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Daniela Fruscione & Letizia Vezzosi

Digging into Old English Legal Compounds*

Abstract: Word-formation in Old English has been extensively studied from both theoretical and textual perspectives, with special attention given to compounding as a way to convey in Old English new concepts and notions contained in Latin texts. Although often cited, compounds in the Anglo-Saxon laws have thus far been neglected. The present paper aims to partially fill this gap by focusing on the early legal codes, from Æthelberht to Ine, and offering a classification of legal compounds according to their formal features. Although they are formally consistent with Old English compounding, their meanings are not always equally clear. This difficulty arises partly because these words are often rare or even *hapax legomena*, and partly because their individual components reflect different stages of the language. Our analysis indicates that both their rarity and their semantic value are the result of a long process in the development of Old English legal terminology. Therefore, to understand them, one must delve into each individual law.

Keywords: compounding, laws, word-formation, Old English, semantics

1. Introduction

A catalogue of compounds in the Old English laws from the earliest codification of King Æthelberht of Kent at the very beginning of the 7th century to the decrees of Cnut in the first half of the 11th century offers a unique opportunity to observe the meaning and development of this feature of Old English legal prose. The surviving body of Old English laws shows six centuries of unbroken legislation and has no parallel in any other (legal) corpus written in a Germanic language in the Early Middle Ages.[1] Anglo-Saxon legislation allows a philological, semasiological, and onomasiological analysis of the vernacular vocabulary and knowledge gained, representing a counterpart to the continental legislation written in Latin. Indeed, vernacular compounds in the continental *Leges*

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[1] Besides the standard edition of the whole Old English legal corpus by Liebermann (1903–1916), Oliver (2002) edited the Kentish Laws. A new edition of Alfred's and Ine's laws was made by Oliver & Jurasinski (2021). Here we follow the numbering of these more recent editions.

Barbarorum are inserted in the Latin text (Kremer & Stricker 2018). There are no specific investigations into compound words in Anglo-Saxon laws (but see, for instance, the several examples in Carr 1939: 117, and Munske 1973). Moreover, compounds are mentioned as an essential feature of early medieval (and Anglo-Saxon) laws in several works. Stefan Sonderegger writes in *Die Sprache des Rechts im Germanischen* (1962/1963) that in the legal language compounds have the function of explaining or delimiting a concept. We owe Klaus von See (*Altnordische Rechtswörter* 1964) a more structured explanation of the frequency and relevance of composition in the legal language of the ancient Germanic vernaculars. In these vernacular legal codes, a lack of abstraction constitutes a fundamental difference from the language of Roman law, which uses semantically unambiguous terms to describe specific legal concepts. Due to the scarcity of legal concepts the transition from generic terminology to technical terms of the law could be easily achieved through composition. Compound words do not simply clarify, delimit, or explain a concept or give compact information referring to legal facts, they create legal concepts.

This phenomenon is particularly evident in Old English. The vernacular legal corpus in Anglo-Saxon England is unparalleled among Germanic cultures. Therefore, any investigation of Old English legal language must extensively consider the analysis of the vast amount of compound words. Our paper will provide a first systematic overview of compounds in early Anglo-Saxon laws, demonstrating that generic terms such as *finger*, *gild*, *wer* become legal concepts by being determined by a determinant, and this pattern holds consistently with very few exceptions – such as *mund* 'protection', an old Germanic legal concept, common to several Germanic languages (Fruscione 2005: 18–20).

After a brief introduction (Sections 1.1–1.2), which specifies what we mean by compounds, which terminology we used, and what method we applied to build our corpus, we will present a typology of the main compounding patterns attested in Anglo-Saxon laws (Section 2), with a special focus on those laws that represent the "foundations of the Anglo-Saxon legal order" (Lambert 2017: 27–111): the Kentish laws (7th century) and the first two West-Saxon codes, i.e. Ine's (7th century) and Alfred's (9th century). These laws were developed during a period of political consolidation and before the foreign invasion by Scandinavians could have an impact on the language of Alfred's legislation. They deal for the first time with several aspects of Anglo-Saxon society; besides frequently used

compounds (*wergild* 'value of a person'), there is in them a large number of compound words occurring only occasionally (*witeðeow* 'slave as a consequence of crime') and several *hapax legomena* (*feaxfang* 'taking hold by the hair'). From this sub-corpus, a few examples are extracted and discussed both formally and thematically to show what role compounding played in the institution and development of a legal system. The compounds have been chosen according to the focus of the laws where they occur and of which they represent the thematic core (Sections 3–6).

1.1 Word-Formation Processes in Old English: Compounding

Before delving into the core issue of this paper, that is, the use of compounding in the early Anglo-Saxon laws, it is worth spending a few words on defining what we have considered as instances of compounding in our corpus of analysis in relation to Old English compounding in general, and to describe the terminology we have used. We leave aside the debate about the definition of compounding[2] or the criteria[3] utilised to identify compounds within the broader group defined as "complex words". On the semantic level, compounds are defined in terms of transparency, that is, the extent to which the lexical meaning of a complex word can be inferred from its structure and components, according to the features of relatedness and predictability.[4] This feature is particularly relevant in diachronic studies inasmuch as it can be influenced by various factors, including frequency and productivity (Bybee 1985; Hay 2001; Johnson, Elsner & Sims 2023), and lexicalisation and semantic change (Ronneberger-Sibold 2006). Operatively, we have considered a

[2] To give an example, Harbert (2007: 29) defines compounding as "the process of forming new words by conjoining two or more root morphemes", while Lass (1994: 194) vaguely claims that "[a] compound is a lexeme made (in general) of two or more independent lexemes". Despite the long debate about terminology referring to the single constituents of a compound (see Bauer 1983) – whether they are roots or stems or bases, whether they are lexemes or listemes etc. – it is still possible to come across definitions where the "slippery" status of the term "word" is ignored. For instance: "a compound word is a single noun or adjective consisting of two or more independently occurring words which combine to become the constituents of the compound" (Davis-Secord 2016: 33). Marchand (1967) even rejects the term "compound" and talks of expansion and derivation.

