

ÄLDRE AND YNGRE VÄSTGÖTALAGEN – SOME LINGUISTIC EVIDENCE

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ABSTRACT. The article studies two of the oldest Swedish texts, the legal codices from the province of Västergötland, *Äldre Västgöotalagen* (ÄVL), dated at 1225 and *Yngre Västgöotalagen* (YVL), dated at ca 1280. The younger of the texts is a continuation of the older one and includes several additions. The texts are compared with particular respect to the nominal categories – the developing definiteness and the declining case. In particular, the definite forms are studied in much detail. The results confirm an earlier hypothesis that the younger text is based on a copy of the older one different from the one in our possession today. Also, it substantiates the claim that this missing original was more archaic than the one surviving today.

1. INTRODUCTION

In historical linguistics the most common problem is often lack of data. The oldest stages of a given language's development are only sparsely represented, rendering much of linguistic study speculative. That is also the case of the Swedish language. The first longer documents in Swedish date from the 13th century and are almost exclusively legal prose. From the so-called classical Old Swedish period (1225–1375) the literature comprises mainly of legal codices, representing different provinces (e.g. Östergötland: *Östgöotalagen*). The texts, though to a large extent conspicuously similar to each other, which suggests a common source for all, nevertheless represent different provinces at a time where no central linguistic standard existed. Therefore, though studied in detail, they have often been treated with scepticism. It is conceivable that as representing different dialects they may be more informative of dialectal than diachronic variation.

There is, however, one exception to this onerous shortcoming of the oldest legal material, namely the province of Västergötland, boasting two codices, the older and the younger one. The older, dated at 1225, is preserved to this day in a copy of the original manuscript, from ca 1280. The younger codex, dated at 1290, is preserved in a copy from 1350.

The older codex, *Äldre Västgöotalagen* (ÄVL), is the oldest text written in the Swedish language in Latin alphabet. Linguistically, it is also the most ancient one. The younger codex, *Yngre Västgöotalagen* (YVL), is longer in respect to the number of words (over 26000 as against ca 15000 in ÄVL), but many parts of the younger text coincide with the older one – much of the text was apparently copied directly from the older codex. However, some modifications do occur, either in the form of reformulations, other grammatical structures and additions.

The aim of the present article is to compare these two representatives of the *västgöta* dialect in the 13th and the 14th century and study in detail some of the linguistic differences between them. Since they were both produced within the same territory, no dialectal bias can be claimed.

A number of linguistic changes are supposed to have taken place in the period of the writing down of the laws, mainly within the nominal inflection. A new category is emerging, namely definiteness and its rise can indeed be observed in the texts studied (despite a certain reservation that the legal genre is not particularly rich in definite phrases even in Modern Swedish). Here a comparison of the old and new layers of the YVL will be of great interest. A second major change is the undermining of the case system, which some century later is almost entirely wiped out of the language. Here the observations are not as spectacular but some tendencies can be traced, mainly within the pronominal paradigm. Finally, the constituent order within the noun phrase shows a surprising variation and quite a few discrepancies from ÄVL in the continuation layer of YVL.

As the focus of the present study is on the NP, the examples are glossed showing nominal morphology but disregarding the verbal morphology. Unless the meaning is obvious from the glosses, the examples are also translated into English. By each example its location in the text is given, corresponding to the system of reference applicable to both the modern edition by Schlyter & Collin and to the modern translation by Holmbäck & Wessén. An overview of the abbreviations is given in table 1 (part 3. ÄVL vs. YVL – a statistical comparison).

2. THE MANUSCRIPTS

ÄVL is preserved in a single manuscript, now at the Royal Library (*Kungliga biblioteket*) in Stockholm, B 59. The manuscript itself is a collection of shorter parts of text. The first part has originally comprised 48 pages, of which only 47 re-

main. The first part contains the text of ÄVL, complete but for the missing page. The first codex, *Kyrkobalken* (the church codex), is incomplete – it finishes with

- (1) þa scal þét .j. kyrkiu. gard gravæ {oc arf...} (ÄVL KB:1)
 then shall it in church-GEN yard-ACC bury and inheritance-ACC
 'It (the child) shall then be buried in the churchyard and inherit'

The last two words are only barely visible. Comparison with YVL suggests the missing page must have begun with the word *taka* 'take'. The context is clear: only a christened child could claim inheritance and if the child died after being christened it still died an heir (thus *och arf taka* 'and inheritance take'). On the other hand a non-christened child could never inherit as it was, in the view of the church, a pagan.

