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INSULTS HURT: VERBAL INJURY IN LATE MEDIEVAL FRISIA

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WHEN WE TAKE a look around in the medieval literature of the Germanic peoples, it is not hard to find striking examples of how a man or woman was adept in hurting somebody else by means of a subtle or blunt word.¹ In the Icelandic sagas, especially, we encounter instances of insulting in word and gesture, an act known as *nið*. Ritualized forms of exchanging insults, almost amounting to a competition, have also found their way to parchment and paper. From the *Edda*, a collection of Icelandic mythological poems, we have for example the *Hárbardzljóð* ('Song of Greybeard'), in which the god Thor engages in an exhausting insulting match with a ferryman, called Greybeard (who afterwards appears to be the god Óðinn). In the late Middle Ages abusive poetry became very popular in Scotland, a literary genre known as 'flyting', which term by extension is now also applied to such written manifestations outside Scotland.²

As it is, there is a difference between such flyting poems as the *Song of Greybeard* on the one hand, and *nið* on the other. The former serves to impose, to show that you can master your opponent with words; the insults are ritualized and should not be taken as true offenses.³ The latter category is intended to defame the other, to challenge a man to physical action, usually by questioning his manliness, especially by alluding to

¹Versions of this paper were read at the 13th Frysk Filologekongres, Leeuwarden, October 1993, and for the American–Dutch Academic Society of New England, Boston, June 1994. A shortened version appeared as 'Schelden doet zeer: verbaal kwetsen in laat-middeleeuws Friesland', in Marie-Charlotte Bailly *et al.*, eds., *Eer en belediging*. Leidschrift 12, 2 (Leiden, 1996), 19–36. I have greatly profited from various suggestions by Jos Bazelmans, Jan Bremmer, Tom Johnston and Oebele Vries.

²Cf. W. Parks, *Verbal Duelling in Heroic Narrative. The Homeric and Old English Traditions* (Princeton/NJ, 1989).

³Cf. M.M.H. Bax and Tineke Padmos, 'Senna – Mannjafnaðr', in Phillip Pulsiano, ed., *Medieval Scandinavia. An Encyclopedia* (New York and London, 1993), 571–73.

what was then considered as perverted sexual inclinations, or, if the victim is a woman, to question her sexual behaviour.⁴

When it comes to medieval Frisia, such literary witnesses are wanting, although we need not doubt that the Frisians of past centuries engaged in verbal abuse and insult. However, in the major legal sources we hardly find any indications that insulting and other verbal crimes were punishable. And even in those cases where insulting is mentioned, we can only guess at the choice of expletives and the situation in which they were uttered. Curiously, the subject of insulting as a crime has hardly been investigated for medieval Frisia.

All of the recent editions of Old Frisian legal manuscripts, as published by Wybren Jan Buma and Wilhelm Ebel in their series *Altfriesische Rechtsquellen* (=AR), have been provided with very useful and detailed subject indexes. But the inquisitive reader who wishes to check where and how in these editions insults are mentioned will soon be disappointed. Apparently, the editors have not deemed verbal abuse worthy of a separate entry. In the few cases it is included, however, it is listed under different terms, which is hardly convenient for the investigator. I have found the following references to verbal injury:⁵

In F: as subcategory *Schimpfwort* under *Kränkungen*

In H: as subcategory *Beschimpfung* under *Kränkungen*

In E: in the entry *Unschickliche Worte*

It would appear from this that the compilers of the subject indexes were not aware of earlier scholarship on the topic of verbal injuries, otherwise they would have chosen an unambiguous key word, such as *Verbalinjurie*. Yet, the topic did receive some attention in the past. The major manual to turn to is Rudolf His's impressive survey of medieval Frisian criminal law.⁶ His investigated all legal genres – landlaws, by-laws, fine registers, statutes, to mention some – from Frisia between the Vlie and the Weser available to him at the time, whether in Frisian, Low German or Dutch. It is especially this comprehensive approach that makes His's book still valuable after almost one hundred years, because of the wide range of sources it covers. Insulting (*die Schelte*) is dealt with by His in the section on *Ehrenkränkungen* ('defamations'). An important observation made by His is that the offense of verbal injury appears only late in the Frisian

⁴The literature on *nið* is vast. For a recent discussion, with abundant bibliographical references, see Carol J. Clover, 'Regardless of Sex: Men, Women, and Power in Early Northern Europe', *Speculum* 68 (1993), 61–85.

⁵For the conventional sigils, see Bo Sjölin, *Einführung in das Friesische* (Stuttgart, 1969), 10–11.

⁶*Das Strafrecht der Friesen im Mittelalter* (Leipzig, 1901), 331–34.

sources. Exactly how ‘late’ His did not make explicit, but he probably referred to the close of the Middle Ages. His did not address the problem either *why* verbal injury as a legal reality emerged so late in the medieval Frisian legal writings.

After the publication of the first five volumes of Buma and Ebel’s *Altfriesische Rechtsquellen* Horst Haider Munske’s impressive study of the Germanic vocabulary of crime appeared.⁷ In it, Munske has extensively mapped the terminology for crimes and its geographical distribution for Old English, Old Frisian, Old Saxon and Old High German. Particularly the section on Old Frisian is very useful, since Munske has provided it with an extensive introduction to the study of medieval Frisian law. To verbal injury (*Verbalinjurie*) Munske devoted a small section in the larger context of defamation; small because ‘[d]ie Schelte wird in unseren afr. Quellen nur ganz vereinzelt als besonderes Delikt angeführt’.⁸ Like His before him, Munske made no attempt at explaining the near absence of insulting from the Frisian legal sources. In my conclusion I will suggest a possible explanation. Finally, in the introduction to the edition of the *Leeuwarder Stedstiole* – about which later – Vries has devoted a short discussion on the cases of insults in that text.⁹

A renewed study of the major legal medieval Frisian collections confirms both His’s and Munske’s observations that we find hardly any references to insulting. In one of them, the Fivelgo Manuscript, we meet the technical term, *ethwitisword* ‘word(s) of insult, abuse’.¹⁰ The context in which it occurs, a list of miscellaneous legal provisions and fines, does not reveal anything about the situation in which it is used. All we come to know is that the denial of having uttered (an) *ethwitisword* required one oath of innocence. The height of the penalty enables us to compare it with other instances of misdemeanour that were punished equally much. It then appears that insulting was considered to be on an equal level with grazing

⁷*Der germanische Rechtswortschatz im Bereich der Missetaten. Philologische und sprachgeographische Untersuchungen. I: Die Terminologie der älteren westgermanischen Rechtsquellen* (Berlin and New York, 1973). Volume II, which was to deal with the Scandinavian and Gothic legal vocabulary (cf. p. 9), has never appeared.

⁸Munske, *Rechtswortschatz*, § 251.

⁹Oebele Vries and Meinte Oosterhout, eds., *De Leeuwarder Stedstiole 1502–1504. Tekstuitgave met inleiding, aantekeningen, indices en glossarium*. Estrikken 60 (Groningen, 1982), 14.

¹⁰Wybren Jan Buma and Wilhelm Ebel, *Das Fivelgoer Recht*, AR 5 (Göttingen, 1972), XVII 61. The simplex *etwit* represents the native West Germanic term for ‘abuse, contempt’, cf. OE *edwīt*, OS *edwīt*, MDu *edwijt*, OHG *itawīz*. Grammatically speaking, *ethwitisword* can also be read as two words, and translated as either ‘word of abuse’ or ‘words of abuse’.

one's cows in someone else's pasture, cattle rustling, bribery, failure to appear in court, and unpaid tavern debts.

In another collection, the Hunsingo Manuscript, the *General Fines* offer a succinct description of a situation in which insulting is mentioned. The insult occurs in an account of the various degrees of breach of the peace:¹¹

hwas a ferth inur otheres hofmar, ther testet finestre ieftha sleit on thene wach, ieftha thene leid tebrecht ieftha sin holt tehaut ieftha be eperne durum ingeth, tha heine bescelt – thira allerekes bote sextene penningar. And hwetsare te skatha den hebbe, thet makiere alsa god, sa hit er was, mith penningum end mith ene ethe. Gef hi beseke, sa riuchte hi allarekes mith ene ethe.