[3] Usually scholars highlight either phonological (Štekauer, Diaz-Negrillo &Valera 2011) or syntactic criteria (Bauer 1998: 77; Spencer 2003: 2011), much less frequently semantic features (Jones 1969: 258) are often object of debate.

[4] We follow the main literature according to which relatedness is the degree to which the compound's meaning retains the meaning of each constituent, and predictability the degree to which one can predict the meaning of a compound from its structure and from the meaning of its components (Gagné, Spalding & Nisbet 2016; Libben, Gagné & Dressler 2020).

compound as "the formation of a new lexeme by adjoining two or more lexemes" (Bauer 2003: 40), whose right-most element determines the category and the grammatical features of the whole in accordance with the Germanic pattern. The constituents are referred to as 'determinant' (the first one) and 'determinatum' (the second one) following the established terminology since Marchand (1967: 300).

When examining Old English compounding, the operational definition adopted needs adjusting. If distinguishing between compounds and affixations can be fairly straightforward in most (but not all) cases in Present-Day English, it gets more complicated when one considers earlier phases of the language, as the delimitation is even less clear. According to the literature, those forms that only occur as determinants are interpreted as prefixes and accordingly their formations are usually not counted as compounds, unless they are in complementary distribution with their corresponding noun and can be modified by suffixes. To give some examples, *cyne-* 'royal' could be classified as a prefix, as it only occurs as a determinant. However, since it is also in complementary distribution with *cyning* 'king' and is the base of derivative formations such as *cynelic* 'royal', it is considered as an allomorph of *cyning* (see Kastovsky 1992: 363, but also Sauer 2019). As for those lexemes that occur only as determinata such as *-dom*, *-had*, *-lac*, *-ræden*, *-scipe* (nominal) and *-fæst*, *-ful*(*l*), *-leas* (adjectival), their combinations are analysed as compounds when, as determinata, they have the same meaning as they have when occurring as independent words (see Sauer 1985: 282–284). Thus, *bisceaphad* and *martyrhad* 'state, rank of a bishop, martyr' are compounds, while *arfæst* 'virtuous', *arleas* 'impious', *burgscipe* 'township' are not. It is, however, clear that this is not a discrete criterium, but it depends on the degree of grammaticalisation a lexical component has undergone. Therefore, in the case of Old English, the semantic component is a decisive factor in determining whether or not a word is a compound.

Another major problem, which concerns Modern English compounding and gets amplified in the historical phases of the language, is the delimitation between compounds and syntactic groups, since orthography, semantic isolation, or stress cannot obviously be fully relied on. Generally, the absence of a parallel syntactic group or its distinct formal composition advocates a compounding interpretation of the word – e.g., *cnihtcild* 'boy, lit. boy-child' – and so does the lack of internal inflectional agreement – e.g., *wilddeora* 'wild

beasts' vs. *wilde deor* 'wild beast' with an inflected weak adjective (Kastovsky 1992: 362). Although in historical linguistics and, more specifically, in Germanic historical linguistics, *echte Komposition* ('genuine compounding') is distinguished from *unechte Komposition*[5] ('non-genuine compounding'), depending on whether the first element is either a stem or an inflected form respectively, this distinction does not play a significant role as a classifying criterium, and yet it is often referred to (Carr 1939: 281–298; Kastovsky 1992: 363). Actually, independently of how "non-genuine compounds" emerged,[6] they became relatively frequent in Old English as well as in the other Germanic languages (Harbert 2007: 30–32). The first element could be either an inflected form (e.g., *sunn-an-dæg* 'Sunday') or uninflected without any class marker (e.g., Got. *gud-hus* 'temple') or with a "bridging element" (e.g., *stan-e-gella* 'pelican').[7] With ambiguous forms, the semantic specificity is once again pivotal in establishing their status, as "compounds refer to a unified semantic concept" (Plag 2003: 7). If semantic interpretation can be a reliable factor in diagnosing compound forms in Old English, it becomes more problematic in the case of legal texts, especially the earliest Anglo-Saxon laws. In these texts, the manuscript tradition is inconsistent in the graphical representation of words, and the number of words with a single occurrence, or *hapax legomena*, is exceedingly high (see below).

Not only was compounding one of the most important stylistic devices in Old English poetry, it was also its largest (or richest) source of new words in prose. Therefore, it played a pivotal role in lexical expansion. Depending on the relationships between the constituents of compounds, the traditional categorisation of compounds into five types[8] is only partially applicable to Old English compounds. They are firstly to be categorised into

[5] On these two types of compounding in Germanic, see Krahe & Meid (1967: 16–19).