B 59 is a copy of an older codex which belonged to the cathedral in Skara. Apart from B 59 there is a short fragment of ÄVL preserved in the Royal Library (B 193, obtained 1862 courtesy of the Norwegian riksarkivet). It contains only two pages and has been studied extensively by von Friesen (*Vår äldsta handskrift på fornsvenska* 1904).

The text of YVL can be found in manuscript B 58 at the Royal Library in Stockholm. The manuscript is 124 pages long; two sections, namely *Kyrkobalken* (The church codex) and *Såramålsbalken* (Injuries codex) are missing from it, but have been preserved in other manuscripts (B 6, B 10, B 20, B 35, J 76) and in modern editions are supplied thence. Apart from YVL, B 58 also comprises *Bjärbökarätten* and a letter in Latin, concerning a meeting in Tälje (the letter can be found in the modern edition of *Svenskt Diplomatarium*, SD 3973). All texts are written in the same hand and as the letter is dated at 1345 it is reasonable to suppose the manuscript to have been written down around this date.

Both manuscripts have been edited and published by Schlyter and Collin in their edition of Old Swedish legal texts (1827). A modern translation to Swedish with comments is available from Holmbäck & Wessén (1979).

3. ÄVL VS YVL – A STATISTICAL COMPARISON

YVL is a continuation of ÄVL. The younger codex displaced the older one, but there are large parts of it that are identical or nearly identical to the older law. Roughly, the text may be thus divided into 'continuation' parts and 'innovation' parts. The section that has been revised most is *Kyrkobalken*, where a number of additions were made (Holmbäck & Wessén 1979:xliv).

A continuation part is either text that is exactly identical, apart from spelling, in ÄVL and YVL, or one that has been only moderately modified, by addition of a few words, change of constituent order, 'correction' of the indefinite to the definite form etc. Examples are given below, of identical text (1ab)

and of text with minor changes (2ab). Discrepancies between the texts are marked in bold; underlined are the fragments added in YVL.

- (2a) Brænder up kirkya þa skal prester böta. þrer markær. prester skal wardæ framlyvsum. oc þen baklyvsum er tænder. (ÄVL KB:8)
- (2b) Brænder up kirkia. tha skal præster böta thre marker præster skal uartha framlyvsum. oc þæn baklyvsum ær tænder. (YVL KB:14)
burns up church-NOM then shall priest-NOM pay three marks-ACC priest-NOM shall care forelights-DAT and he backlights-DAT who lits
 ‘If a church burns up then the priest shall pay a fine of three marks. The priest is responsible for the lights in front (near the altar); for the lights in the back (of the church) he who lit them.’
- (3a) Landbor sculu eigh. houodtiundæ gæræ **mer en enu sinni**. vten þer uili eller at þer falli .i. houod syndir. (ÄVL KB:4)
citizens-NOM shall not tithe-ACC do more than one-DAT time-DAT unless they want or that they fall in cardinal sins-ACC
 ‘Citizens should not pay the tithes more than once unless they wish to or they sin gravely.’
- (3b) Landboar skula ey optare houothtinda göra **wt. meer æn entima** vtan **tha** uilia. ælla **the** falla i houoth synd i thy are kirkia uighis a. (YVL KB:6)
citizens-NOM shall not more-often tithe-ACC do out more than onetime unless they want or they fall in cardinal sin-ACC in this-DAT year-DAT church-NOM was-consecrated on
 ‘Citizens should not pay the tithes more often than once unless they wish to or they sin gravely within the year of church’s consecration.’

An innovation part on the other hand is a fragment missing entirely in ÄVL or a heavily ‘revised’ ÄVL text, where over 50% is a later addition. Long passages of e.g. *Kyrkobalken* and *Tjuvabalken* are added in YVL, below (4ab) an example of a ‘revised’ text is given. Both passages concern legal representation of a child unable to represent itself.

