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On the Middle-Field in Old Frisian

The Old Frisian text corpus comprises mainly legal texts. Two features are characteristic of legal language. First, the subject can change between denoting the offender and the castigator without the need to indicate this linguistically by an overt expression. The second feature of legal language concerns reference. Normally subjects and objects do not refer to individuals in discourse but to classes of individuals of one kind. When dealing with information structure and the contribution of the subject within the topic-comment-domain, these two features have to be considered. The basic word order of Old Frisian is that of a verb-second language. As verb-second word order also occurs with complex predicates, Old Frisian features a topological structure comparable to German and therefore has a middle-field as well as a pre-field and a post-field. In this paper, we want to investigate main clauses in which the subject is located in the middle-field in Old Frisian. In legal texts many generalizing conditional clauses, conditional adverbials and adverbs, as well as causal clauses and adverbs are found at the beginning of a sentence. Therefore, in investigating the Old Frisian middle-field we confine ourselves to main clauses in which those adverbials appear in the pre-field and the subject in the middle-field. Treating the middle-field as a whole we also want to exploit possible scrambling structures. Old English serves as contrast language. The theoretical framework is Centering Theory.

1. Introduction

Old Frisian is attested relatively late in law books and official documents dating from the 13th to the 16th century. Thus, the text corpus consists to a great extent of legal texts. In these texts the language is a typical representative of an early legal language. Facts are generalized and justified.¹ This task especially falls to the syntax.² Thus, many generalizing conditional clauses, conditional adverbials and adverbs, as well as causal clauses and adverbs appear. Two other features are characteristic of a legal language. For example, it is known from Old Latin that especially the subject can change between denoting the offender

1 ‚Je mehr sich die Rechtsgemeinschaft ... von einer landwirtschaftlichen, zu einer marktöffenen, später zu einer zu Ständen untergliederten Gemeinschaft entwickelt, desto mehr kommt der Rechtssprache die Aufgabe zu, [eine Regelung] in verallgemeinernden Tatbeständen und Begriffen zu begründen‘ (Kirchhof 1987, 18, 20).

2 For general comments on the syntax of Old Frisian cf. Haan (2001).

and the castigator without the need to indicate this linguistically by an overt expression. Therefore, one important question is whether such a subject change is also documented in the Old Frisian legal texts. A further characteristic feature of legal language is that normally subjects and objects are not canonical expressions of reference, because they do not refer to individuals in discourse but to classes of individuals of one kind.

In terms of its development level handed down in legal books and documents from the 13th to 16th centuries Old Frisian belongs with Old English, Old Low German and Old High German. The basic word order of Old Frisian is that of a verb-second language. The verb-second effect arises from the movement of the verb to C and some constituent to SpecCP.³ Verb-second word order also occurs with complex predicates. Thus, Old Frisian features a topological structure comparable to German and therefore has a middle-field as well as a pre-field and a post-field (cf. Sabel 2000).

- (1) (a) Verb-second language:
 Subject in pre-field: [_{CP} NP(subj)_i [_C C+V+I_j [_{IP} t_i [_{I'} t_i [_{VP} t_i [_{V'} NP (obj) t_j] t_j]]]]]]
 Object in pre-field: [_{CP} NP(obj)_k [_C C+V+I_j [_{IP} NP (subj)_i [_{I'} [_{VP} t_i [_{V'} t_k t_j] t_j]]]]]]

If the pre-field in the main clause is taken by a different element than the subject, the subject will appear in the middle-field, either immediately after the finite verb or in a later position. In German the subject may occur in the middle-field if the pre-field is filled:

- (1) (b) (i) by base-generation of certain adverbials that are not licensed clause-internally
 (ii) by \bar{A} -movement, which goes together with a contrastive interpretation of the moved item (Frey 2006)

One further question is under which condition this element is located in the middle-field in Old Frisian. This problem is addressed within the framework of Centering Theory (cf. Grosz / Joshi et al. 1995). On the one hand, this theory is consistent with the generative sentence analysis within the scope of the government-and-binding-theory, supplemented by functional projections. Following this concept, the pre-field position is only filled secondarily, i.e. after the IP/VP-domain has been generated. On the other hand, the Centering Theory can be applied to the information structure of sentences. It deals with givenness

3 On the verb-second effect in several German languages, cf. Vikner 1995. According to Kemenade (1991/1993), the core feature of main clauses is that the finite verb is in second constituent position and that this position is derived by a rule of verb fronting from the underlying SOV order.

and salience and as an epiphenomenon with the aboutness-quality of topics (for the two terms cf. Féry / Krifka 2008). Thus, both a connection with the topic-term of the topic-comment-structure and the subject seems possible. Following this, the contextual references with the relations *continue*, *retain*, *smooth shift* and *rough shift* are identified. Consequently, this raises the question whether, if the subject is identical with the topic, it is an instance of *aboutness*, *contrastive* or *familiar topic* in Old Frisian. And furthermore, is it a *non-new-aboutness-topic* or a *new-aboutness-topic* in the case of an *aboutness topic*? However, the middle-field topics are usually background constituents (Frascarelli / Hinterhölzl 2007; Frey 2000; 2006; 2007; Steube 2004; 2006; 2008; 2008a). Therefore, to explain the position of the subject, the positions of the remaining elements in the middle- as well as the post-field have to be taken into account.

But before identifying the nature of the topic in the middle-field, some preliminaries are required (2): Centering Theory (2.1), generic nouns (2.2), subject change in Old Frisian (2.3), the Old Frisian middle-field with the subject in the pre-field or post-field (2.4). However, the structure of the middle-field with the subject within this field is our main issue (3). We deal with the information structural function of the subject (3.1), furthermore with extraposition (3.2), stressed and unstressed pronouns in the middle-field (3.3), *man* as a subject (3.4), the Wackernagel position (3.5), Wackernagel particles (3.6), the order of Wackernagel particle and nominal subject (3.7), and the possibility of scrambling in the middle-field (3.8). Following this, we show parallels of the complementary distribution of Wackernagel particles and adverbs in Old English and Old Saxon (4) and finally use the middle-field of the Old English legal language for comparison (5). We take a look at brace constructions (5.1), the situation in Old English legal texts (5.2), conditional structures (5.2.1), subjunctive vs. modal verbs (5.2.2), elliptical infinitives (5.2.3), and the subject in the middle-field (5.3). Frequently, however, the order is OVS in main clauses.