[Whoever goes onto somebody else's property, (and) there knocks in window-panes or beats against the wall or breaks apart the threshold or cuts down the door post or enters (the house) through open doors, insults (*bescelt*) the household – the fine for each of these (trespasses) is sixteen pennies. And whatever he has damaged, he must repair it to its former state, with pennies and with one oath. If he denies (having done) it, he must swear one oath for each of the (alleged) trespasses.]

In this description we see that the insults come as the culmination of a breach of the peace in which the pieces are literally flying about. There is not just material damage – when the decree stipulates that everything has to be repaired this also applies to the victims' honour which was damaged by the insults.

In the *Emsingo Fines* we come across verbal abuse in the context of violence directed against a single person: a resounding uppercut with the fist, chasing down the road, throwing someone into a puddle, and the curious: *bechlep, thet ma ennne monne oppa sinne bec hlape and huelic unefoge word spreke* [back-leap, that is leaping upon a man's back and speaking some indecent words.]¹² What exactly these indecent words might have been is a matter of some speculation. His interpreted the term as 'following someone (at a short distance) while insulting him',¹³ but this has been rejected by Munske, who more plausibly interprets *bechlep* as a physical attack from behind, a 'jump upon the back' (*Sprung auf den Rücken*).¹⁴ The passage is very abstruse and does not give us any indications about what might have occasioned such a jump or what precisely it implied. One might suggest that attacking someone from behind is a cowardly deed and therefore punishable. I do not think this is the case here, though, because the jump is followed by indecent words. As I see it, we are dealing here with the only allusion in Old Frisian sources

¹¹Buma and Ebel, *Das Hunsingoer Recht*, AR 4 (Göttingen, 1969), XIV 143.

¹²Buma and Ebel, *Das Emsinger Recht*, AR 3 (Göttingen, 1967), A VII 112.

¹³His, *Strafrecht*, 101.

¹⁴Munske, *Rechtswortschatz*, § 242, note 263.

to an act of *nið*, that is, sexual defamation. The deed is humiliating, and as such punishable, because by jumping upon him from behind one man forces another into the position of the underlying, powerless party, turning him as it were into a woman, and rubbing this in with words that the author of the text thought unfit for spelling out. It is a striking example of what the Germans call *Rangdemonstration*, ‘demonstration of rank’, a phenomenon that we are all familiar with from the monkey rock in the zoo. But there are plenty examples of this behaviour in the Bible (Sodom!), in Classical Antiquity and the Middle Ages.¹⁵ Even in our times, violation of men, not as a deed of lust but one of defining a man's status, is quite current, notably in subcultures such as that of adolescent youths or of inmates in penitentiary institutions.¹⁶

Apart from these three, rather vague instances, the Old Frisian law codes drafted east of the River Lauwers remain silent with regard to verbal injury. Things are not much different for Frisia west of the Lauwers. One will look in vain for verbal injury in Codex Parisiensis, Jus Municipale Frisonum and Codex Aysma. Only the still unpublished Codex Unia contains a text which deals with the subject. In *Thi Wilker thes Nija Landes* (‘The Statute of the New Land’), allegedly drafted in 1242 for the newly reclaimed Middle Sea, we find some information. According to the *Wilker*, insults (*scheltwerd*) were punished with a fine of one *riddere*, a certain type of currency. The fine was equally high as, for example, *wanslatene*, i.e. ‘keeping ditches in bad repair’, wilful absence from a court-session, not bringing a crime to court and forgetting to attend a court-session.¹⁷ Here too, however, we read nothing about the context in which such insults were uttered.

Closely related to insulting, but one step further and also punished more severely, was the allegation or *bitichma*, a word connected with the verb *bitigia* ‘to allege, to falsely accuse’. If someone was accused of

¹⁵Cf. D. Fehling, *Ethologische Überlegungen auf dem Gebiet der Altertumskunde* (Munich, 1974), 18–27, for extensive documentation; cf. Jan Bremmer, ‘Greek Pederasty and Modern Homosexuality’, in Jan Bremmer, ed., *From Sappho to De Sade. Moments in the History of Sexuality* (London and New York, 1989), 1–14; Frederick W. Schwink, ‘A Gothic Expression for “Homosexual”’, *Indogermanische Forschungen* 98 (1993), 231–40.

¹⁶For the former, cf. Alan Dundas, Jerry W. Leach and Bora Ozkök, ‘The Strategy of Turkish Boys’ Verbal Dueling Rhymes’, in John J. Gumperz and Dell Hymes, eds., *Directions in Sociolinguistics. The Ethnography of Communications*, improved edn (Oxford, 1986 [1972]), 130–60. For the latter, American readers may remember the popular indignation when such practices were reported from Massachusetts prisons in 1994.

¹⁷The *Wilker* was printed as an appendix to Ph. van Blom, ‘De dorpsgemeenten in Friesland’, *De Vrije Fries* 14 (1879), 337–443, at 433–43; my quotations are from p. 437.

theft, according to *Thi Wilker thes Nija Landes*, he had to swear an oath of innocence. Two villagers had to swear along with him, or, if these could not be found, two to six people from the village had to support his oath, depending on the seriousness of the accusation.¹⁸ We see here that an important role was assigned to those that lived in the immediate vicinity of the people involved. Neighbours often functioned as a stabilizing factor in the maintenance of the social order, whether as oath-helpers or, as we see more often in the town registers, as witnesses of an exchange of insults, and in that quality as confirmers – or, as the case may be, as disturbers – of the accepted social codes.

Fortunately, we have two sources that allow us to get a glimpse of daily life in Frisia west of the Lauwers (especially the criminal side of it) towards the close of the Middle Ages. They are the so-called *Snitser Recesboeken* (SR) and the *Leeuwarder Stedstiole* (LS).¹⁹ These two sources are not entirely similar in nature: the ‘Leeuwarden Town Table’ is a fairly short register concisely recording preponderantly criminal, but also civil cases that were brought before the town court of Leeuwarden,²⁰ then as now the largest town in West Frisia.²¹ For each of these cases, the town secretary, Hemma Oddazin, had written down the amount of the penalty. This register covers the years 1502 through 1504.

Much larger in size, and also containing a far wider variety of subjects, are the Sneek town registers. These records not only report civil and criminal cases, but also include such diverse matters as official letters, charters, local legal decrees and lists of new burghers. The Sneek registers run from 1490 through 1517 and have for the most part been written by the town secretary, Jourik Feikazin.²² Whereas Oebele Vries has provided his edition of the Leeuwarden register with a useful introduction, Meinte Oosterhout has only given an account of the editorial principles he followed for the Sneek text. Evidently, Oosterhout refrained from an extensive introduction, as he was preparing a doctoral dissertation on the *Snitser*

¹⁸ *Wilker*, 439.

¹⁹ Meinte Oosterhout, ed., *Snitser Recesboeken 1490–1517* (Assen, 1960); Vries and Oosterhout, *De Leeuwarder Stedstiole*. The texts were still unpublished when His wrote his *Strafrecht*, but the *Snitser Recesboeken* was available to Munske who apparently overlooked it.

²⁰ For a concise elucidation of the nature and function of such registers, cf. Vries and Oosterhout, *Leeuwarder Stedstiole*, 6–7.

²¹ In 1511, Leeuwarden counted just under 4,800 inhabitants, about 6% of the total population in Frisia west of the Lauwers, see Meindert Schroor, “‘Eene jonghe aencommende lantstadi’”. Een poging tot reconstructie van de bevolkingsomvang en de bevolkingsgroei van Leeuwarden in de zestiende eeuw (1511–1606)’, *Leeuwarder Historische Reeks* 3 (1992), 107–42.

²² A number of the entries was written, not in Frisian, but in Low German.

Recesboeken, something which his untimely death prevented him from finishing.²³ The absence of an introductory chapter on the contents and nature of the *Recesboeken*, together with the strictly diplomatic edition of the text and no glossary of any kind, has rendered its accessibility little help and will have brought about that this monument has hardly been given any attention. On the other hand, Oosterhout's sizeable index of names provides a convenient key to the persons mentioned in the text, so that we can check whether and how often someone had been in contact with the authorities.²⁴ The only scholar to have shed some light on parts of the contents of the *Snitser Recesboeken* from a legal-historic point of view is Klaas de Vries. In a number of short, but pointed articles he presented snap-shots of what he called 'the rough life in Sneek around 1500'.²⁵ It really is to be deplored that the *Recesboeken* have received so little attention in the past thirty-five years, because they are a rich quarry for any one interested in the *petite histoire* of late medieval Frisia west of the Lauwers, and are fully deserving of a monograph study.