- (4a) þæn skal. mæþ barni bæna næmpna. þy ær skyldastér a fæþærni Haur kona barn .i. knæ. þa skal hun bana næmpna. (ÄVL aM:1)
he shall with child-DAT accused name it-DAT is closest on father-side has woman-NOM child-ACC in knee-DAT then shall she accused name
 ‘He who is closest to the child on the father’s side shall speak for the child. If the woman has a child (toddler) she shall represent it.’
- (4b) Hauer konæ barn .i. knæ. þa skal þen skyldæste meþ barneno a feþerne nempne giuæ æn eig er barn sialft til. æptir mælæ fört. (YVL DB:2)
has woman-NOM child-ACC in knee-ACC then shall the closest with child-DAT on father-side name-ACC give if not is child-NOM self to accusation able
 ‘If a woman has a child (toddler) than the closest relation on its father’s side shall represent it if the child is unable to sue.’

The text is different as to its legal implications as well; major changes are after all a means of finding a better law rather than reformulating it in a more

satisfactory language. The linguistic discrepancies are therefore, naturally, secondary.

There is a significant difference in length between the two codices; ÄVL is about 15000 words long, whereas YVL well over 26000. Also, in YVL each section is preceded by a detailed content list. A more detailed comparison of the length of each of the texts is given in the table below. It is also specified there how much of the older text can be found unchanged or with minor discrepancies (see above, continuation) in YVL and how much is a new material (innovation). The numbers do not include the content list before each section of the codex, as those are repeated almost word by word in the text itself.

Table 1.

ÄVL codex	Length in words	YVL codex	YVL continuation Length in words	YVL innovation Length in words
Kyrkobalken (KB)	1308	Kyrkobalken (KB)	1227	2863
Om mandråp (aM)	1525	Dråparebalken (DB)	1656	355
Balken om sårsmål (SB)	494	–	–	–
Om vådasår (VS)	317	Balken om vådasår (VS)	155	45
Slagsmålsbalken (BB)	447	Fredsalken (FB)	301	130
Urbotamål (UB)	222	Urbotamål (UB)	58	636
Ärvdabalken (ÄB)	1901	Ärvdabalken (ÄB)	2002	454
Giftermålsbalken (GB)	986	Giftermålsbalken (GB)	899	386
Rättlösabalken (RB)	1383	Rättlösabalken (RB)	1479	416
Jordabalken (IB)	2142	Jordabalken (IB)	2247	429
Huru kvam skall byggas (My)	312	Kvarnbalken (My)	339	55
Tjuvabalken (þB)	2233	Tjuvabalken (þB)	2388	1417
Förnämessaker (FS)	546	Utgärdabalken (GrB)	628	770
Förnämesbalken (FB)	684	Förnämesbalken (FsB)	463	1728
Lekarerrätten	113	–	–	–
(Konongs balkar)	138	–	–	–
(Hur tinglot skall skiptas)	253	–	–	–

The two last sections of ÄVL, given in brackets, are most probably a later addition (see e.g. Larm 1936). The linguistic form is certainly more modern than in the rest of the text. They lack parallel in YVL, as well as *Lekarerrätten*.

4. THE CATEGORY OF DEFINITENESS IN ÄVL AND YVL

In ÄVL, only a handful of definite forms are to be found. Larm (1936) comes up with a list of 24. In one instance there is a discrepancy between the edition he used for excerption and the one by Schlyter, where no definite form is found. He reads *wärdit* (Larm 1936:24) where no definite form in the Collin & Schlyter edition has been found. A double check against the manuscript confirms that the text should read as follows:

- (5) Konæ sæl iorþ sinæ ællær maþær laggær eig .i. bo. köpir sæ iorþ aþræ. þæt ær þæs þerræ ær **iorþæ wærþi. atti.** (ÄVL IB:4)
Woman-NOM sells mark own or man-NOM, places not in estate-ACC, buys self-DAT mark other, it is it-GEN they-GEN which mark-GEN worth-ACC owned
 'If a wife or a husband sells her or his own land and does not put the purchase sum into their common estate, and buys some other land, then it (the purchase sum) belongs to that of them who owned it.'