As the subject generally holds more positions in the main clause (besides SOV, frequently OVS with a sense of emphasis [topicalization], etc. see 3.) than in the dependent clause,⁴ we limit our investigation on the subject position in

4 Compare for the subject in subordinate clauses:

(a) HunsingoerR. IV,3

| | | | | | | | | |
|-------------------|-------------|----------------|--------------|----------------------|-----------------------|-------------|---------------|-------------------------|
| <i>althervmbe</i> | <i>thet</i> | <i>wi</i> | <i>Fresa</i> | <i>hebbat</i> | <i>urkeren</i> | <i>stoc</i> | <i>ande</i> | <i>stupa</i> , |
| because | that | we | Frisians | have | rejected | stick | and | flogging in the pillory |
| <i>skera</i> | <i>and</i> | <i>besma</i> , | <i>hende</i> | <i>and</i> | <i>bende</i> | <i>buta</i> | <i>Saxina</i> | <i>merkum</i> ... |
| scissor | und | birch | capture | und | chain | outside | Saxon | territory |

‘therefore, because we Frisians rejected stick and flogging in the pillory, scissor and birch, capture and tie even beyond the Saxon territories [to use against the Frisian people] ...’

Old Frisian to main clauses. The text corpus consists of digitalized texts which are gathered in the text archive of the “Deutsches Rechtswörterbuch”. Old English is chosen as contrast language for comparative purposes. Just like Old Frisian, it is an Ingvaeonic (North Sea Germanic) language and has got the same kinds of texts as Old Frisian, i.e. legal texts.

2. Preliminaries

2.1. The Centering Theory

Concerning Centering Theory, Speyer’s (2007) terminology is used as in the German example:

- (2) Continue: (A) *Die Grabungsleiter trinken einen starken Kaffee.* (B) *Etwas Aufmunterung können sie wohl gebrauchen.*
 Retain: (A) *Die Grabungsleiter trinken einen starken Kaffee.* (B) *Neue Aufgaben warten auf sie.*
 Smooth Shift: (B) *Neue Aufgaben warten auf sie.* (C) *Diese gelten als überaus schwierig.*
 Rough Shift: (B) *Etwas Aufmunterung können sie wohl gebrauchen.* (C) *Zur Aufmunterung trug auch eine Begebenheit bei der gestrigen Grabung bei.*⁵

These relations being determined, the position of the *non-new aboutness topic* or *continuing topic* has to be identified. Ever since Haftka (2004) and Frey (2000) discovered the position of this topic in New High German, it has been a matter of debate whether other Germanic languages have a fixed topic position, too.

(b) HunsingoerR. XVII,24

*Tha kairlika crona hi uppa ihera hawid sette,
 alderumbe hi se scera lette.*
 wherefore he they cut the hair let

,The emperor’s crown he put on their heads, which is why he had them trim their hair.’

- 5 Continue: (A) ‘**The excavation directors** are drinking a cup of strong coffee. (B) It seems that a little bit of cheering up does **them** good.’
 Retain: (A) ‘**The excavation directors** are drinking a cup of strong coffee. (B) New tasks are awaiting **them**.’
 Smooth Shift: (B) ‘New tasks are awaiting **them**. (C) **These** (tasks) are considered to be very difficult.’
 Rough Shift: (B) ‘It seems that a little bit of cheering up does them good. (C) Another thing that contributed to their **cheering up a little bit** is an incident that occurred during yesterday’s excavation.’

The topic which Haftka and Frey identified is joined to previous information. In the middle-field it is situated immediately above the position of the sentence adverbs (Frey 2007), and, as mentioned, such topics belong to the background constituents.⁶

- (3) (a) *Nächstes Jahr wird den Hans₁ erfreulicherweise eine vornehme Dame t₁ heiraten.*
 (3) (b) **Nächstes Jahr wird erfreulicherweise den Hans eine vornehme Dame heiraten.*

2.2. Generic nouns

As already stated (1.), in legal language there are often no canonical referential expressions, as legal texts do not refer to individuals in the discourse but to classes of individuals of a species (for example murderers, widows, orphans). Therefore, they cannot be interpreted in the normal sense of *given* or *new*. These generic nouns can only be determined as *given* if they refer to the same amount previously introduced, that is, if they are co-referential. Hence, it must be established whether a noun is generic or not, and, if it is a generic noun, how it behaves in comparison to existential indefinites (any X), which do not introduce new amounts but new individuals to the discourse.

2.3 Subject change in Old Frisian

An example for subject change in legal languages comes from the Latin Twelve Table Laws. The alternation between the offender and the castigator without a linguistic sign occurs with null elements. As (4) shows, Latin is not only a subject drop language but also an object drop language:

- (4) Twelve Table Laws Tabula I. 1–3 (around 450 BC)
 (4)(a) SI CALVITUR PEDEMVE STRUIT, MANUM ENDO IACTIO
 If prevaricates foot=or provide hand onto must lay
 ‘if he [the accused] prevaricates or provides a foot (i.e. wants to fly), he [the plaintiff] must lay his hand on (him) (i.e. arrest him)’ (Düll 1971)

6 These middle-field constituents allow for cataphoric pronouns as in the German example:

- (a) *Sein₁ Vater wird dem Otto, wahrscheinlich das Auto ausleihen.*
 (b) **Sein₁ Vater wird wahrscheinlich dem Otto, das Auto ausleihen.*

- (4)(b) SI IN IUS VOCAT, ITO.
 if to court calls should go
 ‘if he, the plaintiff, calls somebody to court, this person must go’
 lit. ‘if he calls to court, he must go’

In Old Frisian no such subject change is documented. Compare the following legal case about the blending of a blood brother. A relative up to the third grade can, under certain circumstances, kill or injure the perpetrator. The subject changes between victim and retaliator; this change is expressed by *thi other*:

(5) HunsingoerR. III,9

- (5)(a) ...*sa suere thi other ande tha withum that hit*
 ...so swear the other on the relics that it
ne dede thruch euest ne thruch nene alde seke were hi
 not did through envy not through none other thing but he
hilpe sine berna blode fon there nede
 help his brother blood out of the need
- (5)(b) *and thi other ach hine thenna of feithum te ledane*
 and the other has him then from feud to relieve
 ‘... thus swear the other [the perpetrator] on the relics, that he did do it [the manslaughter or injury] neither because of envy nor a previous conflict, but to help his blood brother out of distress and the other [the blinded blood brother, the victim] then has to relieve him from the feud.’

Perpetrator and retaliator must be interpreted in a generic way. The pronominal object *hine* refers to the generically introduced offender. Within the Centering Theory, the pronominal object *hine* (5)(b) appears in a *retain relation*.

Before turning to the information structural function of the subject and its position in the middle-field of the Old Frisian main clause, we take a look at the middle-field when the subject is positioned in the pre- or post-field.

2.4. The Old Frisian middle-field with the subject in the pre-field or post-field

If parts of a complex predicate in Old Frisian are separated as in the German brace construction and thus build a middle-field, it is common to place the subject in the first position of the main clause. Sometimes the subject is also positioned proleptically in front of it. In (6) there is a generic reference:

(6) HunsingoerR. II,3

Thi prester ande thi asega hia scelen alle riuchtlike
 the priest and the Asega they shall all legal
thing dema ande dela
 thing judge and decide

‘The priest and the Asega, they shall judge and decide all legal matters.’

We also find subjects in the post-field if they are focused. Compare one example with a reference to the biblical Ten Commandments in order to declare a ban on perjury. ‘Perjury’ is newly introduced here and used generically.

