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Complex words in the early medieval *Leges Barbarorum* and their contribution to expanding the Old High German lexicon

Abstract: This article examines selected complex words (compounds, derivatives) taken from the early *Leges barbarorum* and illustrates how these words expanded the lexicon of Old High German. The examples are taken from the Upper German laws (*Lex Baiuvariorum*, *Lex Alamannorum*, *Leges Langobardorum*) which form a relatively homogeneous tradition. In the area of compounding, complex words unattested outside of the *Leges* tradition are examined which exhibit specific relations between their first and second elements. In the area of derivation, focus is placed in particular on lexemes resulting from a word formation process which is productive in the type of text examined but which is hardly seen elsewhere in Old High German and is no longer productive. The data presented in this article come from the LegIT database which has been studied since 2012 within the scope of a research project at the University of Bamberg.

1 Introduction

The vernacular words that appear in the medieval law codes of various Germanic peoples, the so-called laws of the barbarians (Latin: *Leges barbarorum*),¹ are among the earliest records of the German language. The *Leges* are mainly written in Latin, but numerous vernacular words are inserted in the Latin text. Commonly referred to as inserts, these words were integrated into the text at the time it was written and were not entered subsequently, as was the case with Old High German glosses in Latin manuscripts (Stricker 2009: 31–32).² The inserts are essential elements of the text and serve a specific meaning within the legal practices of the various Germanic tribes, as they contribute to providing the most compact and precise information about a legal case.

1 This is the general term established for all continental Germanic laws known to date (Kroeschell 2008: 23).

2 For further information about the term *insert* see Prinz (2010: 292–322).

When comparing the *Leges barbarorum* with other forms of Old High German traditions, such as the texts and glosses, the number of vernacular words contained in them is rather low: The Germanic laws contain about 1,200 vernacular lemmata (types) and more than 42,000 tokens. The contribution to the overall tradition of Old High German is approximately three percent.³ At the same time, the *Leges* represent a very old type of text (for comparative data on the gloss tradition cf. Stricker 2009: 31–32; regarding text tradition cf. Meineke and Schwerdt 2001: 99–165). The first laws were written down in the fifth century, in a period when Old High German (OHG), the earliest known stage of German, was only a fragmentarily attested language. Besides the vernacular *Leges* inserts, only a small number of runic inscriptions and proper nouns from this time have survived (Untermann 1989: 15–18; Sonderegger 2003: 83–85). The tradition of the Upper German *Leges* examined here began (with the exception of *Edictum Rothari* in a manuscript from the seventh century) in the latter half of the eighth century. The *Leges* are ultimately also of importance because they offer “a direct link with the language and life” (Bostock 1976: 83) of the various Germanic tribes. The inserts are extremely precious evidence for the earliest testimonies of German, and of great importance not only for linguists but also for historical grammarians, historical lexicographers, historical pragmatics, legal and medical historians and cultural scholars.

The low frequency of lexemes and tokens in the *Leges* compared to Old High German texts and particularly to glosses, is accounted for by their functional limitation. The lexemes and tokens are encountered exclusively in a specific type of text, the Germanic laws, and within this type of text above all in the keyword-type labels of legally relevant facts, such as crimes, violations, legal facts, etc. They are encountered indeed not only in the legal lexicon but also in the lexicon of everyday life, albeit with a relatively modest overall distribution.

Due to their long and heterogeneous process of emergence, the vernacular lexicon of these sources is disparate, containing not only younger Old High German lexemes but also older Germanic lexemes that had been transferred into Medieval Latin. The latter will not be examined in this article. Here, we intend to illustrate how, in the early Middle Ages, the Old High German lexicon within the Upper German *Leges* was expanded. To this end, we will concentrate on a selection of complex words, namely compounds and suffix derivatives, in particular

³ The data published in Stricker and Kremer (2014: 239) and Stricker, Kremer, and Schwab (2014: 285) have been updated. Current status according to the Bamberg gloss database *BStK Online*: <https://glossen.ahd-portal.germ-ling.uni-bamberg.de/pages/1> (accessed 21 June 2017); see also Bergmann (2005: 49).

on those which appear exclusively or are concentrated in these laws. Prior to this explorative qualitative analysis, we will provide some notes on the state of research and above all, on the function and meaning of vernacular words from the *Leges* which have been attributed to this specific type of text.

2 The state of research

Previous linguistic works have investigated other selected aspects: Baesecke's (1935) work, for example, is dedicated to etymological aspects and the manuscript filiations, while Schmidt-Wiegand and her academic followers primarily discussed semantical issues from a semasiological perspective (Hüpper-Dröge 1983; Niederhellmann 1983; von Olberg 1983, 1991; Schmidt-Wiegand 1991). Tiefenbach (2004) analysed grammatical characteristics of the vernacular vocabulary of the Bavarian laws regarding not only phonological and lexical but also morphological specificities, as we have done in this article.

Apart from these fundamental works, the *Leges* vocabulary is seldom found in historical German grammars and dictionaries. Exceptions to this are the inserts in Graff's *Althochdeutscher Sprachschatz* ('Old High German Thesaurus', 1834–1842, *Deutsches Rechtswörterbuch* ('German Legal Dictionary'; since 1914) and Seebold's *Chronologisches Wörterbuch des deutschen Wortschatzes* ('Chronological Dictionary of German'; 2001). The entry selection of all of the aforementioned dictionaries is based on the editions of the *Monumenta Germaniae Historica* (1863–1926), which also do not include the overall tradition (Stricker, Kremer, and Schwab 2014: 287). The vocabulary is missing in the comprehensive *Althochdeutsches Wörterbuch* ('Old High German Dictionary') edited by Karg-Gasterstädt and Frings (since 1952, KFW), in the *Etymologisches Wörterbuch des Althochdeutschen* ('Etymological Dictionary of Old High German') edited by Lloyd, Springer, and Lühr (since 1988) as well as in Schützeichel's dictionaries (Schützeichel 2012, SchGW), which aim to register the complete vocabulary of the Old High German glosses and texts. The reason why the vernacular inserts have been neglected in these essential linguistic works of reference is that these words have not yet been collected systematically, as the corpus is not easily accessible in either direction, formally and semantically (Tiefenbach 2009: 975). Consequently, they are mostly omitted in historical linguistic follow-up studies (Tiefenbach 2004: 263).

