history is described by R. Matijašić. Early writers conspicuously fail to mention this site, referring only to finds from nearby places (Červar, Vabriga, Tar, Frata). Interest in the finds from Loron grew only thanks to the activities of the Trieste antiquarians, especially P. Kandler in the mid-19th century. Particularly interesting at that time were inscriptions, including stamps on bricks and amphorae. The finds and the site have been described by a number of archaeologists (Th. Mommsen, C. Gregorutti, A. Gnirs, and, most recently, by A. Degrassi). The opinion has come to the fore that private kilns fell into the hands of emperors. The most important amongst the private owners was said to be Calvia Crispinilla while the most significant economic activity at that time was olive

¹ Lately, the name "Lorun" has been increasingly used in Croatia.