(7) RüstingerR. I,3

(7)(a) *Thu ne skalt thines Godis noma nawet idle vntfa;*

(7)(b) *thermithi send ti urbeden alle menetha*
 therefore are you forbidden all perjuries

‘You shall not use the name of your God vainly; therefore, you are forbidden all perjuries’

The middle-field in (7)(b) consists only of the dative pronoun *ti*. However, a middle-field may be missing completely as in (8); the subject *hi* refers to a generic noun introduced earlier:

(8) HunsingoerR. II,3

Hi scel dema tha letha alsa tha liaua, tha fiunde
 he shall judge the bad as the dear the fiend
alsa friunde, wande thi asega bitecnath thene prester.
 as friend because the Asega signify the priest

‘He shall judge the bad one like the dear one, the friend like the fiend, because the Asega signifies the priest.’⁷

7 For a following subject see also:

HunsingoerR. XVII a

Hir is scriuen alsadene bode, sa God selua ief Moysi
 Here is written such commandments as God himself gave Moses
in monte Synai, uppa tha berche te Synai, on tuam stenena teflum
 on mount Synai on the mountain to Sinai on two stone tablets
 ‘Here are written such commandments as God himself gave them to Moses on mount Sinai on two stone tablets.’

Similar objects appear in the post-field in (8).⁸ In other sentences the post-field is filled as well if the subject is in the pre-field.⁹

3. The subject in the Old Frisian middle-field of main clauses

3.1. The information structural function of the subject

To determine the information structural function of the subject in the middle-field of main clauses, those main clauses are examined where the pre-field consists of an adverbial (here an adverb or an adverbial phrase) with a situative, especially causal or conditional meaning. As mentioned, causal and conditional expressions are commonplace in legal language.

In the case of such an adverbial in the first sentence position, the finite verb of a complex predicate appears always in the second constituent position. Hence, the subject may follow in the middle-field. Often there are no differences with German. Thus, the middle-field, as in German, may consist of the subject alone, in (9) a nominal phrase:

(9) HunsingoerR. XII,1

(9)(a) ... *thes dyacones ield bi fiwer hunderd skillengum, thes presteres ield bi sex hunderd scillengum.*

(9)(b) *Hirefter vrden tha ield geheid*
 hereafter were the wergild raised

‘... the wergild of the deacon at four hundred shillings, the wergild of a priest at six hundred shillings. Hereafter the wergild was raised.’

The imperfect in (9)(b) points towards a canonical reference of *tha ield*.

To identify the information structural contribution of such a subject, pronominalization may be used. This procedure shows whether an element is still present or not and thus can be used in corpus languages as well (Umbach 2002; Lühr 2007; 2008; 2010). If the resumed referent is in the same or in the

8 Likewise without middle-field is:
 EmsigerR. II,6

and thet pund schel wesen bi soghen agripineske pennengem ...
 and the pound shall be at even agrippinic pennies
 ‘and the pound shall be at seven agrippinic pennies ...’

9 In traditional syntax this is called ‘exbraciation’ (‘Ausklammerung’). But this term is only descriptive here.

previous sentence or at least in close proximity, it is *given-active* and a *non new aboutness topic*. If the resumption with a pronoun is not possible and thus the antecedent not salient anymore, then such a referent is *given – inactive* and a *new aboutness topic*.

An example: a mother is not allowed to sell her child's estates except in three cases:

(10)(a) EmsigerR. III,2

... *tetther nen moder ne ach te sella hire birnes erue, er thet bern ierich wirthe, hit ne se thettet hire binime thera thrira thinga huelec: hera iefta hungher iefta sinra friunda strid.*

(10)(b) *Otheres ach se te ondertene umbe alle riuchte wender.*

(10)(c) *Thermithe scel thet bern sins erve behalda, alhond hit ierech se*
therefore shall the child his inheritance keep until it of age be
'... that no mother may sell her child's estates before the child comes of age, unless that one of the three cases hinder her: a (hostile) army or hunger or conflict between its relatives. Otherwise she has to account for all legal matters. That way the child shall keep all its estates until it comes of age.'

Though the generically introduced *thet bern* does not appear in the sentence that precedes it directly, it can be pronominalized. Hence, it is *given active*, the relation is *retain*. The word order of the middle-field in (10)(c) is subject – object, the post-field is a temporal clause¹⁰.

Examples for *given-active* – again a generic noun in a *continue relation* – are *ther-* and *hir-*clauses, combined with a causal conjunction:

(11) EmsigerR. I,8

(11)(a) ... *thetter nen huskerl with sinne hera thene keneng te suithe ne winne. Sa hueth sa this were, ther ma fon des kenenghes haluem sogte to ene monne, ... and ief hi thes biseke. thet hine sikerie mit tuelef monnem anda withem,*

10 A parallel version shows a slightly different wording:

EmsigerR. 30,2

Thermite scel thet kind sin erua bihalda mith sex monnum anda withem.

'Thereby shall the child keep its estates with (the oath of) six men on the relics.'

Here a modal averbial is exbraciated.

- (11)(b) *huande hir ni thor nen huskerl with sine*
 because here not may none vassal against his
hera then keneng nenne kampa leda.
 lord the king none champion lead

‘... that no vassal may battle with his lord, the king, too fiercely. Whatever that may be, with what a man is charged by the king, ... and if he admits that, that he shall swear himself free with twelve men on the relics, because here no vassal needs to lead a warrior against his lord, the king.’¹¹

The word order in the middle-field is subject – prepositional object – accusative object. There is no post-field.

In (12) the subject ‘mother’ is a generic noun as well. But it has to be inferred and hence must be considered as a *new aboutness topic*. It is *accessible* (Prince 1981; Götte / Weskott et al. 2007) because it is preceded by the noun ‘father’ referring to an individual within a concrete situation:

- (12) EmsigerR. VIII,20

(12)(a) *Sa wainath thet vnierghe kind and wepht thenna ... sinne feder, ... theth [hi] sa diape and sa dimme is vnder eke and vnder eerthe bislaghen and bisleten and bitacht.*

- (12)(b) *Hirvmbe sa mot thiū moder hire kindes eruue*
 therefore so may the mother her child’s heritage
setta and sella, vmbe theth hiu ages pli
 give in mortgage and sell therefore because she has=for it custody
and plicht, also longhe sa hit vnierich is.
 and obligation as long as it underage is

‘There cries the underage child and bemoans then ... its father ... that he is so deep and so dark beneath oak wood and under the earth coffined and enclosed and covered. Therefore the mother may give in mortgage and sell the heritage of her child, because she has, as long as it is underage, responsibility for it.’¹²

Subject and accusative object are in the middle-field, the post-field consists of a causal clause¹³.

11 With *ther* in contrast:

HunsingoerR. II,8

... *wande ther ne thor nen huskerl wither sinne hera thene kening kempa leda.*

‘... because there no vassal needs to lead a warrior against his lord, the king.’