[6] These compounds are supposed to be the outcome of a lexicalisation process involving previous syntactic phrases. According to Lass (1994), the lexicalisation process might have been triggered by the morphological changes taking place in Old English that underwent the development from a stem-based lexicon to a word-based lexicon as the result of the breakdown of the noun-class system. Although these phenomena are attributed to Late West Saxon, they are important to our analysis because even the Earlier Anglo-Saxon Laws came down to us through Late West Saxon copies.

[7] The examples are taken from Harbert (2007), who quotes Lass (1994) for Old English.

[8] The earliest classification scheme originated in Sanskrit philology when Pāṇini divided compounds into five groups: *Dvandva* (copulative compounds), *Tatpuruša* (determinative compounds, where the determinant modifies the determinatum through a case relation), *Karmadhâraya* (attributive compounds), *Dvigu* (compounds where the determinant determines the determinatum numerically), and *Bahuvrihi* (possessive compounds). It is still used in Indo-European and ancient languages studies. Whenever such compounds are added a derivational suffix, they are called *erweiterte Bahuvrīhi* (Krahe & Meid 1967: 33), a definition that highlights the fact that they are derivational forms based on *Bahuvrīhi*.

exocentric or *Bahuvrihi* and endocentric compounds, depending on whether or not the compound as a whole belongs to the same word-class and lexical class as the head – e.g., *bedstreaw* 'straw for bedding' is a subcategory of *streaw*, while *yfelwille* 'malevolent' is not a noun unlike its determinant *wille*, but an adjective; or *anhorn* 'unicorn' is not a type of *horn*, but an animal with one horn. The two groups were not equivalent, as exocentric compounds were already limited in productivity compared with endocentric ones and were often reformed by either changing the inflexional class or by adding a derivational suffix – e.g., *eaþmod* vs. *eaþmodig* 'humble'. Endocentric compounds can be further subdivided into *Dvandva* (with the subdivision into the extremely rare additive type, e.g., *aþumswerian* 'son-in-law and father-in-law', and the copulative type, e.g. *eoforswin* 'pig which is a boar') and determinatives, where the determinatum determines the core meaning, and the determinant specifies or qualifies that meaning – e.g., *modorþegn* 'mother's servant', *beorhus* 'beer house' (Carr 1939; Kastovsky 1992). The two constituents could belong to different word-classes: mainly nouns, adjectives, verbs, and particles. Accordingly, compounds can be described on the basis of the word-class affiliation of the determinatum and the determinant. The following labels are taken from Kastovsky (2006) and "are not intended to represent a particular theoretical framework, but are used in their traditional signification to provide a framework" (Kastovsky 1992: 365).

Among nominal compounds, the type N(stem) + Noun represents the most frequent and productive pattern and expresses three basic relationships between the two constituents: additive, copulative, and rectional (Marchand 1969: 40). Next to this, there is the type N + linking element + N, where a segment occurs between the two constituents which functions as a linking element and not as inflectional markers – e.g., *uhtantid* 'time of dawn, twilight', *dægeseage* 'daisy', *gebyretid* 'time of birth' –, although historically they might have had this function. Semantically, this second type is more restricted (see Kastovsky 2006: 232). Another fairly productive pattern is Adj + N, where the relationship between the two constituents is that of attribution (e.g., *cwicseolfor* 'living silver' = 'mercury'). This pattern includes a subtype (second participle + N), which is relatively weak and mainly represented by *Bahuvrihi* – e.g., *wundenfeax* 'with twisted mane' vs. the regular endocentric compound *nægled-cnearr* 'nailed-fastened vessel'. Relatively productive is also the type Adv + N (e.g., *midgesiþ* 'fellow traveller', *forebreost* 'chest') which also

includes ambiguous instances such as *oferleorness*, interpretable both as *ofer-leorness* and as a derivative from a verbal compound *oferleornan*. Adjectival compounds consist of the following types: N + Adj, where the noun can be regarded as a complement of the adjective (e.g., *ellenrof* 'famed for strength'), as well as an intensifier (e.g., *blodred* 'blood-red') or where the adjective is an attribute of the noun (e.g., *modseoc* 'sick with regard to the heart'); Adj + Adj, expressing additive (e.g., *nearufah* 'difficult and hostile'), subordinative (e.g., *branbasu* 'brownish-purple'), intensifying/downgrading relations (e.g., *felageomor* 'very sad') or indicating either the goal of the determinatum (e.g., *clængeorne* 'clean-prone') or the manner of deverbal adjectives (e.g., *felaspecol* 'much-speaking' = 'talkative"); and finally Adv + Participle (e.g., *forecweden* 'aforesaid'). Verbal compounds were restricted to combinations with adverbs or prepositions as determinants (see Kastovsky 1992 and 2006 for a detailed description).

Compounds in Old English exhibit varying degrees of semantic transparency. In addition to transparent compounds like *hand-boc* 'handbook', there are compounds like *gang-dagas* 'period of time', which require more interpretative effort in order to be deciphered. This spectrum of transparency options highlights the flexibility of compounding as a word-formation strategy in Old English, capable of both straightforward and nuanced expression. But it is also the outcome of its historical development, because, as Kastovsky (1992) emphasises, compounding is not merely a lexical phenomenon but also a cognitive and cultural one. The ability to combine familiar elements to create new meanings reflects the speakers' conceptual frameworks and their responses to socio-cultural and environmental *stimuli*. Consequently, the meaning of the compounds and the relationship between its constituents mirror the socio-cultural milieux in which they were created. This is particularly evident with the Old English compounds in Earlier Anglo-Saxon Laws, especially with *hapax legomena* or infrequent compounds.