All the legal sources I have mentioned thus far are rooted in the Germanic legal traditions. This implies that basically there is neither corporal nor capital punishment nor imprisonment either, but that all crimes can in principle be redeemed by paying a fine. Frisia was one of the last areas in Western Europe to cling to these ancient traditions, no doubt because of its marginal position and political constellation. Elsewhere, the influence of Canon Law, and, through it, Roman Law had long been visible. But from the thirteenth century onwards, the native Frisian traditions were steadily giving way to these more learned laws. Roman Law gave ample attention to verbal insults, as is exemplified by the so-called *Jurisprudentia Frisica* (Codex Roorda). Despite its Latin title, this legal source is a large collection of Romano-canonistic provisions written in Frisian and mixed with still viable Old Frisian laws.²⁶

²³Cf. W.J. Buma, 'Ta in oantinken oan Mr. M. Oosterhout', *Us Wurk* [in memoriam Meinte Oosterhout] 21–22 (1972–73), 3–6, at 6.

²⁴Meinte Oosterhout, *Nammeregister op de Snitser Recesboeken 1490–1517* (Assen, 1964).

²⁵See, for example, his 'Tafrielen út it rûge libben yn Snits om 1500 hinne', *Us Wurk* 21–22 [in memoriam Meinte Oosterhout] (1972–73), 237–40; 'De recesboeken van Sneek (1490–1517)', *De Vrije Fries* 56 (1976), 42–48.

²⁶Montanus (De Haan) Hettema, ed., *Jurisprudentia Frisica of Friesche Regtkennis*, 3 vols (Leeuwarden, 1834–35), an unreliable edition. I gratefully acknowledge having used a copy collated by Professor Pieter Gerbenzon against the manuscript that was photomechanically reprinted in a limited imprint of 25 copies in 1981. For a detailed discussion of its contents and sources, see P. Gerbenzon, 'Aantekeningen over de *Jurisprudentia Frisica*: Een laat-vijftiende-eeuwse Westerlauwers-Friese bewerking van de *Excerpta legum*', *Tijdschrift voor Rechtsgeschiedenis/Legal History Review* 57 (1989), 21–67; 339–72; English summary 373–74.

Title LXIII of the *Jurisprudentia Frisica* is devoted to *De injuriis*, that is ‘about insults’. According to this tradition, whenever someone has been accused of serious crimes which concern life, property or honour, the defendant is entitled to stipulate the amount of the damages he thinks he has suffered. The reason the compiler added for this privilege is proverbial: *Hwant een gued nama is bettera dan goud ende seluir* (‘For a good name is better than gold and silver’).²⁷ If the judge thereupon deems the accusation to be unfounded, he has no right to lower the claim for damages.²⁸ However, such unfounded accusations were not always punishable: if the words had been spoken *myt een quada opsetta, yrsta moed, jeffta hat ende nyd* (‘with evil intention, angered mood or in hate and envy’), the utterer of the words could go unpunished, unless he or she had done so *eens ende oerste ende tredda stond, ende naet offletta wil* (‘once or twice or three times, and does not want to desist [from doing so]’).²⁹ Clearly, in such a case there is no longer any question of impulsive reactions. False accusations also had to be revoked, not just in the presence of the victim, but even *alzo fyr so da wirden spruten sint* (‘as far as the words have spread’).³⁰ In all of this, a man’s or woman’s good reputation played a crucial role.

An aspect which is closely related to that of insult and damaged honour is that of infamy, for having acquired a ‘bad reputation’ (OFris *quad hlud*, L *mala fama*), entailed the danger of losing certain rights. People who were ‘ill-reputed for theft, manslaughter, perjury, murder or the like are not allowed to be witnesses’.³¹ Surely, any man or woman who had been falsely accused of such crimes in public, even though this may have been done in a row, would see to it that these accusations were declared groundless in order to retain their good reputation.³²

Now that I have introduced the general terminology of insult and abuse, it is important at this point to ask a number of questions from the sources I have mentioned. I will do this according to a model that has recently

²⁷Hettema, *Jurisprudentia*, Tit. LXIII.1. Cf. Proverbs 22,1: *Melius est nomen bonum quam divitiae multae super argentum et aurum gratia bona*.

²⁸Hettema, *Jurisprudentia*, Tit. LXIII.2.

²⁹Hettema, *Jurisprudentia*, Tit. LXIII.3. Curiously, intentional crimes were usually punished more severely, cf. His, *Das Strafrecht der Friesen im Mittelalter*, 38. On the terminology of intention, cf. Munske, *Rechtswortschatz*, §§ 159–61.

³⁰Hettema, *Jurisprudentia*, Tit. LXIII.4

³¹‘So hwa byruchtiget is mit tiufte, myt monslacht, myt meened, mit morde ief myth dislicum, di mei neen orkyn wesa’, *Fon da Foertgonghe des Gastelika Riuchtes* (Buma and Ebel, *Das Emsiger Recht*, 234), D § 5b.

³²A helpful survey is given by Edward Peters, ‘Wounded Names: The Medieval Doctrine of Infamy’, in Edward B. King and Susan J. Ridyard, eds, *Law in Mediaeval Life and Thought*. Sewanee Mediaeval Studies 5 (Sewanee/Tennessee, 1990), 43–89.

been devised by the Dutch anthropologist Willem de Blécourt. De Blécourt has conducted an anthropological-historical investigation into the terminology of sorcery in the Dutch province of Drenthe between the sixteenth and twentieth centuries. The theoretical framework which he had designed for his researches proved to be very fruitful for a new view of sorcery. For that reason I have applied his methodology, with some adaptations, to the terminology of insult.³³

The questions that I have asked can be summed up as follows:

- (a) What words were used to indicate the act of insulting, and what terms of abuse were employed?
- (b) What was the content, the literal meaning of the terms of abuse?
- (c) Where did the act of insulting take place and under what circumstances?
- (d) Who insulted whom? Who was the perpetrator and who the victim? In other words, what do we know about gender, age, profession, social position, marital state, relatives and so on of the people involved?
- (e) Was it the first conflict between those involved? And what was the effect of the affair on their personal relations?
- (f) What social norms were confirmed or broken by the abusive words?

The two texts which I have scrutinized for my paper have not always made it possible for me to answer all these questions. Especially questions (d) and (e) often had to remain unanswered through lack of sufficient information in the texts.

The Old Frisian terminology of insulting

(a) First of all, then, we must ask what terms were used in the Sneek and Leeuwarden Town Registers to refer to the act of insulting. It appears that such words as *biskelda*, *etwitesword* and *scheldwerd*, which we encountered in the major legal manuscripts, are not used in these two texts.³⁴

³³See Willem de Blécourt, *Termen van toverij. De veranderde betekenis van toverij in Noordoost-Nederland tussen de zestiende en twintigste eeuw* (Nijmegen, 1990), 30–31. For the linguistic component, De Blécourt elaborates on the speech act theory as developed by Dell Hymes, 'Models of the Interaction of Language and Social Life', in Gumperz and Hymes, *Directions in Sociolinguistics*, 35–71, esp. 65–66; Richard Bauman and Joel Sherzer, 'The Ethnography of Speaking', *Annual Review of Anthropology* 4 (1975), 95–119.

³⁴With the exception, perhaps, of the following entry (SR 1451): 'Henrick Backer om lelike, scandelike warden deer hy maester Folkert jouwen hath ende syn broer hem toe ewyt hath set'. Here, *ewyt* seems a (corrupted?) form of *etwyt*, although Oosterhout in his edition does not comment on it.