12 The causal adverb *hirvmbe* is resumed by *so*, a practice often found in Middle High German (Thim-Mabrey 1987).

13 The subject is also inferable in:

Other cases of saliency are given if there is referential identity and a kind of hyponym-hypernym-relation, hence a *set-relation*, as in the generic *the people – all Frisians* in example (13), with a middle-field consisting of subject, prepositional object and predicative:

(13) EmsigerR. III,10

(13)(a) *Tha bihelden hit tha liude withene keneng Kerl, thet hia firer fara ne thorste sa aster tho there Wisere and wester to tha Fli.*

(13)(b) *Truch thet scelen alle Fresa fon tha northliudem fri wesa.*

through this shall all Frisians from the northmen free be

‘There the people enforced against King Karl that they did not need to move on further eastward than to the Weser and further westward than to the Vlie. Therefore all Frisians shall be free from the Northmen.’¹⁴

3.2. Extraposition

So far all examples with a subject in the middle-field show a high variety of possible sentence constituents within this field. Now let us move towards those cases where the verbal bracket does not contain all obligatory constituents¹⁵. As

EmsigerR. VII,13

(a) *huuasa inna enne wrpene ware en wed weddad ieftha ennes thinghes ieth, sa istet alla iechta and mey ma there dede nanene withe biada,*

(b) *huuande hijr mey en ierich mon mit sinre ferra*

because here may one of age man with his right

hond al sin riucht vrwedia . . .

hand all his right refrain from

‘If someone in a summoned public meeting promises something by handshake or confesses a matter, then this is completely undeniable and one must not offer oaths of innocence on the relics, because here a man of age may refrain from all his rights with his right hand. . .’

The word order in the middle-field is subject, instrumental adverbial, and accusative object.

14 Cf. with *thruich thet sa*:

HunsingoerR. II,10

Thruich thet sa scelen alle Fresa fon tha northliudem fri wesa

through that so shall all Frisians from the northmen free be

‘Through that all Frisians shall be free from the Northmen.’

15 Even if the pre-field is taken by causal adverbials that contain nouns, the middle-field can show all further constituents:

with the subject in the middle-field, large extraposed phrases are found, especially with an accumulation of similar expressions, e.g. attributes. The subject *hi* in (14) resumes a generic noun:

(14) EmsigerR. IV,10

| | | | | | | | | |
|-----------------|------------|---------------------|---------------------|--------------|---------------|---------------------|--------------|-----------------|
| <i>therumbe</i> | <i>ni</i> | <i>thorf</i> | <i>hi</i> | <i>nene</i> | <i>bota</i> | <i>ieua,</i> | <i>ni</i> | |
| therefore | not | needs | he | none | compensation | give | not | |
| <i>asega</i> | <i>dom</i> | <i>vmbe</i> | <i>fella</i> | <i>ni</i> | <i>scelta</i> | <i>bon</i> | <i>ni</i> | <i>keninges</i> |
| Asega | judgment | therefore | repay | not | Skelta | ban | not | kings |
| <i>frethe</i> | <i>ni</i> | <i>liuda</i> | <i>uuirde,</i> | <i>truch</i> | <i>thet</i> | <i>hi</i> | <i>dede,</i> | <i>alsa</i> |
| peace | not | people | sum | through | that | he | did | as |
| <i>him</i> | <i>sin</i> | <i>hera</i> | <i>bad,</i> | <i>thare</i> | <i>sin</i> | <i>scalc</i> | <i>was</i> | |
| him | his | lord | bade | as | his | servant | was | |

‘therefore he does not need to give any compensation, he does not need to pay (the through) the judgment of the Asaga (imposed penance), nor (the within the) ban of the Skelta (threatened punishment), nor the (for the broken) king’s peace (owed sum), nor (the in the) bylaw of the people (designated amount), because he did as his lord commanded him, when he was his servant’

According to X-bar-syntax, the phenomenon that a relatively heavy constituent appears to the right of its canonical position has to be explained by right-adjunction to IP¹⁶. This is a result of prosody. These accumulations are possible in the German post-field as well.

The extraposition in (15) also seems to have prosodic causes. So, the semantically empty and thus unstressed verb *wesa* ‘be’ could encourage the extraposition of the prepositional local phrase. The finite verb *skel* is followed by the contrastive-focused, negated subject *nen freta* ‘no outlaw’ as generic noun.

EmsigerR. IX 2,5

| | | | | | | | |
|---------------|-------------------|-------------------|-------------|-------------|-------------|-------------|------------------------|
| <i>Jnna</i> | <i>lenpanngar</i> | <i>ief</i> | <i>inna</i> | <i>corn</i> | <i>ief</i> | <i>inna</i> | |
| because of | lent money | or | because of | grain | or | because of | |
| <i>butera</i> | <i>ne</i> | <i>ach</i> | <i>ma</i> | <i>nen</i> | <i>ting</i> | <i>te</i> | <i>achtene.</i> |
| butter | not | has | one | none | thing to | give in | payment |

‘Because of borrowed money or for grain or butter shall one not give anything in payment.’

16 In the movement analysis the extraposed element is first generated in its canonical position. To increase right-branching, it then moves rightward to its surface position.

(15) BrokmerR. § 122 (= Rq. § 132)

| | | | | | | | |
|------------|-----------|-------------|------------|--------------|-------------|---------------|---------------|
| Hir | <i>ne</i> | skel | <i>nen</i> | <i>freta</i> | wesa | <i>tuisca</i> | <i>londum</i> |
| here | not | shall | none | outlaw | be | between | regions |

‘Here shall be no outlaw in between the regions.’

3.3. Stressed and unstressed pronouns in the middle-field

Since prosodic phenomena of the Old Frisian middle-field were already brought up, we now turn to instances of differentiated stress in the middle-field. The middle-field can not only be composed of a nominal subject expression as in (9) (b) but also of a pronominal subject expression (Meer 1990). (16) corresponds in New High German to a sentence containing a *contrastive topic* and a *contrastive focus* with a specific tonal pattern: ‚und deren Männer soll kéiner ... meineidig [sein] ...’ (Jacobs 1997; Steube 2008) (‘and of those mèn nóne shall ... [be] perjurious’) (*thera mònna ... nén*). The complex predicate noun is situated in the post-field¹⁷:

(16) HunsingoerR. II,6

| | | | | | | | |
|------------|------------------|--------------|-----------|--------------------|------------|--------------------|--------------------------|
| <i>end</i> | <i>thera</i> | <i>monna</i> | <i>ne</i> | <i>scel</i> | <i>nen</i> | <i>wesa</i> | <i>monslachtech</i> |
| and | of the | men | not | shall | none | be | guilty of a manslaughter |
| <i>ni</i> | <i>menethech</i> | <i>ni</i> | <i>a</i> | <i>hordome</i> | <i>sa</i> | <i>fir</i> | |
| not | perjurious | not | on | whoredom | so | much | |

| | | | | | | |
|-------------------------|-------------|-----------|-------------|-----------------|-----------------|------------|
| <i>biullen</i> , | <i>thet</i> | <i>hi</i> | <i>enre</i> | <i>karfesta</i> | <i>sceldech</i> | <i>se.</i> |
|-------------------------|-------------|-----------|-------------|-----------------|-----------------|------------|

| | | | | | | |
|------------|------|----|---|-------------------|--------|----|
| be stained | that | he | a | forty-day fasting | guilty | be |
|------------|------|----|---|-------------------|--------|----|

‘and none of these men shall be guilty of manslaughter, nor be perjurious, nor be stained so much by harlotry that he is guilty of forty-day fasting.’