3 The emergence and the function of vernacular words in the *Leges barbarorum*

Latin was the lingua franca of the written culture in Medieval Europe. As such, it also served as the common legal language used since the Germanic tribes made contact with the Roman Empire during the Migration Period and adopted the tradition of written legal statutes, as well as the practice of codifying the law, also assimilated from the Romans. Nevertheless, there remained a co-existing, primarily oral legal tradition maintained by each of the various Germanic tribes from their pre-literary custom law. Although the Roman influence on the individual laws of the barbarians obviously varies according to the intensity of contact between the Germanic peoples and the Empire, we may notice a general change in the basic Germanic legal system, by which the primarily oral customary law was transformed into a written record of legal practice. This change was largely motivated by a desire for legal certainty, a desire which all Germanic tribes had shared (Frassetto 2003: 231–232; Schmidt-Wiegand 2006: 143; Oliver 2011: 8–10; Hähnchen 2012: 108–109).

The use of vernacular vocabulary in the ancient laws reflects the persisting importance of oral tradition, even within written legal authority. The vernacular lexemes may have already been established in the oral legal tradition as technical terms. They may, however, have also been transferred from everyday language into the legal language without having acquired a specific legal meaning until used in the context of a legal text. This transfer process did not cause the creation of whole lexical inventories within the *Leges* tradition, but it did provide a small selection of technical terms (See 1964: 2; Poethe 2000: 203). This kind of transfer of single, everyday language lexemes to coin a new term in a language for special purposes is closely linked to partially undocumented phenomena of language change. In many cases, a semantic change – primarily a reinterpretation – can be observed when a specific meaning is developed to name a referent related to the legal context in a more precise and nuanced manner (See 1964: 20).

For instance, the noun OHG *marach*, which is known as *Mähre* ‘female horse of minor value’ in contemporary German, was commonly used until the sixteenth century as a general reference to a ‘female horse, mare’ (DWB, VI: 1467–1471). Thus, it appears in the gloss tradition as the vernacular equivalent to the Latin words *equa* and *iumenta* (Graff 1963, II: 844; KFW, VI: 478). In the *Leges* manuscripts, however, *marach* is reinterpreted as a ‘valuable charger’; it no longer describes the sex, but rather the quality of a horse. On the one

hand, the striking position of a *marach* becomes apparent through the contrast with less valuable horses, such as *wilz* ‘(mediocre, regularly used) Wendish horse’, and *angargnago* ‘rejected grazing horse’ (see below). On the other hand, its value is further confirmed by examples such as the extraordinarily high penalty fee that, according to Bavarian law, had to be paid for its injury (Nótári 2013: 274; Schwab, forthcoming).

During the process of writing down the Germanic laws, scribes preserved the vernacular terms, which were already known from the oral law tradition, in the Latin text (Lühr 1989: 46). In many cases, however, they could not rely on widely established vernacular terms to express specific criminal offences or injured parties, particularly if there was no appropriate German equivalent available. Thus, they were forced to create a new technical term in order to summarise the details of a legal case, which could otherwise be described comprehensively by a Latin sentence. Hence, the vernacular inserts functioned as lexical tags in the Latin text (Tiefenbach 2004: 263; Tiefenbach 2009: 960). To highlight the vernacular inserts within the Latin text, as well as to raise awareness of the following change from Latin to vernacular language, the scribes used specific meta-communicative markers, formulaic phrases such as e.g. *quod Alamanni / Baiuvarii ... dicunt* ‘which the Alamans / Bavarians call ...’, *quod ... vocant / vocamus / vocatur* or *quod ... dicunt / dicimus / dicitur* / ‘which they / we call / is called ...’.

One such tagging term which is introduced by a meta-communicative marker is the noun OHG *pulislac*, an insert that can typically be found in the Upper German laws, for example in the Alemannic law:

Lex Alamannorum, LVII, 1: *Si quis alium per iram percusserit, quod Alamanni pulislac dicunt, cum uno solido conponat* (MGH LL nat. germ. I,5,1: 116a). ‘If anyone strikes another in anger, which the Alamans call **pulislac**, let him compensate with one solidus’ (Rivers 1977: 85).

This endocentric determinative compound is described by the determinant *puli-* (< OHG *būl(l)a* ‘bump’) and the determinatum OHG *slag* ‘blow’ (KFW I: 1487; Schützeichel 2012: 296). The meaning of the compound can be described as ‘a blow that causes a bump’. The determinant represents the consequences suffered by the injured party resulting from a serious crime of passion. This kind of relation between both elements of the compound is not documented beyond the *Leges* tradition. Other Old High German compounds that contain the determinatum *slac* express different kinds of relations between the two stems: *hantslag* ‘a blow struck by the hand’ and *hamarslag* ‘a blow struck by the hammer’, for instance, which involve the instrument used to strike a blow. The nouns

bruodersleggo, *fatersleggo* and *kindsleggo* ‘a blow against the brother / father / child’ specify the person that was hit (Schwab, forthcoming). These examples illustrate the important role that word formation plays in the creation of new signifiers intended to become valid and binding terms within the legal practice.

Dealing with such lexical tags in a philological analysis means dealing with semantic ambiguities; it is often difficult to grasp the specific meaning of the insert in the different Germanic laws. In this regard, semantic analysis of the inserts is a more complex matter than the analysis of the Old High German glosses. The glossation method allows the provision of a one-to-one correspondence between the Latin and the German word, and is often accomplished without any major issues. When we examined the vernacular *Leges* vocabulary, we observed that there is often a larger scope of interpretation and a lack of formal and semantic symmetry between Latin and German. On the one hand, these problems are caused by the divergent syntactic, morphological and semantic structures of Latin and German. On the other hand, the Latin text refers to the description of complex legal circumstances. In some cases, this description renders the distinction in the use of the vernacular to tag an entire sentence, a single syntagm, or even a single word of the Latin sentence unclear.