1.2 The Criteria to Create Our Corpus

As the first step in our investigation, it was necessary to create a corpus of the compounds occurring in Anglo-Saxon laws. Given the massive size of the corpus of the Anglo-Saxon laws, we focussed on the Early legal codes, the three Kentish laws of Æthelberht (*c.* 602), Hlothhere and Eadric (*c.* 673–*c.* 685) and Wihtred (695), and the West-Saxon laws of Ine

(688–694) and Alfred (*c.* 890) (see the Introduction). We referred to Oliver (2002)'s and Oliver & Jurasinski (2021)'s editions, on the basis of which we selected all those forms used as compounds. We wanted to check the relevance of compounding within the word-formation strategies at play in the creation of new legal lexemes. Therefore, we classified all complex words (457 tokens) according to the legal codes where they occurred and to the nature of their constituents, whether they were affixes, affixoids, or free lexemes. It turned out that the main strategies of word-formation in the early Old English laws were (in this order) compounding (257 tokens) and affixation (200, of which only 26 were suffixes) in agreement with what can be observed in Old English word-formation strategies. More interestingly, affixation mostly concerned verbs (154 tokens, that is the total of complex verbal forms) and adjectives (24 tokens out of 35 complex adjectives, but 13 instances were adjectives derived from a compound, e.g., *ælþeodige* 'foreign'). However, it was very marginal with nouns, being represented by only 11 tokens. Among non-compounded complex words, we included the so-called *erweiterte Bahuvrīhi* (Krahe & Meid 1967: 33), that is, words derived from *Bahuvrīhi* through the addition of suffixes, as their function is expressed by the affix and, consequently, they behave like any other word belonging to the category expressed by the affix.

Hence, we can justifiably argue that in the early laws, compounding represented the most productive and frequent process of nominal expansion, whereas derivation was mainly used to create verbal and adjectival formations. Our analysis only focussed on the 267 forms that comply with our criteria for compounds.

2. Types of Compounds Found in the Corpus

Compounds in early laws are mostly nominal (246 tokens), as we have found no instances of verbal compounds and only 11 adjectives. Among the latter, only four are endocentric and belong to the subtype in which the determinant is a noun, in the form of a root (e.g., *ar-weorþ* 'honourable') or an inflected form (e.g., *æwum-boren* 'lawfully born'), functioning as a complement of the determinatum that is either an adjective or a past participle. The other compounds with an adjectival function are exocentric (e.g., *locbore* 'one wearing long hair, a free woman', *twifingre* 'two fingers thick' or *sixhynde* 'of a class whose wergild is six

hundred shillings'), that is, their morphological head is not an adjective, but a noun. Their left-hand constituent is often a numeral (e.g., *twi-fingre*, *twi-hynde*), but it can also be an adjective, as is the case of *unrihthæmde*, consisting of the adjective *unriht* 'illicit' and the noun *hæmde* 'intercourse'. However, the compound denotes the quality of those who have/had an illicit intercourse, that is 'adulterous'.

Nominal compounding is substantial in terms of number of tokens, but shows a low degree of recursivity (Sauer 2019) since the great majority of compounds indeed occur only once (111 types). The number of tokens which occur twice decreases substantially (19 compounds) while compounds occurring three times (5), four times (1), and five times (5) are quite rare. The only compounds with relatively high frequency are, as we would expect, *mundbyrd* 'protection' (7 times) and *wergild* 'the price set upon a man according to his degree' (11 times).

In our corpus, nominal compounding includes three subtypes (Adj + Noun, Num + Noun, and Noun + Noun), but, unlike Old English noun-formation strategies, the pattern Adj + Noun and its subtype Num + Noun are all marginal constructions from a quantitative point of view, whereas the pattern Noun + Noun is clearly the most frequent. As for the determinant in these types, it is an adjective in 10 compounds (e.g., *fæderen-mægþ* 'paternal kin', *fulwite* 'full fine'), and a numeral in 4 compounds (e.g., *angylde* 'a single payment compensation'), where all the others consist of a nominal determinant.

In terms of productivity, defined as the degree in which a lexeme can be used in various compounds (Sauer 2019), nominal compounds found in laws are quite interesting and show a behaviour that might be due to the function of nominal compounding in this text-type. In spite of their numerousness, both the determinant and the determinatum show a strong tendency for unicity: the majority of both members occurs once (30 lexemes as the left-hand element out of 114 types vs. 38 as the right-hand element out of 108 types). The second-biggest group consists of lexemes occurring twice (12 vs. 21), followed by those occurring three times (8 vs. 6) and so on, according to an inverse proportion between the frequency of occurrence of a lexeme and the number of compounds consisting of such lexeme. The most frequent lexemes are: *bryce* 'breach, violation' (*DOE* s.v. *bryce* noun1,

sense 3), *bot* 'penance, repair' (*DOE* s.v. *bōt*, sense B), *feng* 'taking' (*DOE* s.v.), *gild* 'payment' (*DOE* s.v. *gyld*, sense A), *mund* 'protection', *þeow* 'slave', and *wite* 'fine'.