As in Old High German, *n*-indefinites are used in Old Frisian for multiple marking of negation (Donhauser 1998, 297; Jäger 2005; Schallert 2006, 104–106). The subject *nen*, thus, is an existential indefinite.

A special tonal pattern is also present in (17). Sentence initial *firer* ‘further’ most likely has a focus accent. The subject *hi* in the middle-field stands in a *continuing relation* with a generic noun as antecedent; the causal prepositional adverbial is extraposed.

¹⁷ The predicate noun represents the *new information focus*.

(17) EmsigerR. IV 22

(17)(a) *Ac demet him thi asega, thet hi swere mith tuam kerene kennemegum, hi selua thredda, theth ach hi the duane jefta enne uuitheth*

(17)(b) *firer ne ach hi te ondertane vmba tha claghe*
 further not has he to answer for the charge
 ‘And [if] the Asega passes him the judgment that he with two [from the opponent] chosen kinsmen, and himself as third, shall swear, so he has to do that or (take) an oath on the relics; further he needs not to take responsibility concerning this charge.’

Singular *continuing topics* in the middle-field are found elsewhere as well, just as in the account of a legal case already mentioned; *se* is referring to a generic noun:

(18) EmsigerR. III,16

(18)(a) *... thet nen wide ni hire bern thurwen ondertia nenes letma ni nenre meitele, er thet bern ierig se*

(18)(b) *otheres scel se ondertia allera riuchtera wenda bi asega dome and*
 furthermore shall she answer all legal matters by Asega judgment and
bi liuda londriuchte
 by people’s common law
 ‘... that no widow nor her child may have to answer for one of (their) villeins or a kin-related wergild, before the child comes of age. Apart from that she shall answer for all legal matters according to the judgment of the Asega and the common law of the people.’

In this example a genitival causal adverbial and a modal adverbial are extraposed, and the pronoun, here *se* ‘she’, appears as in (17)(b) immediately after the finite verb¹⁸. Thus, the middle-field might consist of stressed pronouns such as *nen*, as in example (16), but for sure of unstressed pronouns such as *se*,

18 See with following accusative object, dative object and causal adverbial:

(a) EmsigerR. IV,24

Ac ach hi te ieuane thria merc tha liudem vmbe thene liudafrethe
 also has he to give three mark the people because the due peace money
 ‘Moreover, he has to pay three marks to the people due to the (broken) peace of the people’

And with only one following causal adverbial:

(b) EmsigerR. 30,2

Otheres achhiu te ondzerrane vmbe alle riuchte wendar
 otherwise has she to answer to because all legal things

‘Apart from that she has to answer for all legal matters.’ (likewise EmsigerR. IV,2) Similar:

as in example (18). In the second case, the subject holds a *continue relation*. Let us now consider more instances of unstressed pronouns in the middle-field.

3.4. *man* as subject in the middle-field

The indefinite pronoun *man* is an example of the kind of pronouns mentioned above. It includes singular and plural concepts and ranges from the own self to the whole humanity (Gallmann 2005, 327). Regarding information structure, *man* is inferable, even if it causes a *rough shift*. It is used generically at all times. Cf.:

(19) EmsigerR. II III,10

thermithe scel ma helpa tha erma alsa tha rika, tha vnethele alsa tha ethela,
 therewith shall one help the poor as the rich the ignoble as the noble
wande alle liude ewen ethele sind andere boc
 because all people even noble are after=the book
 ‘with it shall one help the poor like the rich, the ignoble like the noble, for all humans are
 equally noble before the (churchly law-)book’

The extraposed dative object is tripartite and therefore a heavy element. It is followed by a causal clause in the post-field¹⁹.

(c) EmsigerR. II III,2

Otheres ach se te ondertene umbe alle riuchte wender.

But genitival causal adverbials are positioned within the verbal bracket:

(d) EmsigerR. VIII,8

and ne mey ma there dede nanene withe biada.
 and not may one this deed none relics offer
 ‚and one must not offer because of this deed (oaths of innocence on) the relics.’ (alike
 EmsigerR. IV,7)

19 *ma* is unstressed especially in the context of negation:

(a) BrokmerR. § 123 (= Rq. § 133)

and hir ne mot ma nanene monne there hals vrthingia
 and here not must one none man the neck sentence
 ‘and here it is not allowed to sentence a man to death by hanging.’

Or in combination with the negation intensifier *naut* ‘not at all’:

As (20) shows, third person personal pronouns can follow *ma*:

(20) EmsigerR. I,12

| | | | | | | | | | |
|-------------|-------------------|-------------|--------------------|------------------|-----------------------|-------------|-------------|------------|------------------|
| <i>Ac</i> | <i>ach</i> | <i>ma</i> | <i>hine</i> | <i>te</i> | <i>suerane</i> | <i>vmbe</i> | <i>alle</i> | <i>tha</i> | <i>lametha</i> , |
| also | has | one | him | to | swear | because | all | the | lameness |
| <i>ther</i> | <i>vppa</i> | <i>thet</i> | <i>thrimene</i> | <i>lif</i> | <i>falleth</i> | | | | |
| that | of | the | third | wer | gild | amount | | | |

‘One also has to swear it due to all paralysis, which amounts to one third of the wergild’

Hence, the position of unstressed pronouns in Old Frisian seems to be directly after finite verbs of complex predicates – a Wackernagel position.

3.5. The Wackernagel position in the middle-field

Old Frisian has a double set of third-person personal pronouns²⁰: *he*, *hi* (Old English *he*) and an inflected enclitic *-er*; cf. *hīt = hī + it*. Cliticization is common in Old Frisian.

In the following example from the creative act, God and Adam are meant:

(b) BrokmerR. § 144 (= Rq. § 152)

| | | | | | | |
|------------|-------------|-----------|-------------------|-----------|--------------|-------------------|
| <i>and</i> | <i>naut</i> | <i>ne</i> | <i>mot</i> | <i>ma</i> | <i>bethe</i> | <i>dua</i> |
| and | not at all | not | must | one | both | do |

‘but one must not do both (things at once)’

The rhythm is certain here: *náut ne mót ma béthe dùa*.