An example of this is the noun *marach* cited above:

Lex Alamannorum, LXI, 2: *Et si ille talem involaverit equum, quod Alamanni **marach** dicunt, sic eum solvat sicut et illo amissario* (MGH LL nat. germ. I,5,1: 131a). ‘And if he steals such a horse as the Alamans call **marach**, let him pay for it just as for the stallion’ (Rivers 1977: 91).

In the Alemannic laws, *marach* is closely related to the Latin noun *equus*, which generally means ‘horse, steed’. It is clear in the text passage that the insert refers to a male horse, but it does not explicitly identify it as a valuable steed, leading us to further analysis and discussion about the use of *marach* in similar contexts (see the details above). As a further consequence, the New High German semantic paraphrases vary widely, ranging from a single word to a highly complex syntagm (Schwab, forthcoming).

The lexical tagging of essential legal facts by means of the vernacular vocabulary is vital in forming a connection between the written Latin text and the oral vernacular language of each Germanic tribe. It ensured that all members of the tribe, particularly criminal suspects or defendants, could face accusations at trial and comprehend details relating to the injured party even without an understanding of Latin (Schmidt-Wiegand 1989: 550).

In this particular genre, legal words form a substantial part of the overall vernacular vocabulary. They are predominantly used to label various kinds of

criminal offences and the persons or animals that are involved in a crime, for example as an injured party. However, as the following overview illustrates, whilst legal terms may represent the bulk of the vocabulary, there remains a broad range of other semantic fields to which the words refer, as they are used in legal context. They are listed in their present entirety as follows:

1. legal vocabulary (209 types, e.g. *gezunfti* ‘agreement, alliance’)
2. medicine (145 types, e.g. *ādargrāti* ‘wire section’)
3. social structure (92 types, *frīgilāz* ‘freed man’)
4. animals (72 types, e.g. *leitihund* ‘leading dog’)
5. agriculture (52 types, e.g. *zurft* ‘clod of earth’)
6. art of warfare (52 types, e.g. *sahs* ‘sword’)
7. architecture (48 types, e.g. *winkilsūl* ‘corner column’)
8. measurement and currency (43 types, e.g. *fant* ‘pledge’)
9. everyday life (24 types, e.g. *fuora* ‘journey’)
10. myths and religion (21 types, e.g. *grapwurf* ‘throwing a dead body out of the grave’)
11. craft (11 types, e.g. *handegawerc* ‘handicraft’)
12. proper names (57 types; *Godofrid*, *Fresia* ‘Frisia’).

The vernacular *Leges* words cover completely different semantic fields than those in the Old High German glosses or texts. As the glosses and texts are predominantly associated with religious and theological contents, lexemes from the aforementioned semantic fields would be less likely to appear there (Tiefenbach 2004: 263).

4 Word formation in Old High German

In contemporary German, the most important patterns of word formation are composition and derivation. Compounds are formed by a combination of (prototypically two) stems represented by simple or complex words, whereas the central model of a derivative is characterised by the addition of a simple or a complex word (= base) to an affix (Fleischer and Barz 2012: 84–87).

The central role of Old High German compounding and derivation is demonstrated clearly in works by Meineke (1994), Splett (2000), Meineke and Schwerdt (2001), and Müller (2016).⁴ The distribution of these two models, or

⁴ Additional literature referring to word formation in Old High German can also be found here.

rather, of their subtypes “differs with respect to word classes” (Müller 2016: 1880). Most Old High German compounds are nominal endocentric determinative compounds with a simple nominal stem as first and second elements (e. g. OHG *bluom-garto* ‘flower garden’, *bior-faz* ‘beer barrel’). Furthermore, there are complex words with a determinant which indicates an inflectional marker, e.g. the genitive marker *-es* in OHG *tag-es-zīt* ‘day time’. Such words are usually referred to as case compounds (German: *unechte / uneigentliche Komposita*). There are only a few adjective determinative compounds, e.g. OHG *gold-faro* ‘golden’ (Splett 2000: 1213–1214; Meineke and Schwerdt 2001: 290; Müller 2016: 1870 and 1880), whereas the formation of new verbs by compounding is “an atypical means” (Müller 2016: 1880).

The semantic relationship between the substantive determinant and the substantive determinatum is variable, depending on the context, whereas the relationship for an adjective determinans in Old High German is usually attributive (OHG *junc-man* ‘young man’) and a verbal determinant often represents the purpose for which the determinatum is being used (OHG *blās-balc* ‘bellows’) (Splett 2000: 1215).

As for derivation in Old High German, the patterns of prefixation and suffixation are indeed relevant. Since the pattern of “suffixation is much more pronounced” (Müller 2016: 1886) and only suffixation is relevant for our article, only this will be briefly introduced here.⁵ Focus is placed on our priority accordingly in the case of the following examples of adjectival and substantive derivatives. Particularly in Old High German, the latter are prominently represented in the form of abstract nouns⁶ which have verbal, adjectival or substantive bases (Meineke and Schwerdt 2001: 295–296). More productive still are suffixes which form nouns, including *-ī(n)*, *-ida*, *-unga*, *-āri* and *-nissi*. Those which only appear sporadically, or are no longer productive at all include *-il*, *-t* and *-idi*. Adjective derivatives arise predominantly out of substantive or adjectival bases in conjunction with inherited suffixes (e.g. *-īg*, *-isc*, *-īn*) or through morphological means which in Old High German still do not hold the confirmed status of a suffix, but which also appear as free words, e.g. *lih*⁷ ‘body, shape, form’, *haft* ‘bound’, *samo* ‘same’ (Splett 2000: 1218–1219; Meineke and Schwerdt 2001: 299–301).