Usually we find a circumscription, most frequently the phrase *leli(c)ke warden* (e.g. *LS* 27, 115, 132; *SR* 364, 444, 587), which usually are ‘given’. The word *lelik* in combination with ‘words’ should not be taken in its Modern Dutch or Frisian sense as ‘bad, indecent’, words that a civilized person would never use, but in the older sense of ‘harmful, invidious’ words causing damage.³⁵ The phrase appears to have a range of combinations: *lelike, skandlike warden* ‘harmful, shameful words’ (*SR* 1383, 1451, 1657, 1693), *fulla lelicke warden* ‘many harmful words’ (*SR* 349), *quade, lelike warden* ‘evil, harmful words’, but also simply *quad(e) warden* (*SR* 88, 244), and *quade, spitige warden* (*SR* 4385) or *lelicke, spitighe warden* (*SR* 1217) in which *spitich* does not mean ‘regrettable’ as in ModDu *spijtig* or ModFris *spitich*, but rather, as in English *spiteful*, ‘malicious’. The same stem of the word is encountered in the phrase *folla spiits todriwa* ‘heap a lot of malice on someone’ (*SR* 586).

Another term which is used with some frequency is *injurie warden* ‘injurious words’ (e.g. *SR* 2198c, 3293, 3734, 3784, 3809) and its variant *injuriose warden* (*SR* 2068), or just *injurie* ‘injury’ (*SR* 4575, 5074). The word takes its origin in Roman Law and is thus an instance of how the foreign tradition had gradually found its way into Frisian legal terminology. Once we find the combination *lelike, injurie warden* (*SR* 3734) in which the native terminology is linked with a loanword, something we also meet in the alliterative phrase *spitelik ende skandelik spreka* ‘speak maliciously and shamefully’ (*SR* 2004).³⁶ Striking in the latter phrase is that shame is involved, for shame is tied up with the concept of honour.

Honour, quite naturally, is a term we often meet in connection with verbal abuse. Five times the phrase *lelike warden* is completed by *deer oen dae era ghaen* (‘which concern one’s honour’; *SR* 1383, 1656, 1657, 1693, 3809). Significantly, an act of verbal abuse is once called *dae onere*, literally ‘the dishonour’ (*SR* 5073). Honour was not just an abstract concept, but defined a person’s place in society, and was particularly important in maintaining and protecting a craftsman’s status within the community, as we will see. The importance of honour also appears from a passage in the bylaws of the city of Franeker, written in 1417:³⁷

Item, de fiarthendeste punt is, ist saeke dat twer man scheldet ende sprekat mannickanderen innaer sin eere, de vrberth aeder twee punt. Is sake datter twer burmanne herd, ist man ende wyf, de man twa punt ende dat wyf een punt, des

³⁵It is a late, contracted form of OFris *lēthlik*, related, for example, to OE *lāðlic* ‘loathsome, hateful’.

³⁶The stem *spit-* is of French origin, but will have reached Frisian by way of Dutch or Low German.

³⁷Albartus Telting (Jr), *De Friesche Stadrechten* (The Hague, 1883), 7, § 14.

voirz. breke to der Redesliude bihofte. Ende scheldet der twa wyf, dattet buren aenheren, da sullen dreggen de stenen vm den hals aling der bueren.

[Furthermore, the fourteenth point is: whenever two men call each other names and use words that go counter to their honour, they both forfeit two pounds. If two neighbours hear it (the exchange) – if they (the insulters) are a man and a woman (or possibly: husband and wife), the man to pay two pounds and the woman one, the aforementioned fine to the need of the aldermen. And if two women exchange insults so that the neighbours hear it, they must carry the stones around their necks all through the town.]

Clearly, men were treated differently from women in Franeker. Men could still buy off their trespasses, although the fine was higher than that which a woman had to pay when she was involved in an exchange of insults with a man. No such option was open when only women were involved. They were punished with a tour through the town while carrying two heavy stones on chains around their necks, a punishment that was intended to have a humiliating effect.³⁸

A similar course of action is recorded in the Bolsward by-laws, drafted in Dutch in 1455. According to chapter XCVI, a man who utters *quade woerden*, ‘evil words’, must pay two pounds to the victim and two to the town council.³⁹ On top of that, a man had to be publicly exhibited in the pillory, and a woman was forced to carry the stones. The Sneek by-laws of 1456, likewise drafted in Dutch, treats of verbal injuries in chapter 106 which is entitled: *Van quade woerden die een man an zyn ere gaen* (‘About evil words concerning a man’s honour’):⁴⁰

Item, soe wie den anderen quade woerde toespreket, die an zyn ere gaen, hy zy wyf ofte man, ende hy oick zyn vrienden toe eedwyt settet of misdaet ofte gebrek, sy zyn leuendich ofte doet ...,

³⁸Cf. Adalbert Erler and Ekkehard Kaufmann, eds., *Handwörterbuch zur deutschen Rechtsgeschichte* (Berlin, 1971–...) IV, 1451–54, s.v. *Lasterstein* (R.-E. Mohrmann).

³⁹Telting, *Stadrechten*, 36–37. This stipulation is repeated in the Bolsward By-laws of 1479 (Telting, *Stadrechten*, 171–72), § 111, with the addition that the fine is twice as much when the words are directed against the *schepenen of raedslueden* ‘aldermen or magistrates’).

⁴⁰Telting, *Stadrechten*, 95–96, § 106, lists the following terms of abuse: ‘wie den anderen *schalck* ofte *dief* hiedt, *verrader* ofte *eerloes man*, ofte wie een wyf *hoer* oft *nachtmerrie* ofte *diefegge* heet ...’ (‘whoever calls another man villain or thief, traitor or honourless man, or calls a woman whore or nightmare or she-thief ...’). The Staveren By-laws, § 88, list the following terms of abuse: ‘Voort, zo wie den anderen schelt *hoerensoon* of *dief* of *loesman* of *mordenare* of *alsulcke woorden diergelijcke* ...’ (‘Furthermore, whoever abuses another man for son of a whore or thief or treacherous man or murderer or such words like these ...’), Telting, *Stadrechten*, 199.

[Furthermore, whoever addresses somebody else with evil words that concern his honour, whether he be man or woman, and if he also insults a man's relatives either by accusing them of criminal behaviour or of having a physical handicap, whether they be alive or dead ...],

such a man must pay a fine similar to the same situation in Bolsward. However, a man is given the alternative of exhibition in the pillory, while a woman may choose the stones over the fine.

The literal meaning of the insults

(b) I was initially attracted to the subject of verbal abuse out of lexicographical curiosity – after all, in all those long lists of legal decrees and torts insulting is the only verbal crime. Consequently, I have collected all the terms of abuse which I encountered in my reading of the Leeuwarden and Sneek Town Registers and the harvest is as follows (the numbers refer to the entries in the respective registers):⁴¹

Leeuwarden:

man: *boeff* (88, 150), *forreder* (128, 149), *hoerbred* (155), *schalck* (88, 155), *tiaeff* (88, 91).

woman: *hoer* (128, 253), *merry* (253).

Sneek:

man: *boeff* (787, 1358), *forreder* (444, 995, 1711), *olde voerrader* [Middle Low German] (4638), *meenedighe hond* (1798 pl.; *olde* ~ [MLG] 4638), *falsch man* (4929), *moerdenaer* (909, 995, 1724), *scalck* (787, 995, 1358, 1358, 1719), *meenedighe schalk* (997) *schalxhoofft* [MDutch/MLG] (4630–31), *tyaeff* (444, 995, 1358, 1798 pl.)/*tieef* (1719), *alde tyaff* (1385), *wicker* (5192, MS: Ricker).

woman: *hoer* (650, 967, 1129, 1291, 1711, 1799, 2198c, 3734), *alda hoer* (425), *fortwiuelde hoer* (1455), *nachtmerrye* (425, 650, 1129, 1291, 1711, 1799, 2198c), *droncken slet* (1385), *teef* (2198c), *scalc* (1711), *tyaeff* (4087)/*tyeffe* (1711), *toversch* [MDu/MLG] (3734).

Before I will continue with an evaluation of these terms, I would first like to give some lexicographical remarks. After all, the reader who is familiar with Frisian, Low German or Dutch might easily be led astray by some of the insults I have enumerated, because some of the terms still exist.

⁴¹ As pointed out, not all the entries in the *Snitser Recesboeken* are in Old Frisian. I have indicated Middle Low German or Middle Dutch forms – it is sometimes hard to tell these two varieties apart – in square brackets to distinguish them from the Frisian forms.