Similar:

(c) BrokmerR. § 15 b (= Rq. § 25)

| | | | | | | | |
|----------------|-----------------------|--------------------|---------------|--------------|--------------------------|-----------------------|---------------------------|
| <i>Sa</i> | <i>ne</i> | <i>skel</i> | <i>mar</i> | <i>naut</i> | <i>aweinima</i> , | <i>naut</i> | <i>aweidrega</i> , |
| so | not | shall | one | not at all | take away | not at all | carry away |
| ... <i>hir</i> | <i>ne</i> | <i>skel</i> | <i>ma</i> | <i>nenne</i> | <i>walla</i> | <i>demma</i> , | <i>nenne</i> |
| here | not | shall | one | none | well | dam | none |
| <i>werf</i> | <i>delwa</i> , | <i>nen</i> | <i>holt</i> , | <i>nenne</i> | <i>fecht</i> | <i>vphawa</i> | |
| terp | dig out | none | wood | none | fruit | cut off | |

‘Then it is not allowed to take or carry away anything; ... here no well is to be filled up, no terp to be dug out, no wood (and) no crop is to be cut off.’

20 A twofold set of pronouns is only found with the third person, but not with the first or second person.

(21) EmsigerR. IV,21

and tha blerem on thene helga om
 and there blew=he=him into the holy breath
 ‘and there He blew into him the holy breath’

r- in *blerem* stands for enclitic *-er* ‘he’ and *-em* for ‘him’ versus the full forms *he* and *him*. The pronouns refer to unique entities.

Compare also with the subject *-e* ‘he’ and reference to a generic noun:

(22) EmsigerR. V,4

firer ne aghe²¹ vmbe tha claghe a nene ondzere stonda.
 further not needs=he because of the charge of none swearing oneself free insist
 ‘further he does not need to insist to swear himself free under oath concerning this charge.’

The enclisis can go so far that a pronoun in the middle-field is eliminated completely when referring to a previous noun. Through this *pro-drop* the middle-field seems to be empty. The reference of the noun in (23) is generic:

(23) EmsigerR. 16 I

(23)(a) *Thine fiaeth agen tha frowa to suerane and therto thre withetha, alder ma him betygath dernfias, alsa hia afine stol urtygath,*

(23)(b) *and ther skel wesa bi achta mercum thet lereste.*
 and there shall be by eight mark at least

‘The women have to pledge an oath concerning movable property, as well as three oaths on the relics, in case they are accused of concealment of moveable property when they leave the marital status, and it [the disputable property] should be worth at least eight marks.’

The pronoun *it* in the English translation refers to the second element of the compound *dernfias* ‘of movable property’.

If compared with the pronouns with initial *h*, *hit* ‘it’ is not found in the position directly after the verb, when a pronominal subject precedes. In (24) *ik* is generically used like German *man*:

21 Cf. for subordinate clauses:

HunsingoerR. IX,2

... thruch thet thette bi sinre wiue slepa mei
 through that that=he by his wife sleep may
 ‘... therefore, because he is [still] allowed to sleep by his wife’

(24) HunsingoerR. III,5

bi thiu mot ik hit halda mit tuam dedethem uter strid
 therefore may I it keep with two oaths of deed without duel
 ‘therefore I am allowed to keep it [the property] without (judicial) duel with two oaths of deed (oath of hardening)’

Likewise, reflexive pronouns appear behind the pronominal subject in the middle-field. In (25) a generic noun is the antecedent:

(25) EmsigerR. IV 17

sane thorf hi him vmbe theth god firer nanen ondsere stonda
 so=not needs he himself regarding the property further none accountability give
 ‘then he does not need to give further account concerning this property’

3.6. Wackernagel particles in the middle-field

Since Old Frisian apparently has a Wackernagel position, it is to be examined whether there are more Wackernagel elements besides the pronouns. For this purpose, we take a look at the situative adverb *ther*. In (26) it appears behind the subject *ma* ‘one’:

(26) EmsigerR. 37

Abeil, insepta ne ach ma ther naweth
 heightened scars lowered scars not has one there not at all
on the scriwane, sa theth age is ele blind.
on thereby to list if the eye is completely blind
 ‘Thereby, heightened (or) lowered scars are not to be listed (as liable for penitence), if the eye is completely blind.’²²

22 The focal accusative object occupies the pre-field; the middle-field is taken by the indefinite pronoun *ma*, the situative adverb *ther*, the negation intensifier *naweth*, and the situative adverb *on the,thereby*. A conditional clause is following. Situative *ther* may appear alone in the middle-field as well:

EmsigerR. II,6

and warth ther eleid ande lagad with thet thua
 and was there determined and designated against the two
ande sogentech punda tua ande soghentech skillinga Rednathes slachta
 and seventy pound two and seventy shillings Rethnath coining
 ‘and (it) was there determined and designated instead of seventy-two pounds seventy-two shilling from the cachet of Rethnath.’ (cf. HunsingoerR. II,2)

In addition, the enclitic counterpart to stressed *ther*, *-er* functions as a Wackernagel particle. Cf. with generic noun:

(27) BrokmerR. § 142 (= Rq. § 150)

- (27)(a) *Sa ne moter nanen vnierich bren tivga . . .*
 so not may=there none underage child be witness
- (27)(b) *and vmbe epene dadelis seca ne moter*
 and a apparent slaughter dispute not may=there
vnder tha forma nen mon tivga
 under the first no man be witness

‘Thus no underage child must be witness . . . and in a dispute about apparent manslaughter no one from the first (degree of kinship) must be witness.’

-er in this case appears once before a negated noun phrase and once before a prepositional phrase²³.

thenne ‘then’, on the contrary, is no Wackernagel particle. Compare with a *specific indefinite* as subject²⁴:

(28) BrokmerR. § 19 (= Rq. § 33)

- Sa skelin tha thre thenne dom a hond nima and*
 so shall the three then sentence in hand take and
skiriane, hweder hi enne riuthne dom deled hebbe sa haut
 reassess whether he a rightful sentence granted has or not

‘Thus shall the three (other Redjeves) then carry out the judgment and reassess whether he (the Redjeve) has found a sentence according to the law or not.’²⁵

23 See also:

EmsigerR. VIII 37

Ac ne moter nanen Fresa thene Saxa bihinderia
 also not may=there none Frisian the Saxon hinder

‘Additionally, no Frisian may hinder a Saxon . . .’

24 *Specific indefinites* are assumed when “quantifying over a pre-established or contextually inferable set” occurs (Portner / Yabushita 2001, 272; see also Lazard 1984, 282).

25 The subject *tha thre* ‘the three’ correlates in the case of a charge against a Redjeve with the other Redjeves present and is hence inferable. The temporal adverb *thenne* ‘then’, the object *dom* ‘judgment’, and, belonging to *nima*, the prepositional noun *a hond* are following.

thervmbe ‘therefore’ is not a Wackernagel particle either, as the placement in the middle-field behind a pronominal subject referring to a generic noun shows:

(29) BrokmerR. § 32 (= Rq. § 45 a)

ist eclagad, sa skel hi thervmbe geia.
 is sued so shall he therefore penance pay
 ‘has it [the matter] been filed, he therefore shall pay penance.’²⁶

3.7. The order of Wackernagel particle and nominal subject

Hence, Wackernagel’s Law also applies to the Old Frisian middle-field if there is a nominal subject expression.