Larm does not include the definite forms in the last part of ÄVL. Their number (9, which is about a third part of all definite forms in ÄVL) makes it reasonable to suppose, as Larm does, that the paragraph is younger and should not be treated on a par with the rest of the text.

A problematic form is the widely discussed *arwumn* (ÄVL ÄB:24).

- (6) þa skal þæn ær bol a gialda **arwumn.** (ÄVL ÄB:24)
then shall he who estate-ACC owns pay heirs-DAT?

This form has been a subject of speculations. Among others Pipping (1910–15), Sjöros (1914–22) complete the form to *arvunum*, dative plural. This is the Old Norse variant (*fornvästnordisk*), otherwise not found in Old Swedish, so this interpretation is quite unlikely, as observed by Larm (1936:24f.), who offers no other explanation of the form, however. YVL has a clearly singular form in a corresponding place:

- (7) þa skal þæn ær bol a giældæ **aruænum** (YVL ÄB:33)
then shall he who estate-ACC owns pay heir-DAT

According to Cederschiöld (1898:5) the form should rather be read *arwanum*, a singular like in YVL. His reading is not without foundation as Schlyter and Collin (1827:589) note that the string *umn* may just as well be read *num*. Such interpretation seems more satisfactory as it creates no precedent for an otherwise unaccounted form.

In comparison with ÄVL, YVL is richer in the definite forms, even in nominal terms: there are 184 definite forms (in the text only, excluding the content lists preceding each section). As was to be expected, they are unevenly spread among the older and the newer layer of the text: 59 in the continuation of ÄVL (13843 words) and 125, more than twice as much, in the rest (9950 words).

The parts differ thus quite significantly with respect to the category of definiteness. There are passages in the innovation parts where the definite article appears in all contexts where it would be required in the modern text, e.g.

- (8) Nu dör **præstin** sithan uintrugher ær sather, vm **hösten** tha skal þæn præstir æptir komber **rughin** hafua. oc gifui **arfuanom** frölön fore. (YVL KB:73)

Now dies priest-NOM-DEF since winterseed-NOM is sown in autumn-DEF then shall this priest-NOM after comes seed-DEF have and give heir-DAT-DEF part for
 ‘If the priest dies after the winterseeds have been sown in the autumn, then the priest who comes after (takes over the parish) shall have the seed and give part of it to the heir.’

The distribution of the definite suffix among different numbers, genders and cases is shown in table 2 below.

Table 2

ÄVL				YVL			
gender	case	number		gender	case	number	
		sg	pl			sg	pl
M	Nom	6	–	M	Nom	37	3
	Gen	2	–		Gen	14	–
	Dat	2	–		Dat	24	2
	Acc	4	–		Acc	20	1
F	Nom	2	–	F	Nom	10	–
	Gen	–	–		Gen	3	–
	Dat	2	–		Dat	27	–
	Acc	2	–		Acc	20	–
N	Nom	–	–	N	Nom	3	–
	Gen	–	–		Gen	1	–
	Dat	1	1		Dat	9	–
	Acc	1	–		Acc	8	2
total		22	1			176	8
			23				184
Nom (m/f + n)	8 + 0			Nom (m/f + n)	47 + 3		
Gen (m/f + n)	2 + 0			Gen (m/f + n)	18 + 0		
Dat (m/f + n)	5 + 1			Dat (m/f + n)	60 + 2		
Acc (m/f + n)	7 + 0			Acc (m/f + n)	46 + 3		

There are very few definite forms in ÄVL and only one in plural. The spread among different genders and cases is more even, with a preference for masculine nouns and the nominative case.

An analysis of the definite forms in YVL reveals that though there is a considerable rise in their number as compared with ÄVL, their distribution is quite similar. Plural definite forms still occur only sporadically. Out of a total of 184 noted definite forms, only 6 are in the plural. In itself, it need not be anything out of the ordinary, as one could always search for explanation lying in the nature of the text, the plural form occurring there more rarely, either definite or indefinite. However, it has been observed in other studies (Stähle 1980, Skrzypek 2005) that the plural definite suffix does appear later than the singular one.