However, in the course of time their meaning has changed to a greater or lesser extent.

Let me begin with the word *merry*, ‘mare’, as it appears in the Leeuwarden *Stedstiole*. According to the Old Frisian–Dutch glossary provided by Vries and Oosterhout, Old Frisian *merie* (*merry*) would have the same denotation as ModDu (*nacht-*)*merrie*. Consultation of an authoritative dictionary teaches us that *merrie* means: 1) ‘female horse’; 2) ‘woman’ (slang).⁴² One could just imagine that a woman was called a ‘mare’ because of her appearance. After all, sometimes women of unusual bodily proportions can still (denigratively) be compared to horses – at least in the Netherlands –, but it would surprise me if this were the case five hundred years ago. However, the same dictionary, under *nachtmerrie*, adds to the modern sense of ‘nightmare’ that in popular belief such terrifying dreams were attributed to an evil spirit which itself was also called a nightmare, a belief that is certainly obsolete. Vries’s and Oosterhout’s gloss, on the whole, does not prove to be very helpful, as it contains too little semantic information. A more useful key to its meaning lies in the word *nachtmerrye* in the Sneek records, where it appears to be one of the most popular terms of verbal abuse for women, and but for one instance always in combination with *hoer*. Apparently, the term of abuse was meant to question a woman’s sexual behaviour. In some Middle Dutch and Middle Low German glossaries, *nachtmerrie* and variant forms are explained with the Latin words ‘incubus, succubus’ – spirits that were thought to seduce people to sexual intercourse, the incubus by lying on top, the succubus by lying underneath the victim. Elsewhere the following string: *maren of nachtmerriën of alven of die witte wiven*, ‘mares or nightmares, elves and white women [a species of spirits]’ makes abundantly clear in what company the nightmares originally belonged.⁴³ The ‘nightmare’, it is clear, was a creature that belonged to the realm of popular belief (‘superstition’) and was conceived of as a nocturnal spirit that sat upon the chest of a sleeping man, making him feel very oppressed. At the break of dawn, the spirit had to assume its proper shape again, and this usually was that of a naked woman.⁴⁴ In the context of name calling, however, ‘nightmare’ is not very likely to still have connotated the supernatural world. It appears to have become a pejorative for a woman who was supposed to follow the impulses of her libido – as is also suggested by the nightmare sitting ‘on top’, a reversal of the accepted

⁴²*Van Dale’s Groot Woordenboek der Nederlandse Taal*, 10th ed., revised by C. Kruyskamp, 2 vols (The Hague, 1976).

⁴³For these, and more, Middle Dutch examples, see *Middelnederlandsch Woordenboek* (=MNW), s.v. *mare* (III).

⁴⁴Cf. Hanns Bächtold-Stäubli, ed., *Handwörterbuch des deutschen Aberglaubens* (Berlin, 1932–33), V, 1508–12, s.v. *Mahr*.

position –, unregardful of the bonds of matrimony, and thus putting her on a par with a whore.

The word *hoer* (*hōr*), too, has changed its meaning since the Middle Ages, and certainly does not mean ‘prostitute’ in the modern sense. Nowhere in the Sneek Town Register have I encountered cases in which women were convicted of prostitution. I would be surprised if Sneek, a small town of no more than perhaps 2,000 inhabitants at that time, women would have made a living with ‘the oldest female profession’. This is not to say that occasional prostitution did not occur. In any case, the by-laws of Sneek of 1456 include the possibility of *hoerdom* ‘fornication’, *hoerprangh* ‘giving opportunity to fornication’ and *hoertoch* ‘enticing girls to have sex’. In the same context, mention is made of a *lichte taveerne* or *quade herberghe*, ‘a frivolous tavern’ or ‘evil inn’ in which such practices were envisaged to take place.⁴⁵ A *hoer*, therefore, is not so much a prostitute in our modern sense but a woman of ‘easy’ virtues, who does not mind having sex before or out of wedlock.⁴⁶ That is why it was a grave insult when a man was said to be *hoerbred* ‘child of an adulterous woman’, literally ‘a whore’s brood’. Calling a man (in this case Ocka Peter zin in Leeuwarden) ‘son of a whore’ not only put him in an unfavourable light, but also questioned his mother’s sexual behaviour.⁴⁷ A *fortwielde hoer* is not ‘desperate’ in the present-day Frisian or Dutch sense of the word, but a ‘contemptuous fornicator’.⁴⁸ Finally, I will mention the *alda hoer*, whom might easily be taken to be a veteran adulterer or fornicator. In this context, *alda* ‘old’ together with the noun comes down to ‘inveterate fornicator, arch-whore’. We also encounter the qualification *alda* in combination with other terms of verbal abuse, such as *alda tyaeff* ‘arrant thief’ and, (both in Middle Low German) *olde voer-rader* ‘arch-traitor’ and *olde meeneedighe hondt* ‘arrant, perjurous dog’. Talking about dogs, once a woman is offensively called a *teef*, that is a ‘bitch’. The metaphorical meaning of ‘bitch’ is still a wide-spread term

⁴⁵Telting, *Stadrechten*, 108–09, §§ 147–49. See also the Bolsward By-laws of 1479, Telting, 168–69, §§ 99–100.

⁴⁶On the Old Frisian terms for ‘fornication’ and ‘adultery’, cf. Munske, *Rechtswort-schatz*, § 252. For the popularity of ‘whore’ as an insult in 17th-century Amsterdam, cf. Herman Roodenburg, ‘De notaris en de erehandel. Beledigingen voor het Amsterdams notariaat, 1700–1710’, in Annemieke Keunen and Herman Roodenburg, eds., *Schimpen en schelden. Eer en belediging in Nederland, ca. 1600–ca. 1800*. Volkskundig Bulletin 18,3 (Amsterdam, 1992), 367–88, at 377.

⁴⁷Compare the common English invective ‘son-of-a-bitch’. Similar expressions were and are popular in many cultures, see V.I. Zhel’vis, ‘Invective: Male and Female Preferences’, *Anthropology and Archeology of Eurasia* 32 [issue 4: ‘Translating Culture: Language, Ethnography, and Politics’] (1994), 33–55.

⁴⁸Cf. Christiaan Stapelkamp, ‘Fortwielde of fortwivelde?’, *Us Wurk* 3 (1954), 23–25.

of insult which questions a woman's sexual integrity, and as such reveals its success.

Droncken slet has a curious modern ring to speakers of present-day Frisian and Dutch, where it is still in use as a term of abuse, but apparently the insult can boast of a long tradition. Originally, *slet* meant 'a worn piece of cloth, a rag', and this sense was later transferred to a girl or woman who had love relations with many different men, a 'slut, drab'. The combination 'drunken slut', as it occurs in this Frisian text, would seem to be fairly modern. For Dutch, it is not recorded before the second half of the sixteenth century.⁴⁹

A *skalk* originally meant a 'servant', and by extension 'someone with the character of a servant, an unscrupulous man, a rogue'.⁵⁰ The insult *schalx-hoof* 'rogue's head' (MDu/LG) is an extension of this. A similar development of meaning as in *skalk* can be seen in the word *boeff* (*bōf*) which initially signified 'servant', but likewise acquired negative connotations. In the late Middle Ages, *boef* was especially associated with playing at dice and *craybeck*, a game of chance.⁵¹ Such games, also known as *boverie*, were strictly forbidden.⁵² If someone therefore was decried as a *boef*, it must have been with the intention to suggest that the man belonged in the margin of society. After all, damages related to gambling, such as losing money that had been given as a security for a third party or money lent to a gambler, could not be recovered by force of law.⁵³ Lodging a complaint with the court for such a matter was even punishable with a fine in Leeuwarden.⁵⁴

A *toversch* is a 'sorceress'.⁵⁵ Sorcery, or black magic, was severely prohibited, and, according to *Jurisprudentia Frisica*, perpetrators should be burnt on the 'grate'.⁵⁶ Intentionally calling someone a 'sorcerer' or

⁴⁹Cf. *Woordenboek der Nederlands(ch)e Taal*, s.v. *slet* (6), from which it appears that, unlike in present-day Dutch, the term was originally applicable to both males and females. For a parallel semantic formation, cf. Du *dronkelap* 'drunken rag'.