5 For more information about prefixation in Old High German, see Splett (2000: 1216–1218) and Müller (2016: 1885–1886, 1890–1891, 1894–1898).

6 For more detailed information, see also Meineke (1994).

7 For a comprehensive summary, see also Schmid (1998).

It is, in many cases, impossible to determine beyond any doubt whether Old High German compounds and derivatives are new formations of productive or simply active patterns of word formation and whether inherited lexemes originate from the pre-Old High German era. What is in many cases all the more problematic is the question of the degree of semantic motivation and morphemic transparency, i.e. it is not always possible to say unequivocally whether individual lexemes should remain classified as semantically transparent morpheme combinations, or rather as simplexes (Splett 2000: 1213).

5 The contribution of word formation to the vernacular *Leges* vocabulary

Morphological aspects of word formation have been of only marginal relevance to date, mostly in connection with semantic-etymological problems and analyses of the vernacular *Leges* vocabulary. Thus, until now, a relatively modest number of *Leges* inserts has been investigated regarding their word formation patterns. A somewhat more extensive grammatical investigation of the word formation patterns occurring in the *Leges* and their productivity is offered by Tiefenbach (2004) with regard to the *Lex Baiuvariorum*. His explanations there serve as the basis and starting point of reference for our article. For our analysis, we have chosen examples of compounding and derivation taken from the Upper German laws, particularly the Alemannic and Bavarian laws, to illustrate the diversity of occurring formation patterns. All of the examples are Old High German words taken from the semantic field of legal vocabulary.

5.1 Compounds

Compounds are used in the *Leges*⁸ as a central opportunity for compressing information. They are characterised by a high level of expressivity, which is why

⁸ The complex words found in the *Leges* are recorded in the LegIT database. The database is related to the LegIT project, which started at the University of Bamberg in 2012. It is supervised by Professor Stefanie Stricker and funded by the *German Research Foundation* (DFG). The project aims to collect the vernacular vocabulary found in the set of continental West-Germanic law manuscripts. Furthermore, it seeks to analyse the Germanic lexemes according to a determined number of formal and semantic criteria, whereby the main focus is set on the grammatical approach. All of the vocabulary and the results of our analysis will be made available

they play such a crucial role, specifically in the formation of technical terms. These compounds feature consistently throughout a range of languages for special purposes, with particular meaning found in contemporary German, as well as throughout its history. In that regard, the early medieval legal language is an illustrative example of these preferences (Schmidt-Wiegand 1999: 77; Stein 2000: 286; Tiefenbach 2004: 278).

We identified a high number of compounds in the *Leges*, the most frequent of which consisted of two stems, which may be either simplexes or complex words. According to our recent lemma inventory of the LegIT database, a considerable number of them occur exclusively in the *Leges*, either to label a crime or to name a person or animal involved in an offence. The nouns *angargnago* and *taudragil* exemplify the characteristics of compounds mentioned above.

Angargnago, which is part of the semantic field of animals, is only recorded in the Bavarian laws. *Taudragil*, which we linked to the semantic field of medicine, is found in the Alemannic and Bavarian laws. Both compounds represent the injured party of a criminal offence:

(1) OHG *angargnago*

Lex Baiuvariorum, XIII, 12: *Et si deterior fuerit[,] quod **angargnago** dicimus, qui in hoste utilis non est, cum tremissa conponat* (MGH LL nat. germ. I,5,2: 418). ‘And if it [= a horse] is of inferior value, which we call **angargnago**, which is unsuitable for military campaigns, let him compensate with one tremissis’ (Rivers 1977: 157).

(2) OHG *taudragil*

Lex Alamannorum, LXV, 34: *Si quis in genuculo transpunctus fuerit aut plagatus, ita ut claudus permaneat, ut pes eius ros tangat, quod Alamanni **taudragil** dicunt, cum 12 solidis conponat* (MGH LL nat. germ. I,5,1: 127). ‘If, however, one injures another in the knee so that he remains lame and his foot drags [...] through the dew, which the Alamans call **taudragil**, let him compensate with twelve solidi’ (Rivers 1977: 89).

Angargnago literally means ‘rodent of the meadow’. As the aforementioned Bavarian law excerpt in (1) demonstrates, this term describes an inferior horse that is no longer fit for military or agricultural use. It is barely fed by its owner and spends its days gnawing at the grass of a meadow, waiting to die (Tiefenbach 1980: 300; Nótári 2013: 274).

through our web-service. Because the project is still a work in progress, access to the database is password protected. The LegIT website, which offers background information about our project and the laws, is available without any restrictions, see <http://legit.ahd-portal.germ-ling.uni-bamberg.de/>. Detailed information about the LegIT database is also provided in Stricker, Kremer, and Schwab (2014) and Stricker and Kremer (2014).

The determinant of the compound is the masculine noun OHG *angar* ‘meadow’; the determinatum is the masculine noun OHG *gnago*, which is an agent noun formed by suffixation with *-o* on the strong verb OHG *gnagan* ‘to gnaw’. The derivative *gnago* provides the earliest record of *gnagan*, occurring for the first time in Bavarian law manuscripts written in the second half of the eighth century.⁹ Further early records of this verb appear in the tradition of Old High German glosses, though these do not occur until the ninth century (SchGW, III: 481).