Partly it might be the length of the form that lead to the omission of the definite suffix – in the case of the plural definite dative, which should read e.g. *mannomenom* (from the noun *man*), the full form is noted only rarely, and there is a simplified standard used instead, in the above case *mannomen* (note that in the West Nordic standard this particular form was also simplified yielding *mannumin*). Even this shortened form, however, disappears earlier than other definite dative forms, see particularly Stähle 1980.

Within the singular, the largest discrepancy is between the masculine nouns on the one hand and feminine and neutral ones on the other. The only possible competition offered is at a first glance the feminine definite dative; however, 17 out of the noted 27 instances are those of the noun *nämpd* ‘jury’. The noun seems to have nearly lexicalized in its definite form, as it almost always appears with the definite suffix, e.g.

- (9) þa skal hun væriæ sik mæþ siu mannum af **næmpðinne**. (YVL GB:6)
then shall she defend self-ACC with seven men-DAT of jury-DEF-DAT
 ‘She shall then defend her case with seven men of the jury.’

The distribution of the definite suffix among the cases is much more uniform than among the genders; however, the genitive is represented by fewer examples than other cases.

As mentioned above, the innovation parts are richer in definite suffix than the continuation parts. However, even in the continuation parts the use of the suffix is more frequent than in ÄVL. In 19 instances the older text has been ‘corrected’ and a definite form put instead of the original indefinite, e.g.

- (10a) þa skal þæn ær **sak** ær givin. væriæ. sik mæþ tolf mannum (ÄVL RB:9)
Then shall he whom case-NOM is given defend self-ACC with twelve men-DAT
- (10b) þa þen sum **sakin** ær giuin. væri sik mæþ tolf mannum (YVL RB:20)
Then he whom case-DEF-NOM is given defend self-ACC with twelve men-DAT
 ‘Then the accused shall defend himself with twelve witnesses.’
- (11a) Ganger prester .i. sokn annars prests ber .i. bok ok stol ok læs iuir folké. þa ær han sakar. at marchum. þrim. gialdi tolf öræ . biscupi. ok tolf öræ **presti**. (ÄVL KB:16)
goes priest-NOM in parish-ACC other-GEN priest-GEN carries in book-ACC and stool-ACC and reads over people-DAT then is he guilty to marks-DAT three-DAT pays twelve öre-ACC bishop-DAT and twelve öre priest-DAT

- (11b) Ganger præster i annars sokn. oc bær i bok ok stool oc læs iuer folke. þa ær han sæker at thrim markum. böte **præstinum**. XII. öra oc sua biscupi (YVL KB:35)
goes priest-NOM in other-GEN parish-ACC and carries in book-ACC and stool-ACC and reads over people-DAT then is he guilty to three-DAT marks-DAT priest-DAT-DEF-DAT pays twelve öre-ACC and likewise bishop-DAT
 'If one priest enters another's parish carrying a stool and a book and preaches for the people there, he shall be fined at three marks, twelve öre to the bishop and twelve to the priest whose parish he entered.'

However, not all instances are equally clear and predictable. In six cases, surprisingly enough, it is the older text that had a definite form, which in the younger has been substituted for an indefinite one.

- (12a) Varþær suþerman dræpin allær ænskær maþær. þa skal böta firi marchum fiurum. þem **sakinæ** sökir. ok tvar. marchar konongi (ÄVL aM:5)
Be southerner-NOM killed or Englishman-NOM then shall pay for marks-DAT four-DAT he-DAT case-DEF-ACC seeks and two-ACC marks-NOM king-DAT
 'If a German is killed or an Englishman, a fine of four marks shall be paid to the one who sues and two marks to the king.'
- (12b) Dræper maþer suþerman ællær ænskæn alzman. ok ymuman. böte niu marker þem **sak** söke. tuar kononge (YVL DB:15)
kills man-NOM southerner-ACC or English-ACC Ålandsman-ACC and Umeåman-ACC pay nine marks-ACC he-DAT case-ACC seeks two king-DAT
 'If a man kills a German, an Englishman, a man from Åland or Umeå (interpretation uncertain, after Schlyter) he shall pay nine marks to the one who sues and two to the king.'