When compounding in early laws could appear to show a low degree of productivity according to the criterium of word repetition, we have a slightly reverse picture if we take into account the occurrence of the same word in either constituent. According to this parameter, nominal compounding shows a higher productivity, as the same lexeme can occur as either constituent of the compound. Expectedly, this happens with the most frequent lexemes (e.g., *wite-ræden* 'punishment' vs. *ful-wite* 'full fine', *þeow-weorc* 'servile work' vs. *wite-þeow* 'one condemned to slavery for crime'), but it is not restricted to them, and it also involves less frequent ones (e.g., *gafol* 'tribute' in *gafolhwitel* 'blanketing, cloth paid as rent or tribute' and *beregafol* 'barley paid as rent'). However, the most attested pattern is a compound formed by one-occurrence lexemes, some of which have been indeed categorised as *hapax legomena*, such as *locbore* 'one wearing long hair, a free woman', *ladrincman* 'guide?', and *wlitewamm* 'disfigurement'.

This is probably the reason for the low degree of semantic transparency in legal compounds. Even if nominal compounds are endocentric and indicate a kind of hyponym of the head, the semantic relationships encoded in legal compounds are less straightforward than in other text types. As copulative compounds are restricted to numerals and exocentric to adjectives, nominal compounds are determinative. However, their meaning is not always regular and compositional. The meanings of *gafolhwitel* and *beregafol*, which refer to the wheat given as a tax and a tax paid with barley respectively, are quite intuitive, that is, although the semantic relation implied between the two members is different, both indicate a type of taxation. *Feaxfang* 'seizing by the hair' (*DOE* s.v.) and *feohfang* 'taking money as a bribe' (*DOE* s.v. *feoh-fang*) denote a special type of 'taking, seizing' and morphologically depend on it, as they are both masculine like *feng*[9] and express a kind of 'taking, seizing'. They are easily classified as rectional synthetic compounds (Sauer 2019), having a deverbal noun as the determinatum (Kastovsky 1992), which in this case is an action noun. However, the very same *feohfang* has a secondary meaning and can indicate

[9] One has to point out that *fang* is the lexeme occurring mainly in compounds, while the *i*-stem form, *feng*, is the most frequent as an independent word. *Fang* in compound and *feng* express an action of 'taking, seizing'. According to dictionaries, they do not differ semantically. On the contrary, *fang* as a masculine noun indicates the result of 'taking, seizing', that is 'booty'.

the financial penalty due for having committed bribery (*DOE* s.v. *feoh-fang*, sense 2). In this case, it is not endocentric, does not refer to a type of *feng*, but specifies an external head, that is a fine. Based on the same determinatum, *healsfang* is another explanatory instance of such semantic opaqueness. Here *feng* cannot possibly be intended as a kind of taking. In no instance does it mean 'seizing by the neck or throat', as its components and structure would suggest. *Healsfang* always denotes 'a legal payment to be paid as a due or fine' (*DOE* s.v. *heals-fang*) according to the status of a person and accordingly could be analysed as a synecdoche-based compound (Bauer 2008). In other words, it developed a proper meaning that is far from those of its components, as one would expect with lexicalised compounds. A high degree of lexicalisation would explain its gender, which is not masculine, but neuter.[10] Finally, when attested in other text-types, compounds tend to be used with a very specific meaning in laws. A good example of this is the term *mund-byrd* that commonly means 'protection, patronage, aid', but in laws it denotes the fine paid for a violation of *mund*. Accordingly, it has to be interpreted figuratively.

Quite often in the literature, compounding in Old English is linked with the necessity of creating new words to translate concepts and notions from other languages, *in primis* Latin. According to Davis-Secord (2016: 30), translating Latin words is "one of the most fundamental applications of compound words in Old English". Legal compounds seem to prove the opposite in that they never translate a Latin word and are often likely to remain untranslated in the *Quadripartitus* as if they expressed concepts unknown to the Latin culture: for instance, LawIne 15.1: *se að sceal bion healf be huslgengum* (Quadr.: et debet esse medietas [iurantium] per hulsgengas [id est duodecimhyndos]); LawIICn 45.1: *gyf freoman freolsdæge wyrce*, *þonne gebete þæt mid his halsfange* (Quadr.: emendet hoc secundum suum halsfang); LawAf 1 30: *gif hit sie syxhynde mon*, *ælc mon to hloðbote LX scillinga & se slaga wer & fulwite* (Quadr.: unusquisque reddat pro hloþbota LX sol.).

Moreover, several compounds exclusively belong to the code of laws associated with one king – *leod-geld* 'fine for slaying a man', *weg-reaf* 'robbery done on a road', and *edorbrecþ* 'fence-breaking' to Æthelberht; *æwda-mann* 'witness', *bysmor-word* 'insult', and *mann-weorþ* 'price of a man' to Hlothere; or *hloþ-bot* 'fine to be paid by the member of a gang', *medren-mæg* 'maternal kinsman', *folc-leasung* 'slander' to Alfred. Moreover, it is not

[10] The gender could also be a result of the influence of the Old Norse *fang* that is actually neuter.

rare to have words with the same referent, one of which is characteristic of legal expressions: for instance, *huselgang* and *huselgenga* refer both to the communicant, but only the latter occurs in laws, while the former is common in many other textual genres, such as homilies (*DOE* s.v. *hūsel-gang*; *hūsel-genga*).