⁵⁰Cf. ModE *marshal* < Frankish Latin *mariscalcus* 'horse servant'.

⁵¹Cf. Telting, *Stadrechten*, 7, 34, 110. The game often went hand in hand with fighting, cf. *SR* 739.

⁵²The only exceptions given by the Franeker By-laws of 1417 (§ 13) are 'the three days preceding Ash Wednesday and three days during the annual fair', cf. Telting, *Stadrechten*, 7. Apparently, these occasions were marked by reversals of the usual social order.

⁵³Cf. Sneek By-law, § 156; Bolsward By-law of 1455, § 87; Bolsward By-law of 1479, § 102, in Telting, *Stadrechten*, 34, 111, and 169, respectively.

⁵⁴Leeuwarden By-laws (before 1537), § 174 in Telting, *Stadrechten*, 170.

⁵⁵The stem vowel shows Middle Low German or Middle Dutch *ō* instead of Old Frisian *ā*, but this loan form, which here occurs in an otherwise Frisian entry, is also used in, for example, the passage referred to in the next footnote.

⁵⁶Hettema, *Jurisprudentia*, Tit. LXXX, 8.

‘sorceress’ was a very grave accusation, knowing how the law would deal with such people. The fact that cases of sorcery are very rare for Frisia west of the Lauwers in the sixteenth century, and never resulted in executing the culprit does not diminish the severity of this intention.⁵⁷ In the same context belongs *wicker* ‘sooth-sayer, diviner, exorcist’.⁵⁸ Although divination, sooth-saying and exorcism are usually associated with beneficial or white magic, such practices, especially when practised by laymen, were equally strictly forbidden in Romano-Canonical law since they were ultimately associated with the realm of the devil.

The term *forreder* needs some elucidation. Basically, it meant ‘someone who gives dubious or false advice’, usually with the intention of bringing about the down-fall of the one who received the advice. The most common meaning was ‘traitor’, and betraying one’s ‘lord’ was one of the few crimes in medieval Frisia which was punished with death.⁵⁹ In the context of verbal injury, though, it is best to be taken as ‘someone who breaks the bonds of loyalty or plays dirty tricks on someone’.⁶⁰

On a number of occasions, men are insulted for being ‘perjurious’, always in combination with a noun (either *hond* or *skalk*). Where even today perjury is a major felony, how much more this would have counted in a society in which the legal system depended largely on oath-taking.

Calling a man a ‘dog’ put him an a par with a *scal*. The insult enjoyed great popularity in large stretches of Europe, probably with mongrel dogs or stray dogs in mind.⁶¹

⁵⁷P. Gerbenzon, *Opmerkingen over de vervolging van tovenaars en tovenaarsen in Groningen en Friesland in de zestiende eeuw*. Mededelingen der Koninklijke Nederlandse Akademie van Wetenschappen, Afd. Letterkunde, Nieuwe Reeks 48/1 (Amsterdam, 1985), 21–22.

⁵⁸Oosterhout prints *Ricker*, which I take to be a scribal error for *wicker*, although the manuscript clearly shows an *R*, as Oebele Vries kindly checked for me. In the neighbouring district of Drenthe, *wicker* and its female form *wickersche* were quite popular as terms of verbal abuse (De Blécourt, *Termen van toverij*, 100–101), so that I assume we are dealing with the same word here.

⁵⁹His, *Strafrecht*, § 19.

⁶⁰Cf. *MNW*, s.v. *verrader* (2) and (3), and Erler and Kaufmann, *Handwörterbuch zur deutschen Rechtsgeschichte*, V, 793–95, s.v. *Verrat*.

⁶¹See, e.g. *MNW* s.v. *hont*; *Middle English Dictionary* s.v.v. *dogge* (1b) and *hound* (2a); and Cleasby-Vigfusson, *Icelandic-English Dictionary*, s.v. *hundr*. Also cf. *Handbuch des deutschen Aberglaubens* IV, s.v. *Hund* (12), 487–89: ‘... gilt doch “Hund” als eines der häufigsten Schimpfwörter für einen schamlosen, gemeinen Menschen’. After he has praised the Indo-Europeans for the special place they assigned to the dog, the author is reluctant to admit the reality of this term of insult. He therefore concludes that the negative association with dogs is ‘eine ursprünglich den Indogermanen fremde Auffassung’!

The terms *moerdenaer* ‘murderer’ (MDu/LG), *falsch man* ‘false, treacherous man’, *tyaeffltieef* ‘thief’,⁶² and *tyeffe* ‘she-thief’, need no further clarification as they speak for themselves.

The importance of the location

(c) Having surveyed the various terms of verbal abuse, I come to the question as to which locations were popular for insulting people. In itself this question is not as odd as it may seem at first sight. Even in the seventeenth century, Ulrik Huber, the famous professor of law at the University of Franeker, stated that the place of insult had to be taken into account for establishing the suitable punishment.⁶³ Popular places for insulting people, according to Huber, were the street and the market-place. Such cases were punished with a double fine. The same applied if it happened before a drawn bridge. If the incident took place in church during a service, the fine was even quadrupled. Clearly, experience had taught legislators that the perpetrators would preferably choose to abuse their target victims at places where they were assured of the presence of a fairly large number of bystanders.

What do we find in the Leeuwarden and Sneek town registers? Unfortunately, these texts are very sparse in documenting the location of the slanging match. Two typical entries in the *Snitser Recesboeken* run as follows (emphasis added):

§ 1693. Katryn Bauwes om *lelicke, scandalike wurden*, deer hya Hera Scheltazin joe, deer *oen syn era ghingh*.

§ 1768. Kathryn Baewes ende Griet Symens om *lelike, scandalike wurden*, deerse mankorum jouwn habbet. Ende Kathryn, om datse Grieta hat slayn een wond int haedh mey een stock.

[§ 1693. Kathryn Bauwes, because of harmful, shameful words which she gave to Hera Scheltazin, which concerned his honour.’ § 1768. ‘Kathryn Bauwes and Grieta Symens, because of harmful, shameful words which they had given to each other. And Kathryn, because she had dealt Grieta a wound in her head with a stick.]

These are the usual ingredients of an entry: first the name of the people involved are given, followed by a short description of the offence. A penalty clause is wanting in many cases. It is clear that the places and circumstances of the incidents recorded in the above two cases can no longer be reconstructed. Luckily, this is not always the case. The street

⁶²The forms represent various stages of the development of OFris *thiāf*.

⁶³Ulrik Huber, *Hedendaegse rechtsgeleertheyt, soo elders, als in Frieslandt gebruikelijk*, 3rd ed. (Amsterdam, 1729), 904.

appears to have been an excellent place for name calling, as the following examples will show.

One day, Laurens Flaeskhouter ('Butcher') and Otto, his son, with their helpers threatened Pouwels Flaeskhouter with swords on a church way, threw stones at him and decried him as a murderer (SR 909). Skipper Otto first gave Gherck Ydszin a sound threshing in his own house and next heaped abuse on him in the street (SR 586). Attke Harinx not only called Baucka Edis a 'whore' and a 'nightmare' and used other *lelike worden* on a public road (*banweij*),⁶⁴ but also beat her black and blue (SR 1129). Walta Gijsbertzin and Pieter Wagenar had a terrible row in the Gate (SR 5192), while Hero Scheltazin and Floris Jacopzin exchanged *lelike worden* in the church (SR 966). Sister Frerick's daughter, assisted by her mother Wibbel, beat Katryn Schelta's maid on the Fish Market and called her a 'whore' in addition to other insults (SR 967). Such locations must have been selected on purpose, because the effect of the name calling would have been greater the more bystanders were witness of it. My examples also make clear that calling names frequently went along with various forms of violence. Inflicting verbal injury apparently was not an alternative to physical injury, as I had expected.