The remaining examples of indefinite form in YVL and definite in ÄVL are listed below:

- (13a) takær af þriþiung af **bono** (ÄVL ÄB:5)
- (13b) taker af sin þriþiung af **bo** (YVL ÄB:7)
- (14a) Dræpær maþær þrél manss. böte firi markum þrem. num han ulti han fiughurræ markæ værdan. þa skal sva böta ængin a. þær sak a vtæn **saksökæn**. (ÄVL aM:5)
- (14b) Dræper maþer þræl manz. böte firi þre marker. num han þore swæriae han fiughræ markæ værþan varæ. þa böte swa. þær a huarte sak a bonde æller bryti vtan **sak söke** en. (YVL DB:16)
- (15a) siþan skal þén lot æptir ær skiptæ .i. þry. takar en lot **saksökæn**. annæn konongær þriþia haræþ (ÄVL BB:7)
- (15b) þa skal þæn halfning sum æptir ær .j. þri skiptæ. taker en lot **saksöki** (YVL FB:11)
- (16a) þa skal **bondin** vald eghæ sa ær sak giuær at takæ bötær firi skapæ sin (ÄVL þB:5)
- (16b) þa skal **bonde** vald aghæ þen ær sak giuer at takæ böter firi skapa sin (YVL þB:30)
- (17a) **Svnnudaghin** þæn ær næst ær æptir martens mæssu dagh. at qvældi þa æru mungæts tibir lagh taknær. (ÄVL GB:9)
- (17b) **Sinno ðagh** þen sum nest ær æptir martins messu dagh at quelðæ. þa æru mungaz tiber allar laghtaknær (YVL GB:15)

Such ‘corrections’ are unexpected and difficult to explain (all instances have been checked against the manuscript to ensure there is no mistake in the edition). One may argue that since the definiteness is only partly formed, there may be some confusion as to when to use the definite form and a great amount of uncertainty may follow. However, such an explanation is less than satisfactory, since one would expect not putting in a definite article in a context already lacking it, but not removing an existing one.

We have to be aware of the fact that the manuscripts at hand are all copies of earlier texts. With each copying they were in all likelihood to some extent revised, also linguistically. This is how YVL is different from ÄVL in the first place. It is further more than likely that the manuscript in B 58 (YVL) is not a copy of the manuscript in B 59 (ÄVL) but of some other version of the text, in all likelihood an older one, as ÄVL fell out of use around 1280 and was replaced by YVL. Since B 59 is dated at 1280 it is most probably one of the very last copies of the text.

If we take YVL such as available to us today to be a copy of a version older than B 59, we may further assume that in the older copy the definite suffix was even less frequent than in the later one. It follows that in those particular 6 instances there was no definite suffix in ÄVL and the form has not been ‘corrected’ in YVL. Indeed, a number of other discrepancies between the two texts may suggest YVL to be a copy of another version of ÄVL (see also 6. Conclusions).

5. OTHER DISCREPANCIES BETWEEN ÄVL AND YVL

The rise of the number of definite instances is the most spectacular linguistic change from ÄVL to YVL. Other potential candidates for revision are case system and the pronominal system, perhaps even word order.

Both the case system and the pronominal system remain pretty stable. Occasional discrepancies are of the following types:

- a prepositional phrase is used instead of a non-governed, adjoined form (or, in two instances, the opposite)
- another case ending is chosen, e.g. genitive instead of dative
- acc-forms of demonstrative pronoun spread to nom-contexts (*þen* replaces *sa*)

Other changes involve the use of different preposition and changes in constituent order within the nominal phrase.

Exchanging adjoined forms for prepositional phrases concerns particularly the non-governed datives. Most of those cases are constituted by the same example, the verb *bo* ‘to live’ which can no longer appear with its object but takes a prepositional object instead.

- (18a) *öri firi lægher. staþ allum frælsuð mannun* (ÄVL KB:15)
öre for burying-place-ACC all-DAT saved-DAT men-DAT
 ‘Öre for the burying place for all christian men.’