In other words, while compounds in laws show low variation and high regularity structurally, in terms of transparency, predictability, or simply frequency they turn out to be very peculiar, on the one hand because of opaque, unclear, and unpredictable semantic relationships between their constituents, and on the other hand because of the high incidence of words occurring once and *hapax legomena*. All these peculiarities appear to be less peculiar if one thinks that compounding in the early laws was a means for the development of a legal terminology. Therefore, to understand what a compound means, one has to delve into each single law.

3. Composition in Æthelberht's Injuries Catalogue as a Means of Clarity

Within the legislation of Æthelberht, chapters 32/33 to 71 build a catalogue of fines for personal injuries (Oliver 2002: 70–77), arranged according to the type of injury inflicted and, anatomically, from head to feet, corresponding to the idea of the "architectural mnemonic" (Carruthers 1990) in which memory can tie in with a familiar physical structure (Ong 1982: 31–57). Composition is substantial here in order to create semantically unambiguous terms concerning body parts and injuries. The generic determinatum *ban* 'bone', for instance, is delimited both by *cin* 'jaw' and *wido* 'collar'. Some of the compounds have merely anatomical scope (e.g., *cinban* 'jaw-bone') and others acquire a proper legal meaning such as *goldfinger* 'the finger wearing the ring' (lit. 'goldfinger'), indicating the social status – although this differentiation is based on an outsider (etic) point of view and does not necessarily reflect the insider (emic) account since, as the title of Lisi Oliver's book (2011) reads, in the Early Middle Ages "the body (is) legal".

3.1 The *-finger* Compounds

The *-finger* compounds reflect the concern for the lawgiver to value fingers individually in the personal injury laws (Oliver 2011: 143–158). Fingers are not barely compensated

according to their physiological value. The three compounds that contain the determinatum masculine *-finger* (*middelfinger*, *scytefinger*, and *goldfinger*) express different kinds of relations between the two stems. Indeed, the determinant represents very different aspects of the finger. *Middel-* indicates its physiological position in the hand. *Scyte-* represents an important physiology-related activity of the forefinger: it allows a man to shoot an arrow. The compound *scytefinger*, thus, refers to a male ability that had a decisive importance for the preservation of the ethnic community. Indeed, the original core of the earliest laws concerns the weapon-bearing freemen. Finally, the determinant *gold-* represents a cultural-related aspect of the fourth finger, on which a ring is traditionally worn. The ring finger is called here *goldfinger*. As a consequence of a metonymic process the material of which the ring is made can be used to indicate the ring itself. The fourth finger does not have a very different physiological value from the middle finger. And yet, its value is higher because there is a sort of additional punitive charge (added to the purely anatomic loss) for the loss of the finger that shows economic and marital status by the presence of the ring (Oliver 2011: 153). The relative value of the *goldfinger* becomes higher in the laws of Alfred (Oliver & Jurasinski 2021: 356–357) which reflects the concerns of a differentiated society, where the social and economic status are more important than in the kin-based society described by Æthelberht.

3.2 *Wlitewamm*

Two compounds, both *hapax legomena*, contained in Æthelberht's injury catalogue – *feaxfang* (33) and *wlitewamm* (60) – are typical offences to one's honour, humiliations that violated the physical integrity but did not affect any physiological function. Old English *wlitewamm* is a terminus technicus that designates the "facial disfigurement" or "visible facial wound" (Oliver 2002: 70; Jurasinski 2007: 59–63). The meaning of the compound cannot be immediately understood from the context of the decrees. *Wlite* is a noun that means 'countenance, aspect, look' and *wamm* is the word for 'shame'. The most likely meaning of *wlite* in this compound is that of 'an injury which is always visible' and, as a consequence, it is a cause of embarrassment. The notion of a visible damage is a pattern which is current in Æthelberht's law and, in general, is a feature of early laws (Skinner

2017: 42). The visibility of the injury was indeed what we would now call an "aggravating factor", because social disgrace was associated with this kind of injury.

3.3 *Feaxfang*

The Kentish personal injuries-tariff begins with fines for *feaxfang* (Oliver 2002: 72, 105). The masculine determinatum *-fang* recurs in several compounds but it occurs only once as a simplex outside the legal sources with the meaning 'plunder, spoil'. In *feaxfang* it has the meaning of 'seizing, taking, (maybe pulling)'. The determinant neutral *feax-* indicates here hair (on the head) as a whole. *Feaxfang* is a technical word which refers to the insult to one's honour, which comes from seizing hair. More than other elements that characterise the individual, hair and beards in their various natural and artificial forms, are signs of age and have legal and social relevance within the old cultures (Rolle & Seemann 1999: 232–240; Oliver 2011: 108–111). The idea behind Æthelberht's decree about *feaxfang* could also be that a fight often begins by one contestant pulling the other close to him in order to be able to beat him. Even if no actual injury occurs, the regulation punishes this sort of intention. *Wlitewamm* and *feaxfang* represent an older layer of legal words, which is not used in the younger Anglo-Saxon legislation. These compounds shed light on the social conventions by which wounds (*wlitewamm*) and gestures (*feaxfang*) were interpreted and valued in early Kentish society, confirming Mary Richards' point (2003) that the injury catalogues hint at processes of reading the material body that are distinct to the eras and regions within which these words were created.