(30) EmsigerR. II,6

(30)(a) *and thet pund schel wesen bi soghen agripineske pennengem, truch thet Colnaburch het bi alde tidem Agrippina alle noma;*

(30)(b) *ta was us thiu mente te fir and thi penning thi sweer*
 there was us the mint too far and the penny too heavy
 ‘and the pound shall be at seven agrippinic pennies (because Cologne was called Agrippina in old times); there we thought the mint too far away and the penny too heavy.’

The canonical referring subject *thiu mente* ‘the mint’ follows the unstressed pronoun *us* ‘us’²⁷. The facts described refer to earlier times.

3.8. Scrambling in the middle-field in Old Frisian?

Scrambling of arguments across arguments, i.e. scrambling proper, does not occur in the Old Frisian main clause if a conditional or causal adjunct appears in the pre-field. In this respect Old Frisian behaves like German, which does not allow permutation of arguments. Furthermore, evidence for focus-scrambling

26 Even *vmbe* alone is not a Wackernagel particle:

BrokmerR. § 144 (= Rq. § 152)

efter skel mar vmbe bonna ieftha baria ieftha gabbia
 after shall one therefore summon before court or sue or uproar
 ‘therefore, afterwards one shall summon before court or file a suit or raise clamor’

27 In the context *thiu mente* is inferable. It is a *rough shift*.

is not documented either. However, it remains to be examined whether scrambling of adverbials appears. Therefore, the given examples with situative (*th*)*er* are to be compared with the basic positions of single adverbials²⁸ assumed by Frey and Pittner (1998; 1999)²⁹; these positions result from their dependency on the arguments and the finite verb³⁰. Compare the following asymmetric c-command relations:

- (I) frame and area adverbials c-command the basic position of sentence adverbials
- (II) sentence adverbials c-command the finite verb and the basic position of event-related adverbials
- (III) event-related adverbials c-command the basic position of the argument highest in rank
- (IV) event-internal adverbials are c-commanded minimally (regarding the other arguments) by their 'antecedents'
- (V) process-related adverbials c-command the predicate complex to a minimum

While, according to Frey and Pittner, there are no determined basic orders between adverbials belonging to the same class, but potential order preferences are semantically determined, there is a fixed order determined by syntax between adverbials belonging to different classes. In German this order can be changed on the surface by scrambling.

Looking into the relevant Old Frisian examples already mentioned, in (26) and (27) (*th*)*er* is in each case an *event-related situative adverbial*.

28 On the order of arguments see Lenerz (1977).

29 For scrambling in German, Frey and Pittner follow Haider (1993), who connects scrambling with linking. According to Haider, the linking-license, when scrambling appears, is assigned in a different position than the projection-license, whereas the linking-scope equals the government-scope of the verb. In German this area is the whole middle-field. An adverbial must be semantically assigned to a process, an event, a proposition, or the like. However, the semantic core of a process, an event, or a proposition is the verbal complex. Thus, in regard to adverbials, linking means the assignment to a certain verbal complex. Since every adverbial has inherent semantics assigning it to a specific class of adverbials, a basic position can be ascribed to an adverbial based on the semantic class affiliation.

30 On the opinion of Cinque (1999) that adverbials feature a fixed order defined by the syntax (similar Alexiadou 1994), see Frey / Pittner (1998).

(26) EmsigerR. 37

Abeil, insep̃ta ne ach ma ther naweth
 heightened scars lowered scars not has one there not at all
on the scriwane, sa theth age is ele blind
 thereby to list if the eye is completely blind
 ‘Thereby, heightened (or) lowered scars are not to be listed (as liable for penitence),
 if the eye is completely blind’

(27) BrokmerR. § 142 (= Rq. § 150)

(27)(a) *Sa ne moter nanen vnierich bren tivga ...*
 so not may=there none underage child be witness

(27)(b) *and vmbe epene dadelis seca ne moter*
 and a apparent slaughter dispute not may=there
vnder tha forma nen mon tivga
 under the first no man be witness

‘Thus no underage child must be witness ... and in a dispute about apparent
 manslaughter no one from the first (degree of kinship) must be witness.’

Assuming that situative adverbials behave like local adverbials, the base position of those adverbials is, according to Frey and Pittner (1998; 1999), between the base position of the subject and the object of a transitive verb – see in contrast the pragmatically marked sentence:

(31) *weil im Görlitzer Park, Eva t₁ den Grill aufgebaut hat*
 lit: because in the Görlitzer Park, Eva t₁ the barbecue put up has

Therefore, one might suppose that the position of (*th*)*er* immediately after the finite verb is a result of scrambling.

4. Parallels for the complementary distribution of Wackernagel particles and adverbs in Old English and Old Saxon

However, a comparison with corresponding examples from the Old English and Old Saxon alliterative poetry shows that there is a complementary distribution of stressed adverbs behind subjects in the middle-field and unstressed adverbs in the Wackernagel position. In this regard it is helpful to take a look at the statistics Suzuki (2009) has compiled for Beowulf:

(32) Stress and distribution of short adverbs

‘Clause-early’ adverbs are those preceded by no stress except for a finite verb while ‘clause-late’ adverbs are preceded by at least one stress other than the finite verb if any. The numbers in the parentheses of the ‘clause-early stressed’ adverbs in the third column refer to those that are followed only by a finite verb in the same clause and thus may also be interpreted as ‘clause-late’. ‘Clause-late’ adverbs are consistently stressed.

| Adverbs | Clause-early | | Clause-late | Total |
|----------------------------|--------------|----------|-------------|-------|
| | Unstressed | Stressed | | |
| <i>pā</i> ,then‘ | 192 | 6 | 1 | 199 |
| <i>pær</i> ,there‘ | 70 | 3 (2) | 8 | 81 |
| <i>ær</i> ,before‘ | 11 | 14 (8) | 17 | 42 |
| <i>þonne</i> ,then‘ | 20 | 0 | 1 | 21 |
| <i>nū</i> ,now‘ | 30 | 1 (1) | 2 | 33 |
| <i>swā</i> ,so‘ | 28 | 0 | 8 | 36 |
| <i>siððan</i> ,afterwards‘ | 4 | 8 | 8 | 20 |
| <i>swylce</i> ,also‘ | 14 | 0 | 1 | 15 |
| Total | 369 | 32 | 46 | 447 |

This table, surely, contains examples where short adverbs such as *pær* appear in the positions that Frey and Pittner have identified as basic positions for German, i.e. in the middle-field behind the subject. In this position, however, *pær* is stressed, while clause-early *pær* is generally unstressed. Compare an Old Saxon example with unstressed *thar* in the middle-field, behind the finite verb and in front of the subject:

(33) Heliand 503

Tho quam thar oc en uuif gangan
 then came there also a woman go

‘Then, a woman came there, too’ (Petrova 2006)

And with stressed *thar* following a dative of possession or the subject respectively:

(34) Heliand 3527

faðmos uuerðad mi thar gefastnod; filu scal ik thar [githoloian]
 arms were me there bound much shall I there endure

‘my arms were [lit. me] then bound, much shall I endure there’

Hence, the Old Frisian complementary distribution of unstressed enclitic *-er* in the Wackernagel position in the middle-field and stressed *ther* after the subject has a counterpart in other West Germanic languages. This distribution is caused by prosody and thus does not prove scrambling of adverbials in the middle-field.