- (18b) öre at leghorstath. **fore alla mæn** (YVL KB:31)
öre to burying-place-ACC for all-ACC men-ACC
 ‘Öre for the burying place for all men.’
- (19a) þa ma iak eigh boa **hanni**. at gusz rætti. (ÄVL GB:7)
then may I not live she-DAT at god-GEN law-DAT
 ‘Thus I may not live with her within God’s law.’
- (19b) ma iak eig bo **mep henni** at guz rette (YVL GB:14)
may I not live with she-DAT at god-GEN law-DAT
 ‘I may not live with her within God’s law.’

The changes within the pronominal system involve the original nominative masculine demonstrative pronoun, *sa*, which is being substituted by the originally accusative *þen*. *Sa* is a rather archaic form, mainly found in Runic inscriptions, though even there it can be exchanged for *þen*.

- (20a) bonde skal værþe **sa** ær sæl. þræl (ÄVL þB:19)
Peasant-NOM shall care this-NOM who sells slave-ACC
 ‘The seller is responsible for the slave.’
- (20b) bonde skal varþæ. **þen** ær sæl þrel (YVL þB:54)
Peasant-NOM shall care this-ACC/NOM who sells slave-ACC
 ‘The seller is responsible for the slave.’

Other changes involve the extension of originally accusative *sik* ‘self’ to the dative contexts, where it gains ground over *sær*, as does *mik* ‘I-ACC’ over *mær* ‘I-DAT’ and *þik* ‘you-ACC’ over *þær* ‘you-DAT’.

- (21a) Givær bondé **sær** sialvær sak (ÄVL GB:7)
gives peasant-NOM refl.pron.-DAT self-NOM case
 ‘If a man accuses himself.’
- (21b) Giuer maþer **sik** siæluer sak. (YVL GB:14)
gives peasant-NOM refl.pron.-ACC self-NOM case
 ‘If a man accuses himself.’
- (22a) at iak gaf þær slikæ sak sum. þu giuær nu **mær**. (ÄVL VS:4)
that I gave you-DAT such case-ACC as you give now I-DAT
 ‘That I accused you of what you now accuse me of.’
- (22b) æn iak gaui þer slikæ sak sum þu giuir nu **mik** (YVL VS:12)
if I gave you-DAT such case-ACC as you give now I-ACC
 ‘If I accused you of what you now accuse me of.’

In the plural, the archaic nominative form *þæn* is substituted by the accusative *þe*, as in the following examples (identical with (2a) and (2b), glossed and translated above):

- (23a) Landbor sculu eigh. houodtiundæ gæræ mer en enu sinni. vten **þer** uili. eller at **þer** falli .i. houod syndir (ÄVL KB:4)
- (23b) Landboar skula ey optare houothtinda göra wt. meer æn entima vtan **the** uilia. ælla **the** falla i houoth synd (YVL KB:6)

5.1. EXCHANGE OF A PREPOSITION

There is nothing conclusive in the use of prepositions, as all that appeared in ÄVL can be found in YVL as well, perhaps with change in frequency, quite often in slightly different contexts. What is interesting is the fact that the prepositions seem to be substituted for one another in rather haphazard manner, and only seldom is there a change in the case form of their object.

5.2. CONSTITUENT ORDER

There is a considerable amount of variation of the constituent order both on phrasal and clausal level in both texts. Even if there may seem to exist a preference for one rather than the other, it is by no means certain that one order could be termed dominant.

A comparison of the ÄVL text and continuation part of YVL reveals that order of the NP:s constituents was changed in several places, but the results are disappointingly obscure. E.g. the order noun + possessive pronoun is as common as poss. + noun in both texts. Discrepancies may involve a change from one to the other without any preference for any in YVL. Compare examples (21ab) and (22ab) below:

- (24a) þa skal prester **lik hans** uighia (ÄVL KB:18)
then shall priest-NOM body-ACC his consecrate
- (24b) þa skal præster **hans lik** uigia (YVL KB:42)
then shall priest-NOM his body-ACC consecrate
- (25a) Dör han i klostré. þa ær kloster **hans arui** (ÄVL ÄB:9)
dies he in monastery-ACC then is monastery-NOM his heir-NOM
- (25b) Dör han i klostre. þa ær kloster **aruæ hans.** (YVL ÄB:13)
dies he in monastery-ACC then is monastery-NOM heir-NOM his
 ‘If he dies in the monastery, than the monastery is his heir.’