4. *Drihtinbeag*: The Extinction of a Compound Word

The fine due to the king for killing a free man was called *drihtinbeag* in Æthelberht 12 (*DOE* s.v. *dryhten-bēag*). In *drihtinbeag* the determinative *drihtin* (WS *dryhten*) 'lord' is a derivation from Old English *dryht* 'multitude', 'arm'. *Dryhten* (*DOE* s.v.) is the 'lord', both as 'war lord/lord of a retinue' and as a 'lord of the household' (Green 1998: 106–112, 127–130). The second element of the compound, *beag* 'ring, crown' (*DOE* s.v.) describes the use of gold rings as money and originated in a time when money existed not only as coin, but also in the form of rings (Beck & Steuer 2003: 16–19). The killing of a free man

represented a loss for the king which had to be recompensed with a fine. *Drihtinbeag*, originally a payment to a lord for the death of one of his men, was superseded by the word *manbot* in the following Anglo-Saxon laws (Fruscione 2015). It was inevitable that *drihtinbeag* would disappear from the law books and be replaced by another word. The first element *drihtin* with the secular meaning of 'lord' was used for the last time in the laws of the last Kentish king, Wihtred, where *drihtin* appears three times with the meaning of 'lord of a household' in his relationship with the servants. In the West-Saxon coeval law of Ine, *drihtin* does not appear at all and in later legislation only with the religious meaning of 'God' (*DOE* s.v. *dryhten*, sense 2). *Drihtin* lost its original meaning as a relic of a warrior society (Green 1998: 119), and, in the passage from paganism to Christianity (Chaney 1960: 197–217), it underwent a typical process of assimilation, acquiring a new, religious sense (Gantert 1998: 19–20, 31, 139–140; Steuer 2006: 227–230).

5. *Healsfang*: Metonymy and Composition

Another nominal compound with *-fang* as determinatum is *healsfang*. The noun is one of several terms indicating a fine, a penalty (Oliver 2002: 156, 171–172). Although the meaning of either lexeme is clear and so is the meaning of the compound, the history of the word is not (*DOE* s.v. *healsfang*). *Healsfang* means literally 'the seizing by the neck or throat'. *Healsfang* appears often in the laws of the kings: first, in the early Kentish law of Wihtred (8.2, 9, 11) at the end of the 7th century in decrees regulating behaviour within the Christian household. Failing to observe a cessation of labour on the Sabbath is finable: a free man must pay his *healsfang*. If a person provides his dependants with meat in times of fast, both slaves and freemen are to be redeemed with *healsfang*. Finally, *healsfang* must be paid in case of Christians indulging in pagan practices (Oliver 2009: 108–111). Moreover, in II Eadmund 7,3 (920–946), *healsfang* (lat. *halsfang* in *Quadripartitus*) is the first instalment of the penance to be paid 21 days after a homicide. And finally, in the last Anglo-Saxon law of Cnut in the 11th century, *healsfang* is both a fine that applies in the case of a false oath (II 37), and a payment to be paid as a due (II 71,2); in both occurrences *healsfang* is rendered with L *halsfang* in *Quadripartitus* and L *collicipium* in the *Consiliatio Cnuti*. The formation of *healsfang* may be compared with that of *feaxfang* as an

action to which the law attached a penalty. The term may originally have denoted the crime of 'seizing by the neck' and has come to indicate a fine as a result of a metonymic process (Haubrichs 2021: 108–109). In Old English the word that denotes an offence often denotes also the fine for that offence. A further step in the development of the meaning was to become a standard word for a fine. Finally, it came to indicate a due, a tax. Indeed, both a fine and a due are financial resources for the king. Resorting frequently to the metonymic figure in the field of offence/fine is due to the fact that offence and the adequate compensation were two sides of the same coin. If an offence could be compensated by restitution, the archaic principle of reciprocity between the offender and the offended party was respected (Luhmann 1987: 154–157).

Similarly, in subsequent legal texts, compound words are also observed that simultaneously denoted a crime and the corresponding fine imposed for committing that crime. Examples include *mundbryce*, which signifies 'a breach of mund (protection)' as well as the fine paid to the authority whose *mund* was violated; *hamsocn*, referring to 'an attack on a man's house' (*DOE* s.v. *hām-sōcn*, sense 1) and the associated fine for such a breach of peace (*DOE* s.v. *hām-sōcn*, sense 2); and *griþbryce*, indicating 'a breach of the peace' and the corresponding fine for such an offense.

6. Expanding the Lexicon of Taxations and Gabelles

The first clause of the law of the Kentish king Wihtred states the freedom of the church from taxation (*cirice an freolsdome gafola*) expressed by the simplex *gafol* (*DOE* s.v. 1, sense 1b). Conversely, the contemporary legislation of the West Saxon Ine shows the occurrence of several compounds corresponding to various gabelles (Crabtree 2021: 171–172) that combine the determinatum *gafol* with various determinants. *Beregafol* (Ine 63) is a 'tribute of barley' (*DOE* s.v. *bere-gafol* 1), and the same meaning applies to *gafolbere* (*DOE* s.v. *gafol-bere*); *rædegafol* (Ine 68) is a 'tribute that must be paid all at once'. *Gafol* occurs as a determinant in *gafolhwitel*, 'blanketing, cloth paid as rent or tribute' (*DOE* s.v. *gafol-hwītel*). This group of compound words in expansion corresponds to the development of kingship and of the royal fisc. The ability to exploit the financial resources of their subjects, among others, was central to the establishment of Anglo-Saxon kingship (but also to the power of

the church). The stability of the *-gafol* compounds is confirmed by the later, private work *Rectitudines* (early 11th century: Liebermann 1903: 444–453): *ealugafol* 'tribute paid in ale' (*DOE* s.v. *ealu-gafol*); *feohgafol* 'usury' (*DOE* s.v. *feoh-gafol*); *huniggafol* 'tribute paid in honey' (*DOE* s.v. *hunig-gafol*); *landgafol* 'rent for land'; *metegafol* 'tribute paid in food'.