Another favourite spot for calling names was in front of the victim's house. Such incidents often went hand in hand with a kind of ritual such as beating against the door or wall and throwing stones.⁶⁵ Skipper Hugh beat with sticks against Jan Janssin's house and shouted spiteful words at him (SR 1563). Tierck Pierssin appeared twice or thrice before Tetta's door with a 'naked' knife and threatened to wound her, and hit her and shouted spiteful words at her (SR 2017). Gerrijt Leeglander turned up before Aesgha's door with a club and called Aesgha a 'thief' and a 'traitor', along with other abusive words (SR 444). Thonys Jacopzin took a slightly different approach. He positioned himself under the window of Claes Reynties's house to overhear the conversation inside, and then threw stones against the house, and shouted spiteful words at Jan Reynties which concerned the latter's honour (SR 1657). Taede Gerbrandzin, as a final example, had given Tys Korfmaker a sound thrashing with a stick in front of his house and had called him names (SR 1977).

A remarkable case is that of Abba Kramer and his wife. Abba's wife had told Feye Scroer's wife that Feye was to die very soon and had also been married to another woman all the while. If he were to die now, she said, he would be damned forever. In other words, the marriage between Feye and his wife had never been valid, and his wife was having sex out of wedlock, a whore by implication. The accusation was further underlined when Abba's wife banged against Feye's door in the middle of the

⁶⁴A *banwei* is a road whose maintenance was yearly inspected by the authorities.

⁶⁵Cf. the description of the breach of the peace, note 7 above.

night. Feye's wife was not very impressed by all this and, in turn, accused Abba's wife of being a thief, adding that she also had evidence to prove this (SR 4087).

Raising hell in the night apparently was doubly effective. Bocka Claes Symonzin was entered in the records for breach of the peace (*bwrroffi*) and nightly disturbance (*nachtclen*)⁶⁶ against his own wife, the one accusing the other of having committed infanticide (*heyden moert*) in the presence of witnesses (SR 1238).⁶⁷

More serious was indoor name calling, which often went hand in hand with the disturbance of the peace. Syouka Glesker ('glassmaker') was penalized two florins because he had called Dirck Glesker a 'thief' and had threatened him in his own house with a stick (LS 91). Jacob Johan Koenties was heavily fined, banned from the town and had his goods forfeited because of disturbance of the domestic peace, smashing up crockery, physical violence and insulting Yd Arends (LS 115). Wythia Scemaker addressed spiteful words to Renka, the wife of Folkert, in her own house and threatened to beat her up (SR 587). Reyner Goltsmid together with Gerrijt Kuper battered Lysbet in her own house and called her husband Jan Hoedmaker an 'old thief, scoundrel and rogue', and threatened to beat him to death (SR 1358). Albert Mesmaker ('Knifemaker': *nomen est omen*) molested Beert, Jan Willemszin's wife, broke into her house in the dead of night, threatened her with a knife while calling her a 'whore' and a 'nightmare' (SR 1291).

Even court sessions were the scene of abuse between two parties. Skipper Huge and Hera Scheltazin – we have seen the latter involved in other insulting incidents – were entered into the registers for contempt of court and abusing one another at a court session (SR 1221),⁶⁸ as was Grata ('Tall') Boldwyn Jankazin who insulted Symon Syuwrd in the presence of the court, and called him a 'lyer' (SR 1002).⁶⁹

More than once we read of magistrates as victims of verbal abuse, something which was liable to be punished with a double fine. Griet Prayers had spoken in a public court session and said that she shit on the court. Her words created great disturbance and were called 'spiteful and shameful' (SR 2003, 2004; cf. SR 405 for a similar case). Perhaps she had even lifted her skirts to show her naked bottom, a gesture much favoured

⁶⁶The manuscript reads *nachtclen*. On OFris *klēm* (< OFr *claime*), see Ferdinand Holthausen and Dietrich Hofmann, *Altfriesisches Wörterbuch*, 2nd edn (Heidelberg, 1985), p. 58 and 164.

⁶⁷Cf. Oebele Vries, 'Het raadselachtige rechtswoord "heidenmoord"', *Tijdschrift voor Nederlandse Taal- en Letterkunde* 112 (1996), 65–75, at 71.

⁶⁸No doubt, because Hero had charged Huge with unpaid debts (SR 1220).

⁶⁹Oosterhout prints *lyeghen*, which I take to be an error for *lyegher*, cf. *MNW*, s.v. *lieger*.

by women to show their contempt.⁷⁰ Meynta Kuper also addressed abusive language to the judges in a court session (SR 1217), while Claes, Alyt Hypkes's husband, called the town magistrates 'thieves and perjurious dogs', adding still more insults to these (SR 1798). Bocke Claeszin really passed the limit when he caused Bocke Pieterzin the dishonour (*onere*) of boxing him and cursing him before the court,⁷¹ when Bocke Pieterzin was present in his quality as an alderman (SR 5073). Bocke Claeszin, on the other hand, proved not insensitive when his own honour was at stake. The next entry (SR 5074) records Bocke Claeszin's complaint against Ulke Sijbezin because of the *injurie* that Bocke had first promised to be procurator of a certain Bawe and then became procurator of Bawe's opposing party. Most likely, Ulke will have called Bocke a 'traitor'.

Aeff, the widow of Claes Wielmaker, ran a public house in Sneek. The place will no doubt have been the scene of many a brawl when too much beer had been consumed. She herself occasionally became involved in the violence. One day, she appeared before court to demand a gold guilder from Jan Steenhouwer as compensation for his having hit her hand. In addition, she demanded one florin because he had thrown her against a bench,⁷² and four florins because of the injurious words he had given to her, because he had said that his servants were visiting a brothel (*hoerkot*; SR 4017).⁷³

Insulter and victim

(d) When I started my investigation I had assumed that women in particular would be using the verbal weapon, but the results of my investi-

⁷⁰A famous example is the Frisian woman who showed her buttocks in contempt of the approaching fleet of William, Count of Holland, in 1396, as reported by Jean Froissart, *Chroniques*, ed. Kervyn de Lettenhove, 25 vols (Brussels, 1870–1877), XV, 291; see also Antheun Janse, *Grenzen aan de macht. De Friese oorlog van de graven van Holland omstreeks 1400*. Hollandse Historische Reeks 19 (The Hague, 1993), 128–29. For Anglo-Saxon England, cf. Rolf H. Bremmer Jr., 'Widows in Anglo-Saxon England', in Jan Bremmer and Lourens van den Bosch, eds., *Between Poverty and the Pyre. Moments in the History of Widowhood* (London and New York, 1995), 58–88, at 70.

⁷¹The text reads: '... dae onere als datter hem dute ende toegraeut voer riocht'. I take *dute* as 3sg.pret. of an unrecorded Old Frisian verb *dut(i)a* 'knock, beat', cf. J. Verdam, *Middelnederlandsch handwoordenboek* (The Hague, 1932), s.v. *dutten* (2).

⁷²A violent act and potentially dishonourable: 'Whoever throws a girl or widow across a bench and the people see her nakedness [under her skirts], the fine is 3 times 5½ marks or six oaths', *The Hunsingo Fines II*, Buma and Ebel, *Das Hunsingoer Recht*, XII 44.

⁷³According to the *Woordenboek der Nederlandsche Taal* (VI, 819), this compound was not recorded in Dutch until the seventeenth century.

gation proved this assumption to be an ungrounded prejudice. In the Sneek town register, men are recorded for verbal abuse twice as often as women. For Leeuwarden this is even eight times as often. It also appeared that men employed this weapon much more often against men than against women, about thirty against ten. But also women abuse men more often than they do members of their own sex. Out of the 27 cases in which a woman inflicted verbal injury, only twelve have female victims. Now and then husband and wife cooperated in a slanging match, usually directed against a single woman. Sometimes sisters worked together, and, on one occasion, we read of helpers, suggesting that a kind of procession was involved against the victim.

The social categories to which the offenders belonged are rarely indicated in our sources, but if surnames like ‘shoemaker’ and ‘butcher’ still had their full significance (which I assume they did), then it would seem they were usually craftsmen.⁷⁴ For the women involved in exchanges of abuse this is less easy to assess. We have already met a woman who ran an ale-house, a widow moreover. Another widow was Geert Reins, who apparently ran a bakery – she was once recorded for having baked loaves under the required weight. Geert was not just any woman. We meet her three times in the registers on account of using abusive language (SR 618, 1383, 1385). Once she was beaten up on the church way (SR 976). But do not take pity on her too quickly. She is found about twenty times in the registers lodging a complaint with regard to unpaid debts (SR 146, 176, 235, 264, 976, 1159, 1176, 1207–09, 1213, 1242–44, 1414, 1732–33, 1805–06), something which will not have made her very popular amongst the inhabitants of Sneek. Besides, she had secretly seized an ox from someone else’s pasture, perhaps to compensate for unpaid debts (SR 1757), and was fined ‘often and frequently’ for having her cattle graze in another man’s field (SR 1748, 1757).