A much more consistent pattern is revealed by the gen.attr. + noun order.

- (26a) han skal við banorði ganga æghi síþæn **friþ dax** ok nattær til skogs (ÄVL aM:14)
he shall by accusation-DAT go owns then peace-ACC day-GEN and night-GEN to wood-GEN
- (26b) han skal við þæ bana orþe gange. æghi síþæn **ðags friþ** ok natær til skogs. (YVL DB:28)
he shall by accusation-DAT go owns then day-GEN peace-ACC and night-GEN to wood-GEN
 ‘He shall confess the deed; he deserves then to be left in peace for one day and one night in the woods.’
- (27a) Byggir han ut a **mark byær** gærþi um kring sik sialuær (ÄVL IB:13)
builds he out on mark-ACC village-GEN fences around refl.pron. self-NOM

- (27b) Bygger han vt a **byær mark**. giærþi vm kringh sik siælfuer. (YVL IB:31)
builds he out on village-GEN mark-ACC fences around refl.pron. self-NOM
 ‘If he builds (expands) onto the land owned by the village, he puts his fences himself.’

Also the order numeral noun shows a more consistent development:

- (28a) Brännæ **mæn tver** inni. (ÄVL ÄB:13)
burn men-NOM two-NOM inside
- (28b) Brännæ **tuer mæn** inni (YVL ÄB:16)
burn two-NOM men-NOM inside
 ‘If two men are burned inside (a building)’

In the light of the modern Swedish constituent order in NP the following ‘corrections’ are more surprising:

- (29a) at han a **þæn grip** ok þu iki (ÄVL þB:13)
that he owns this-ACC horse-ACC and you not
- (29b) at han a **grip þæn**. ok hin ikki (YVL þB:47)
that he owns horse-ACC this-ACC and that not
 ‘That he owns this horse and not you.’

For all of the above examples it is to be said that they represent a marginal part of the overall numbers; the constituent order within the NP was rather free in both ÄVL and YVL and the disparate cases of correction may only be exceptional. In fact, even in the innovation part of YVL the order cannot be said to be firmly formed.

6. CONCLUSION

The study of the definite forms, constituent order within the NP and the usage of case forms and prepositions in ÄVL and YVL shows that although the differences between the two texts may not be dramatic, they are difficult to explain if YVL is based on the text of ÄVL preserved in B 59. As Holmbäck & Wessén (1979) put it, from a number of discrepancies between the copy in B 58 and B 59 to judge, its (YVL’s) original was different from the text of ÄVL preserved in B 59 (Holmbäck & Wessén 1979:xliii). The clearest evidence of this is the use of indefinite forms in YVL where the older text has definite ones.

It is conceivable that with every rewriting the text was being slightly changed: it certainly is true of its legal contents, as Holmbäck & Wessén emphasise: the codex was not a fully-fledged, stabilized law, but was under formulation as new rules were taken up. Since revision concerning the contents of the codex was possible there is no reason to doubt that even a linguistic one might have taken place. Therefore one may assume that the six instances of a definite form in B 59 but indefinite in B 58 may result from the fact that B 58

is a revision of a text which had indefinite forms in those particular paragraphs. There is no evidence of any systematic change in the use of the definite suffix that could initiate such a peculiar 'correction'. At least, no new definite system seems to have arisen between ÄVL and YVL. It is also to be noted that ÄVL in B 59 is a relatively late copy of a manuscript most probably dated at 1220s (the fragment found in manuscript B 139, see above). It is more than natural to expect a rise in definite forms by then. Therefore, YVL in B 58 should in all likelihood be a copy of an earlier manuscript.

A number of other discrepancies validate this view as well, such as an apparently free variation in the prepositional usage or non-conclusive changes in the word order in nominal phrases. The only systematically applied innovation in YVL is the use of accusative forms *þæn* and *þe* instead of the nominative *sa* and *þær* in the pronominal paradigm. At this point the distance between the two texts seems longest.

It can therefore be concluded that the paragraphs that are only almost identical with ÄVL may in fact be exactly identical with a different, lost copy of ÄVL.

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