In Alemannic and Bavarian law, *taudragil* refers to a male person who drags a lame foot through the morning dew after being injured in the knee. The determinant component of *taudragil* is the noun OHG *tau*, *tou* ‘dew’ (Schützeichel 2012: 333). The determinatum is the masculine agent noun OHD *dragil* or, with primary umlaut *a > e*, *dregil* ‘someone who drags (something)’ < Germanic **þregila*. It is formed by the addition of the derivational suffix *-il* to the gothic strong verb *þragjan* ‘to run’, which has its origin in the Germanic root **þrag-*, **þrāg-* ‘to drag, to slide on the ground’ (Meineke 1982: 257; Walde and Hofmann 1972: 698f.). In early Old High German, the suffix *-il* is no longer productive and is replaced by *-āri* (Meineke and Schwerdt 2001: 296). The single component *tau*, *tou* occurs frequently in Old High German glosses and texts. It is the vernacular equivalent to the Latin noun *ros* and is found, for example, in the Old High German *Isidor* and in the *Murbach Hymns* (SchGW, X: 10). The noun *dragil*, however, was already archaic in early Old High German (Meineke 1982: 257). Therefore, it is certainly a possibility that the complex word was already no longer morphemically transparent in Old High German. The compound itself is found exclusively in Alemannic and Bavarian laws, with no further records in the gloss or literary tradition, rendering it perfectly suited to illustrate the uniqueness of the *Leges* inserts.

As both of the aforementioned compounds are characterised by a metonymic character and a near-poetic expressivity, they are fitting examples of the lexical richness and variation of the early medieval legal language.

Apart from such singular phenomena, there are numerous word families that emerged through compounding, with one such example based on the adjective determinatum *wunt* ‘wounded’, an element of the semantic field of medicine. It consists of four endocentric compounds that appear in the Alemannic and Bavarian laws.

⁹ Munich, University Library. Cim 7 (= 8° Cod. ms. 132).

(3) OHG *(h)rev(a)wunt*

Lex Baiuvariorum, V, 5: *Si quis eum percusserit, ut cervella eius appareant, vel in interiora membra vulneraverit, quod hrevavunt dicunt, vel eum ligaverit contra legem, cum VI sold conponat* (MGH LL nat. germ. I,5,2: 340). ‘If anyone strikes him so that his brain appears, or injures the internal organs, which they call **hrevavunt**, or binds him contrary to law, let him compensate with six solidi’ (Rivers 1977: 135).

The determinant of the adjective *(h)rev(a)wunt* is the strong masculine noun OHG *(h)ref / (h)rev* ‘uterus, mother’s womb’ (Schützeichel 2012: 255). The *Leges* context clearly indicates that the determinant provides information on the site of the injury, as the adjective is used to refer to wounds inflicted upon the internal organs of the (lower) abdominal area (Riecke 2004: 405). Because *(h)rev(a)wunt* occurs in a manuscript of the *Leges Baiuvariorum* that was written down in the second half of the eighth century,¹⁰ it constitutes the first record of the adjective *wunt* in Old High German. Other records in Old High German glosses and literature appear later, for instance in the *Muspilli* (Hellgardt 2013: 288).

Furthermore, we can find one of the oldest records of the German noun *Wunde* ‘wound’ (< OHG *wunta*) (Schützeichel 2012: 400) in the same manuscript, where it occurs with the determinant *(h)rev(a)*:

(4) OHG *(h)revawunt(a)*

Lex Baiuvariorum, X, 4: *Si autem ignem posuerit in domo ita, ut flamma eructuat et non perarserit et a familiis liberata fuerit: unumquemque de liberis cum sua hrevawunti conponat, eo quod illos inunuuan, quod dicunt, in disperationem vitae fecerit* (MGH LL nat. germ. I,5,2: 387). ‘However, if he starts a fire in a house so that the flame bursts forth, and it is not burned down and is saved by the domestic slaves, let him compensate for each one of the freemen with his **hrevawunta**, since he did those things in inunuuan, which they say endangers life’ (Rivers 1977: 147).

This noun stands for various kinds of bodily wounds, in particular, chest wounds, abdominal wounds or injuries to internal organs (Niederhellmann 1983: 249–250; Tiefenbach 2004: 281).

In some of the tituli of numerous manuscripts of the Alemannic and Bavarian laws, we observed that there are synonyms for the adjective *(h)rev(a)wunt*, which are used to describe an injury to the internal organs:

(5) OHG *ferahwunt* and(6) OHG *gorawunt*

¹⁰ Munich, University Library. Cim 7 (= 8° Cod. ms. 132).

Lex Alamannorum, LXV, 27: *Si autem interiora membra vulneratus fuerit, quod 'refvunt' {ferhvunt¹¹, gorovunt¹²} dicunt, cum 12 solidos conponat* (MGH LL nat. germ. I,5,1: 126, 12b). 'If, however, the internal organs are injured, which they call 'refvunt' {ferhvunt, gorovunt}, let him compensate with twelve solidi' (Rivers 1977: 89).

The adjective *ferahwunt* is documented in manuscripts of the *Lex Alamannorum* and *Baiuvariorum*, which emerged between the tenth and the twelfth century.¹³ The determinant is the strong neuter noun OHG *ferah* 'life, soul, heart'. This compound means 'critically or even mortally wounded', by which the determinant refers to the consequences the wound has for the injured party (Niederhellmann 1983: 207).

The adjective *gorawunt* is the result of an occasional word formation documented in the Alemannic laws. It can be found in manuscripts written between the second half of the ninth century and the first half of the tenth century.¹⁴ It contains the strong neuter OHG *gor* 'faeces (presumably only of animals), manure' (KFW, IV: 331) as determinant, which describes the site of the injury in such a way that it refers to a wound on the intestines or on the intestinal wall (Niederhellmann 1983: 252; Riecke 2004: 338).

5.2 Suffix derivatives

The Germanic laws contain several vernacular derivatives created by suffixation. One of the typical suffixes, which frequently occur in the *Leges*, is *-ī(n)*. When attached to verbal bases, *-ī(n)* produces feminine abstract nouns. This deverbal pattern has ceased to be productive in Old High German but still appears in the works of the glossator and translator Notker (Schatz 1927: § 364, 369; Wilmanns 1967: § 237–239; Tiefenbach 2004: 280–282). New Old High German words with *-ī(n)* show adjectives or participles as bases (Splett 2000: 1218). A particularly unique accumulation of this pattern is noticeable in the Bavarian laws, where it predominantly forms nouns based on phrases, for example

(7) OHG *firstfalli*

Lex Baiuvariorum, X, 3: *Si quis desertaverit aut culmen eicerit, quod sepe contingit, aut incendio tradiderit, uniuscuiusque, quod firstfalli dicunt, quae per se constructa sunt, id est*

¹¹ Stuttgart, State Library of Württemberg. Cod. iur. 4° 134.