5. Comparison with the middle-field of the Old English legal language

5.1. Brace construction

In Old English, similar to German, there is also a brace construction in main clauses if the subject is not sentence-initial:

(35) *ÆHom.17,116*

for þæs wintres cyle nolde se asolcena erian
for the winter cold would not the loafer plow

'due to the cold of the winter the loafer did not want to plow' (Kemenade 1991–1993, 82)

(36) *Chronicle Anno 894*

þā ne mehte sēo fird hīe nā hindan offaran
then not could the army them not from behind overtake

'then the army could not overtake them from behind' (McLaughlin 1983, 69; Mitchell 1985; 1985a; cf. Traugott 1972)

While in embedded clauses the first position is always occupied by the subject, in main clauses the first constituent can be a constituent other than the subject.

5.2. The situation in the Old English legal texts

5.2.1. Conditional structures

Unlike the examples from Old Frisian given above, where the first position in the main clause is filled by a causal or conditional adverb, this position in Old English legal texts is taken by a conditional clause. In that case a correlate and the finite verb appear in second position within the main clause. Cf. (37):

(37) Æthelstan, London 11 (182)

Gif eower hwilc forgyrneleasad 7 me hyran nelle ... þonne beo se
 if of you one is negligent and me obey not want then be this
gerefa buton his folgode 7 buton minum freondscipe ...
 steward from his office and from my friendship

'If one of you is negligent and does not want to obey me ... then be such a steward [expelled] of his office and my friendship. . .'

5.2.2. Subjunctive vs. modal verb

A middle-field containing a subject, as in the Old Frisian examples, is rarely attested in the Old English legal language. That is because instructions are not marked with modal verbs meaning 'shall' or 'must' + infinitive but with the subjunctive I in prescriptive function. Cf. (38) with subject pro-drop:

(38) Ælfred H 18 (33)

Gif hwa on ceaste eacniende wif gewerde, bete
 if one in scuffle pregnant woman harms expiate
þone æwyrðlan, swa him demeras gereccan.
 the damage as him judge allot

'If someone harms a pregnant woman during a scuffle, he shall expiate the damage as the judges allot him.'

5.2.3. Omitted infinitive

We also have examples where infinitives are omitted if a modal adverb appears:

(39) Ælfred H 23 (35)

Gif se hlaford ðonne wiste, þæt se oxa hnitol wære, 7 hine healdan nolde,
 if the lord then knew that the ox rutting were and him keep not wanted
syllle him oþerne oxan fore 7 hæbbe him eal þæt flæsc.
 shall him other ox for it and keep for himself all the meat

'If the [first] lord knew, that the ox were rutting, and he did not want to keep him, then he (give) him [the other] another ox instead and keep for himself all the meat [of the rutting one].'

5.3. Subject in the middle-field

However, if there is a middle-field, there may be a pronominal subject. In (40) und (41) there is a *continuing topic* referring to a generic noun.

(40) Ine 63

Gyf gesiðcund man fare, ðonne mot he habban his gerefan
 if noble man withdraw then may he have his steward
mid him 7 his smið 7 his cildfestrān.
 with him and his smith and his fostress

Si homo sīpcundus abeat (transmigret), liceat ei habere prepositum suum (socios suos) secum et fabrum et nutricem suam.

'If a noble man withdraws [from the fief], then he is allowed to take his steward, his smith, and his fostress with him.'

(41) Æthelstan, London 8

Gif we þonne aslaciad þæs friðes 7 þæs weddes, þe we seald habbað
 if we then slacken the peace and the promise that we given have
 7 se cyng us beboden hafað, þonne mage we wēnan oððe georne witan,
 and the king us bade has then may we expect or rather know
 þæt þas þeofas willað rīxian gýta swyðor, þonne hig ær dydon
 that the thieves will dominate even stronger as they before did

'If we slacken from this peace and the promise we made and which the king commanded us, then we can expect or rather know, that the thieves will have the upper hand even more than they already had before.'

A nominal subject, on the contrary, appears in (42) after the pronominal object in the Wackernagel position³¹. The pronominal object is in a *retain relation*:

(42) Ine 74,1

Gyf he ðonne ceap nelle foresyllan, þ[onne] mot hine se hlaford gefreogan
 if he then price not want give for then may him the lord release

Si hoc captale nolit pro eo dare, tunc dominus eius liberum faciat eum

'If he, however, does not want to give this price for [him], then the lord may release him'

The occupation of the Wackernagel position is probably again due to prosody. A case of adverbial scrambling is just as little present as in Old Frisian.

31 About the position of such elements see Schallert (2006, 170).

6. Conclusions

After examining the function and position of the subject in the Old Frisian middle-field, we can give answers to the questions from the beginning:

1. Subject shift is clearly marked in Old Frisian legal texts, contrary to Old Latin.
2. Old Frisian has a verbal brace construction. If the subject is in the middle-field, it is always inferable, it usually holds a *continuing relation*; a *retain relation* is less common. *Rough shift* can be found with *ma(r)* 'one'.
3. The subject position is behind the finite verb in the middle-field unless Wackernagel elements precede when the subject is nominal.
4. Elements in late positions ('exbraciation') are also attested, especially when they consist of larger accumulations. This is explained as right-adjunction to IP.
5. Expressions referring to individuals within the discourse are rare in legal language. There are references to unique elements, God, Adam, and, when reference is made to a past event, to individual objects. Even the personal pronouns *ik* and *thu* are used generically like *ma(n)*. Generic expressions in *continue* and *retain relations* are resumed through pronominal subjects.
6. Prosodic principles are important in the Old Frisian middle-field. Thus, the middle-field may consist only of unstressed or enclitic pronouns. If *subject drop* happens, it always refers to a familiar topic by means of no phonological substance. Hence, the elements predominately signaling *aboutness* and *givenness* in Old Frisian are represented iconically; they are, so to say, 'squeezed' in between the parts of the predicate or even nonexistent.
7. Contrary to German, there is no scrambling in the Old Frisian middle-field. Neither arguments nor adverbials are scrambled. The complementary distribution of enclitic *-er* after the finite verb in the middle-field and stressed *ther* after the subject is again a result of prosody. This has parallels in other Ingvaemonic languages as Old English and Old Saxon.
8. The Old English legal language shows a behavior similar to Old Frisian in so far as there is a verbal bracket, and the middle-field can contain the subject. It is preceded by the Wackernagel position which can be filled by an unstressed pronoun.

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