Beside these ordinary townspeople, we also come across members of the urban upperstratum, who did not refrain from abusive language. Gerlef Jankazin, for example, who had leased the *Waag* (‘weigh-house’) in 1494 for a considerable amount of money. He also possessed a house on Market

⁷⁴I noted the following professional names of people involved in cases of verbal abuse in the Sneek registers: *Glesker* (‘glasmaker’, SR 91), *Flaeshhouwer* (‘butcher’, SR 93, 909), *Goldsmid* (‘goldsmith’, SR 128, 1358, 2198), *Cuper* (‘cooper’, SR 128, 1217, 1358), *Ketelboeter* (‘tinker’, SR 149), *Schipper/Skipper*, etc. (‘skipper’, SR 244, 586, 1221, 1563), *Cramer* (‘pedlar, seller of small-wares’, SR 264, 1719, 2068, 4087), *Scemaker* (‘shoemaker’, SR 587), *Stoeldrayer* (‘chairmaker’, SR 997), *Mesmaker* (‘knifemaker’, SR 1291), *Hoetmaker* (‘hatter’, SR 1358), *Backer* (‘baker’, SR 1451), *Korffmaker* (‘basketmaker’, SR 1977), *Stilgungmaker* (‘maker of slippers with a wooden sole’, SR 2013), *Scroer* (‘taylor’, SR 4087, 4575), *Wielmaker* (‘wheelwright’, SR 998), *Kannemaker* (‘pewterer’, SR 5192), *Wagenar* (‘waggoner’, SR 5192).

Street and was a member of the town council. Gerlef was a brawler. Five times he is recorded for participating in a bloody fight, and once he was penalized for having tampered with coins. It does not come as a surprise, therefore, that on one occasion he was entered in the registers for insulting two women and a man (SR 1711).

Hera Scheltazin likewise belonged to the urban aristocracy of Sneek and served both as a *scheppena*, 'alderman', and burgomaster (in 1493 and 1494), but he was not exactly the role model he should have been. He had been chased with a sword by Melijs Roleffs (SR 763), was involved in a slanging match in church with Floris Jacobzin (who later would also become a burgomaster) (SR 966), had insulted skipper Huge before the court (SR 1221), had wounded Edo Lyouwazin, who in his turn covered Hera with abuse (SR 1282–83), and was involved in other violent brawls as well (SR 1450, 1478, 1512–13). All these events took place in the two years when he served as *scheppena* or burgomaster. Despite his frequent acts of misdemeanor, the highest office in town seemed to have been sacred to him, for he charged Tyetie Lolkis with having alleged that Hera would have committed perjury in court (SR 1359). Most frequently, though, we meet Hera in the records as a creditor, ranking him in the same category of unpopular people as the widow Geert Reins. Also Master Folkert and Jan Reyntieszin, the one a *schepen* and notary public,⁷⁵ the other an alderman, were cited for using 'invidious, shameful words' against each other (SR 1398). The row was followed shortly afterwards by what seems to have been a punitive expedition: Jan Reyntieszin was beaten up by Folkert's son Simon and a notorious troublemaker, Albert Mesmaker (SR 1399).

In sum, all ranks and stations in life – craftsmen, urban aristocrats and servants – are represented when it comes to calling names. Moreover, indifferent to their social status, all trespassers, from high to low, were registered in the books. Would class-justice not have existed in late medieval Sneek?

The previous history of slanging matches

(e) It is difficult to say whether people involved in exchanging insults had been engaged in previous conflicts. So much becomes clear from our sources that many of those who are recorded for abusive language reappear in other conflicts. We also see that not infrequently relatives are involved in a quarrel. When Tymen van Hoorn called Henrick Trompka a 'thief, scoundrel, traitor and murderer' (SR 995), the town secretary noted down in the next entry: *Ghertyen Trompka wijff Tymen econversa*

⁷⁵Cf. Oebele Vries, 'Naar ploeg en koestal vluchtte Uw taal'. *De verdringing van het Fries als schrijftaal door het Nederlands (tot 1580)* (Leeuwarden, 1993), 53.

(‘Ghertyen, Trompka’s wife, [abused] Tymen likewise’). Sibrich, the wife of Jan Kuper, called Dew, Master Dirk’s wife, a ‘whore and a nightmare and other harmful names’ (SR 650), and a little later we read that Dew and her daughters as well as their servants chased Sibrich down the road with abusive language (SR 653). Renka, Folkert’s widow, was supported by her daughter in heaping abuse on Gheert Reyns (SR 618), that quarrelsome widow we have met before – as we have Renka, for that matter. A closer investigation of the social networks in Sneek at the time might provide a clearer insight into the parties involved.

The social context of the insults

(f) My last question can be answered fairly conclusively. Looking at the terms of abuse directed against women, it appears that people tried to hurt women especially in their sexual reputation, whereas the invectives directed against men aimed at impairing their social reliability and professional honour. This outcome runs parallel with similar investigations conducted elsewhere. According to Herman Roodenburg, for example, who has recently studied verbally abusive behaviour in Amsterdam around 1700, a satisfactory explanation for the different approach to men and women in abusive terminology has not yet been given. He tentatively suggests that men, more than women, took part in the public economy.⁷⁶ The urban economy of those days was based for the greater part upon personal relations in daily encounters and mutual trust. If someone had been accused of being a thief, such news would have rapidly spread through the neighbourhood.

Keeping in mind the proverbial wisdom that ‘a good name is more worth than gold and silver’, a bad name will equally have effected one’s business. That is why Hilbrant Scroer rushed to the town council to raise a complaint against Frerick Pieterzin. Frerick had shouted spiteful words at him, saying that Hilbrant had delivered half a barrel of peas short. Small wonder that Hilbrant took legal action now that his reputation as a tradesman was at stake (SR 4575–79). Professional envy may have underlain rows between practitioners of the same craft or trade, such as those between the two butchers Laurens Flaeskhouter and Pouwels Flaeskhouter (SR 909), the glassmakers Syoucka and Dirck (LS 91) and the pedlars Meynta and Aesgha (LS 264).

If a girl was called a ‘whore’, as had happened to Katryn Schelta’s maid on the Sneek Fish Market (SR 967), her chances on the marriage market must have lowered seriously if no proper counter action were taken. The same will have applied to the daughters of Dew. When Dew was called a ‘whore’ and a ‘nightmare’ by Sibrich Jan Kupers, Dew’s

⁷⁶Roodenburg, ‘De notaris en de erehandel’, 378.

daughters on their turn were quick to heap abuse upon Sibrich (*SR* 650, 653).

Conclusion

At the beginning of this essay we saw that both His and Munske observed that references to insults are scarce in the older Frisian legal sources, but that they failed to explain this observation. I think the solution has to be sought in the emergence of towns. Although Frisia was relatively densely populated in the High Middle Ages, a striking feature of the landscape was the relative absence of towns. This situation was rapidly changing towards the close of the Middle Ages. Since the urban population especially depended for its economy on independent craftsmen and home industries, the maintenance of a good reputation was instrumental in keeping one's business going. Nowhere could a rumour spread so fast as within the narrow confines of the town walls. Hence, people became aware of the vulnerability of their good name. This awareness is reflected in the relatively great attention the late medieval Frisian by-laws pay to verbal injury, and is also testified to by the frequent complaints of insulting entered into the town registers of Leeuwarden and Sneek.

My investigation into the practice of insulting in late medieval Frisia has provided us an insight into the general terminology of abuse as well as into the meaning of the individual terms of abuse and their intended effect. At the same time, it has shown us that from the often dry and theoretical legal texts people emerge, people of flesh and blood, people with a proud sense of honour as well as people who did not shrink from dragging a person's name in the mud. The language may have changed in the course of five hundred years, but I am not so sure that the same applies to the people.