¹² Leiden, University Library. Voss. lat. qu. 119; Vienna, Austrian National Library. Cod. 502.

¹³ Munich, Bavarian State Library. Clm 5260; Munich, Bavarian State Library. Clm 5260; Munich, Bavarian State Library. Clm 5260.

¹⁴ Leiden, University Library. Voss. lat. qu. 119; Vienna, Austrian National Library. Cod. 502.

balnearius pistoria coquina vel cetera huiusmodi, cum III sold conponat et restituat dissipata vel incensa (MGH LL nat. germ. I,5,2: 387). ‘If anyone destroys or knocks down a roof, which often occurs, or burns it, which they call **firstfalli**, let him compensate with three solidi for each no matter how it is constructed, that is, a bakery, bath, kitchen or other of this kind, and let him restore what he destroyed or burned’ (Rivers 1977: 147).

The noun is based on a phrase consisting of the noun OHG *first* ‘roof ridge’ and the strong verb OHG *fallan* ‘to fall’ (KFW, III: 917, 542–546). According to the text passage above, it represents ‘the falling (by which destruction is meant) of a roof by knocking it down or burning it’.

(8) OHG *marchfalli*

Lex Baiuvariorum, IV, 18: *Si quis aliquem de equo suo deposuerit, quod marchfalli vocant, cum VI sold conponat* (MGH LL nat. germ. I,5,2: 329). ‘If anyone pulls someone from his horse, which they call **marchfalli**, let him compensate with six solidi’ (Rivers 1977: 132).

The noun is based on a phrase consisting of the noun OHG *march* / *marah* ‘charger’ and the strong verb OHG *fallan* ‘to fall’ (Schwab, forthcoming; KFW, III: 542–546). As described in the text passage above, this represents the falling from a horse (more specifically, a charger).

(9) OHG *kepolsceini*

Lex Baiuvariorum, IV, 4: *Si in eo venam percusserit, ut sine igne sanguinem stagnare non possit, quod adargrati dicunt, vel in capite testa appareat quod kepolsceini vocant, et si os fregerit et pellem non fregit quod palcprust dicunt, et si talis plaga ei fuerit, quod tumens sit: si aliquid de istis contigerit, cum VI sold conponat* (MGH LL nat. germ. I,5,2: 318). ‘If he cuts through his vein so that he cannot stop [the blood] without a cauterizing iron, which they call *adargrati*; if the skull appears on the head, which they call **kepolsceini**; if he breaks a bone and the skin is not broken, which they call *palcbrust*; and if he causes such an injury that a swelling results: if any of these things happen, let him compensate with six solidi’ (Rivers 1977: 130).

The noun is based on a phrase consisting of the noun OHG *gebal* ‘skull’ and the strong verb OHG *skīnan* ‘to shine’ (Seebold 2001: 372b; Tiefenbach 2004: 281). As the passage above illustrates, this stands for an injury which implies the exposure of the cranial bone.

Apart from this particular phrase-based pattern, derivatives with *-ī(n)* appear in the Alemannic and Bavarian laws, where they function primarily as determinata within endocentric determinative compounds. An example of this is the noun *scartī* ‘gash, deep cut in the skin’ (Tiefenbach 2004: 287–289; Schwab, forthcoming). The base of the term is the adjective OHG *scart*, derived from the strong verb OHG *sceran* ‘to cut, to shear’ (Kluge 2011: 796, 801). According to Kluge (2011: 796), there is no textual evidence of this noun as a single

word until the thirteenth century. Investigating the *Leges*, however, we can report to the contrary, as *scartī* occurs in two manuscripts of the Alemannic law, which were written down in the eighth and ninth centuries.¹⁵ On the basis of this, the etymological information for the lemma *scartī* or, in contemporary German, *Scharte*, should be corrected in future editions of the dictionary.

Apart from the limited evidence of the single noun that can be found in the laws, there are numerous records citing its occurrence in endocentric determinative compounds, where it functions as the determinatum, namely in

(10) OHG *lidiscartī*

‘mutilation of a part of the body’ with the determinant OHG *lid* ‘part of the body’ (Riecke 2004: 383).

In the *Lex Baiuvariorum*, the noun describes a deep cut in the skin of an ear:

Lex Baiuvariorum, IV, 14: *Si aurem maculaverit, ut exinde turpis appareat, quod lidiscartī vocant, cum VI solidis componat* (MGH LL nat. germ. I,5,2: 326). ‘If he mutilates the ear so that it appears disfigured, which they call **lidiscart[i]**, let him compensate with six solidi’ (Rivers 1977: 132).

In Alemannic law, a synonym for *lidiscartī* is

(11) OHG *ōrscartī*

‘cutting off (a half of) the ear’ with the determinant OHG *ōr(a)* ‘ear’ (Schützeichel 2012: 245)

Lex Alamannorum, LX, 3: *Si enim medietatem auris absciderit, quod orscardi Alamanni dicunt, cum 6 solidis componat* (MGH LL nat. germ. I,5,1: 118b). ‘Furthermore, if he cuts off half [of] the ear, which the Alamans call **[or]scardi**, let him compensate with six solidi’ (Rivers 1977: 86).

(12) OHG *aranscartī*

Lex Baiuvariorum, XIII, 8: *Si quis messem alterius initiaverit maleficis artibus et inventus fuerit, cum XII solidis componat, quod aranscartī dicunt, et familiam eius et omnem substantiam eius vel pecora eius habeat in cura usque ad annum* (MGH LL nat. germ. I,5,2: 411). ‘If anyone performs magic on another’s crops through witchcraft, which they call **aranscartī**, and he is discovered, let him compensate with twelve solidi. And let him [the latter] have the former’s domestic slaves and all his property and livestock in his care for a year’ (Rivers 1977: 154–155).