7. Conclusions

Compounding is one of the major word-formation strategies in Old English, together with derivation. It is not surprising that also in legal codes compounding plays a significant role in the creation of new words. From our analysis based on a corpus of complex words taken for the early Kentish Laws and the first two West-Saxon legal codes, it turns out that, unlike other text-types, compounding and derivation have an almost complementary field of domain, in that noun-formation consists almost exclusively of compounds, while affixation is mainly proper to verbal and, at a much lower degree, adjectival formations. In the corpus nominal compounds are mainly determinative – apart from a few exocentric ones used as adjectives –, with a noun as the determinant, while the pattern Adj + N, quite productive in Old English poetry and prose, is hardly attested. What makes legal compounds special is their semantic interpretation and their low frequency of occurrence. In spite of their formal regularities, the semantic relationship between their constituents can be quite opaque and inconstant. In other words, nominal compounds are often polysemous. Moreover, the majority of the compounds in laws only occurs once and so do even their determinant and determinatum. In addition to the lack of productivity, many compounds are peculiar to one single code and have a very short life as they do not survive their legislators. Unlike poetry, legal language should be clear and direct and not evocative. Moreover, it does not have to obey to metrical and rhythmical constraints and rules. Therefore, in the case of laws, these characteristics of compounds compose a quite puzzling picture, lest one supposes that compounding in early laws was the principal instrument used to develop a legal terminology. In other words, through composition generic concepts are delimited and qualified in order to create a legal concept. Another piece of evidence to confirm this hypothesis comes from the striking number of *hapax legomena* (Lendinara 1997; Oliver 2002). Most *hapaxes* are compounds, too. They are not necessarily the final

trace of an archaic, pre-literate past. In early legal sources where the principle of one topic/one word rarely applies (von See 1964: 4), a *hapax* is quite likely to be a *Gelegenheits-bildung* ('occasional formation') typical of the beginnings of a technical language in the making.

In this perspective, the extinction of a compound word from the legal sources may be accounted for according to different circumstances: either it designated an institution which, in the course of time, for socio-political factors (the emergence of a royal power in a family centred society) or for cultural reasons (the interaction of Germanic law with a converted Christian order) became irrelevant – or it was replaced by other compounds for reasons to be determined (Fruscione 2015). Therefore, the analysis of compounds from a formal point of view does not reveal the entire picture if not traced back to the context where they were created. In our paper, we concentrated on compounds that are used both to label various kinds of payments – both compensation/fines (*drihtinbeag* 'fine payable to a lord for killing a free man', *fulwite* 'full fine'), and taxations (*beregafol* 'tribute of barley') and on some criminal offences – against persons (*feaxfang* 'seizing by the air'), property (*reaflac* 'robbery'), a lord or the king (*hlafordsearu* 'plot against the lord/king') – as well as offenders (*manswara* 'perjurer').

Between the text of each law and the compounds occurring in it there is a profound consistency. Compounded words witness the change of legal focus in time and space and the aims of the lawgiver. In the early laws of Æthelberht, for instance, there is consistency between the detailed description of (injured) body parts and a set of laws basically designed by the lawgiver to guarantee the physical integrity of the community members in a precarious position. Similarly, in later times of West-Saxon royal activism as laws mirror the development of Anglo-Saxon kingship, we observe the birth of innumerable compounds necessary for the denomination of more and more forms of taxation, that were part of the financial resources of later Anglo-Saxon kings.

Up to Alfred, there was a period of legislative activism focused on the production of substantive law, driven by the need to create the legal terminology that Old English lacked. In contrast, in the later laws, compounds were created and used not only to convey compact information pertaining to significant legal facts but also to serve rhetorical purposes. Wulfstan's laws – homilist, ecclesiastical writer, and legislator whose legislative

work extended to the reign of Cnut – exhibited rhetorical features with a strong oratory and condemnatory bias. These compounds contribute to the formation of phrasal pairs, offering additional possibilities for creating echoes in ways that simplex forms cannot achieve. Wulfstan's homiletic style profoundly influenced the creation of legal formulas, intertwining with his propensity for creating nominal compounds that intensified the language rhetorically rather than merely conveying semantic content. Examples include: *hadbrecan 7 æwbrecan* 'injurer and adulterer' (V Atr 25); *scipfyrd 7 landfyrd* 'naval force and land force/expedition' (II Cn 77); *fihtewita 7 fyrdwita* 'fine paid for fighting and fine paid for neglecting the army' (II Cn 15).

In conclusion, studying compounding mechanisms in legal texts is a source of information not only about word-formation mechanism itself, but also a means of delving into Anglo-Saxon society and its changes.

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Daniela Fruscione
Goethe-Universität
Theodor-W.-Adorno-Platz 1
D–60629 Frankfurt am Main
fruscione@jur.uni-frankfurt.de

Letizia Vezzosi
University of Florence
Dipartimento di Formazione, Lingue, Intercultura, Letterature e Psicologia
Via Santa Reparata 93
I–50129 Florence
letizia.vezzosi@unifi.it

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