In *aranscartī*, the determinant is OHG noun *ar(a)n* ‘harvest’ (KFW, I: 618; Graff 1963, I: 528; Tiefenbach 2004: 287). As illustrated above, in the Bavarian

¹⁵ Wolfenbüttel, Herzog August Library. Cod. Guelf. 513 Helmstadiensis; Paris, Bibliothèque Nationale. lat. 10753.

laws, *aranscartī* is linked to the destruction of harvest (perhaps by cutting it down?) supposed to have ensued under the influence of magic.

Meineke (1994, 133–198) presents only two records of the suffix *-ī(n)* within the parallel tradition of the Old High German glosses and texts, namely *fliukōnuuerī* ‘fly whisk’ (StSG, I: 147, 1) and *kirihuuigī* ‘parish fair’ (“Laubhüttenfest”) (StSG, I: 253, 12). Both have nominal bases and are taken from the German–Latin *Abrogans* glossary, the earliest preserved manuscript of which emerged at around 790.¹⁶ When compared with the variety of evidence in the *Leges* manuscripts, it becomes apparent that the suffixation with *-ī(n)* is a pattern of word formation highly related to the early medieval legal language, particularly the legal language of Bavarian law.

Moreover, a wide range of feminine abstract nouns was created by the old Germanic suffixes *-(s)ti / -tu*, which were added to strong verbs. These are no longer productive in Old High German (Bergmann 1991: 243–246, 251; Tiefenbach 2004: 280). Nevertheless, several words formed by these suffixes have been preserved in contemporary German, “which are still recognizable as corresponding derivations” (Müller 2016: 1875), for example, *Fahrt* ‘drive, journey’ or *Sicht* ‘sight’. The types that are recorded in the *Leges*, more precisely in the Bavarian and Lombard laws, frequently “have a relation to a morphological-semantic base which has become more or less unclear, and have taken on the character of simplex forms” (Müller 2016: 1875). These usually occur as determinata within endocentric determinative compounds. The examples (13) to (15) demonstrate clearly once again how semantic change and reinterpretation are affecting the lexemes, as is seen in their progression from words of everyday language into technical terms:

(13) OHG *zuht*

This noun is based on the strong verb OHG *ziohan* ‘to move; to raise; to pull’. The meaning of *zuht* depends on the context; it stands for ‘move’, ‘raising’, or ‘food’ (Meineke 1994: 331–397). In the *Leges*, *zuht* only occurs as a determinatum e.g. in *heimzuht* ‘sudden move towards someone, ambush’, which contains the noun determinant OHG *heim* ‘home’¹⁷:

Lex Baiuvariorum, IV, 24: *Si autem minus fuerint scuta, verumtamen ita per vim iniuste cincxerit, quod heimzuht vocant, cum XII sold conponat* (MGH LL nat. germ. I,5,2: 332). ‘If, however, there are fewer men [literally, shields], by whom he is unjustly and forcibly sur-

16 St. Gall, Abbey Library. Cod. Sang. 911.

17 See also the New High German noun *Heimsuchung* ‘ambush’ (Saar 1999: 247).

rounded, which they call **heimzuht**, let him be compensated with twelve solidi' (Rivers 1977: 133).

(14) OHG *runst*

Runst is based on the strong verb OHG *rinnan* 'to gutter'. Its meaning can be described as a 'trickle', 'stream', or 'flow'. In the *Leges*, the noun can only be found as a determinatum e. g. in *hovanunst* / *hoverunst* 'illegal, violent access to a farmstead' with the noun determinant OHG *hov* / *hof* 'courtyard, property' and in *bluotruns(t)* 'bleeding injury' with the noun determinant OHG *bluot* 'blood' (SchGW, VIII: 23–25; Bulitta and Schmidt-Wiegand 2000: 60; Kluge 2011: 136):

Lex Baiuvariorum, XI, 1: *Si quis in curtem alterius per vim contra legem intraverit, quod hoverunst vocatur, cum III sold. conponat* (MGH LL nat. germ. I,5,2: 396). 'If anyone enters another's courtyard by force contrary to law, [which they call **hoverunst**], let him compensate with three solidi' (Rivers 1977: 150).

Lex Baiuvariorum, IV, 2: *Si ei sanguinem fuderit, quod plotrunds vocant, solidum I et semi conponat* (MGH LL nat. germ. I,5,2: 317). 'If he spills his blood, which they call **plotrunds**, let him compensate with one and one-half solidi' (Rivers 1977: 130).

(15) OHG *grif(t)*

Grif(t) is based on the strong verb OHG *grifan* 'to grip'. It means 'grip; handful'. *Leges* compounds in which this noun occurs are e. g. *huorgrif(t)* / *horcrift* 'indecent assault of a woman' with the noun determinant *huor* 'fornication; prostitute' and *anagrif(t)* 'attack' with the prepositional determinant OHG *ana* 'against' (KFW, IV: 1018, 1383–1385; Graff 1963, IV: 319; Schützeichel 2012: 34):

Lex Baiuvariorum, VIII, 3: *Si quis propter libidinem liberae manum iniecerit aut virgini seu uxori alterius, quod Baiuuarii horcrift vocant, cum VI solidis conponat* (MGH LL nat. germ. I,5,2: 355). 'If anyone lays a hand on a freewoman because of lust, or on a virgin or on another's wife, which the Bavarians call **horcrift**], let him compensate with six solidi' (Rivers 1977: 139).

Leges Langobardorum (Rothair's Edict), 214: *Si quis liberam puellam absque consilio parentum aut voluntate duxerit uxorem, conponat, ut supra, anagrif solidos XX et propter faida alios viginti* (MGH LL IV: 52). 'He who takes to wife a free girl without the advice and consent of her relatives shall pay twenty solidi as composition for the **seizure**, as above, and another twenty solidi to avert the feud' (Fischer Drew 1973: 93–94).

When examining the patterns of suffixation within the vernacular *Leges* vocabulary, it is interesting to note that suffixes which are productive in Old High

German rarely occur in the legal codes. Frequently occurring productive suffixes such as *-lih*, *-unga* and *-ida*, for instance, are recorded only sporadically:

(16) OHG *haiftlich*

Lex Alamannorum, IX: *Si quis in curtem episcopi armatus contra legem intraverit, quod Alamanni haistera handi {Bawari haiftlichen} dicunt, 18 solidos conponat* (MGH LL nat. germ. I,5,1: 76b). ‘If anyone armed enters the courtyard of a bishop contrary to law, [...] which the Alamans call *haistera handi* {the Bavarians call **haiftlichen**}, [let him compensate with eighteen solidi]’ (Rivers 1977: 70).

The adjective is a *hapax legomenon* within both the Alemannic law and the entire tradition of Old High German (Schmid 1998: 445). It is formed by the Old High German adjective base *haift* ‘vehement’ and the suffix *-lich*, which is one of the most popular adjective suffixes in German, especially in combination with substantive and adjective bases (Meineke and Schwerdt 2001: 301). In the text passage above, action is marked as ‘vehement’, especially when referring to the level of violence which is used by the actor. There is hardly any difference in meaning between the base *haift* and the suffix derivative *haiftlich*, something which is often observed in Old High German adjective derivatives with an adjective base (Splett 2000: 1219).

(17) OHG *murdrida*

Lex Baiuvariorum, XIX, 2: *Si quis liberum occiderit furtivo modo et in flumine eiecerit vel in talem locum eiecerit, ut cadaver reddere non quiverit, quod Baiuuarii murdrida dicunt, inprimis cum XL sold conponat eo quod funus ad dignas obsequias reddere non valet* (MGH LL nat. germ. I,5,2: 455). ‘If anyone kills a freeman in a secret manner and throws him into a river or throws him into such a place that the corpse cannot be recovered, which the Bavarians call **murdrida**, in the first place let him compensate with forty solidi, since he cannot recover the corpse for a worthy burial’ (Rivers 1977: 167).

Based on the legal context described above, this noun can be described as ‘secret murder’ (Weisweiler and Betz 1974: 75; Tiefenbach 2004: 279). As a common element in Old High German (Splett 2000: 1218), the suffix *-ida* is combined with a verbal base, OHG *murd(i)ren* ‘to murder’ (KFW VI, 12: 916).

(18) OHG *himilzorunga*

Lex Baiuvariorum, VIII, 4: *Si indumenta super genucula elevaverit, quod himilzorun[ga] vocant, cum XII solidis conponat* (MGH LL nat. germ. I,5,2: 355). ‘If he lifts her garments above the knees, which they call **himilzorunga**, let him compensate with twelve solidi’ (Rivers 1977: 139).

Himilzorunga is an endocentric determinative compound formed by the elements OHG *himil* ‘sky, ceiling’ and the suffix derivative *zorunga*, which is one of

the earliest records for *-unga* in German. According to Nótári (2013: 277) “the morpheme *himil* can be understood with the help of the German and the Anglo-Saxon word *hama* and the Middle High German words *ham*, *heme* with the meaning *dress*. However, this requires presumption of a *hem* form in order to deduce *himil* from it by the addition of the suffix *-ila*.”¹⁸ *Zorunga* is based on the strong verb OHG *zeran* ‘to tear’. Thus, in referring to the text passage above, the noun can be described as ‘indecent tearing at a woman’s garments’ (Tiefenbach 2004: 279–280).

The derivatives mentioned above appear primarily in Upper German laws, the origins of which reach back to the eighth century. They therefore pertain to the earliest records of the suffixes presented here, which were productive not only in the Germanic period but, to some extent, also in early Old High German, even up to contemporary German. Likewise, the suffixes *-lich* and *-ung* are used today to form new signifiers in everyday language as well as to coin technical terms in languages for special purposes.

6 Conclusion

Compounding and suffixation are highly productive and indispensable patterns of word formation in the early legal language of the Germanic tribes. Primarily, they are used to create lexemes that provide compact and condensed information pertaining to significant legal facts, such as the criminal offences, which are negotiated in court, and the injured parties. The complex words contribute to the expansion of the lexicon in various aspects. Two particular findings have been investigated in this article, for which, due to lack of space, admittedly only a few examples could be given: (1) word formation via compounding is used rather broadly, whereby it not uncommonly produces complex words which were exclusively identified in the *Leges*. Additionally, compounds can exhibit an exclusive semantic relationship between their first and second elements. (2) In the case of derivation, it may be observed that the Upper German *Leges* productively use the suffix *-i(n)*, whereas this is only found sporadically elsewhere in Old High German in a number of complex words.

¹⁸ The Old High German noun *hamo* and the Middle High German successor *ham*, which are related to the contemporary German *Hemd* ‘shirt’, belong to Germanic **hama-*, **haman-* ‘shell, skin’, which is related to the Indo-European stem **k̑em-* ‘to cover’. OHG *himil* is likely to be a part of this word family (<https://www.dwds.de/wb/Hemd#et-1>, accessed 21 June 2017).

The systematic investigation of the word formation patterns of all complex vernacular *Leges* words remains an endeavour for future research. However, this will only be possible following a comprehensive inventory of the inserts.

The tradition of the laws of the barbarians contains numerous other semantic, lexical and morphological peculiarities that demand urgent, detailed examination by historical linguists. Moreover, because the lexemes have spread into several Germanic and Old High German dialects, they provide a very interesting corpus that can be used in more intense linguistic analysis, for example for a phonological and graphemic investigation. Its results would certainly serve to further enrich our knowledge about historical German grammar.

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