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## Book Review

Merjä KYTÖ, Peter J. GRUND and Terry WALKER. *Testifying to Language and Life in Early Modern England*. Amsterdam/Philadelphia: John Benjamins, 2011. ISBN: 978-90-272-1180-4. Hardback + CD-ROM.

by Stephan Giuliani

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Usability and technical refinement of digital resources for historical linguistic research have improved significantly over the past two decades. *Testifying to Language and Life in Early Modern England* represents a valuable contribution to this development by focussing on the thriving research on depositions<sup>1</sup>. This volume is based on a research project<sup>2</sup> that has produced a collection of 905 digitised court depositions from 30 manuscript collections published as *An Electronic Text Edition of Depositions 1560-1760* (ETED)<sup>3</sup>. The book has the character of a handbook, both presenting the manifold research possibilities of ETED and extensively discussing the recurring difficulties and limitations encountered in historical linguistic research. The authors also pay due care to the historical and legal context indispensable for this type of research. While on the one hand, the main focus is indeed placed on ETED, it is on the other hand also possible to gain practical methodological insights into historical linguistics in general.

In chapter 1 (1-14), the authors rightly pay particular attention to the criteria by which the depositions in the archives have been selected for ETED. These criteria, including time (four sub-periods between 1560-1760), region (East, North, West, South, London), both criminal and ecclesiastical courts and the occurrence of direct speech, aim to provide a great variety of depositions. In addition, the authors include depositions on various types of crimes (defamation, murder, theft, etc.) and deponents with different social backgrounds. It has also been decided to include only depositions written in English, as a substantial amount of depositions in the archives was written in Latin.

<sup>1</sup> See ARCHER (2005, 2011), RAY (2009), WRIGHT (2000) and *The Proceedings of the Old Bailey* (<http://www.oldbaileyonline.org/>)

<sup>2</sup> The project was launched at Uppsala University in 2005. The project members working on the compilation of the electronic edition are also the authors of this book. Each chapter has been written by one author, except for chapters 1, 2, 7 and 9 (conclusion) which have been authored by two or three members.

<sup>3</sup> A CD-ROM with *An Electronic Text Edition of Depositions 1560-1760* (ETED) is included in the book.

Digital editions undoubtedly facilitate historical linguistic research and make these resources available to a larger audience<sup>4</sup>. Specially designed software, such as the *ETED Presenter* included on the CD-ROM in this volume, not only increases the manageability of large quantities of data, but also offers a range of tools to perform targeted queries in the corpus in a short period of time. However, such digital resources may have been edited for scholarly interests (normalization of linguistic features, production of a hybrid text based on different manuscripts, etc.) which do not have «linguistic research in mind» (7). Following the trend to return to «faithful representations of the texts as they appear in the manuscripts as material for research» (7), the authors successfully set out to create a much-needed «linguistic edition» (2, 7) of this particular text type – despite the need of certain unavoidable editorial decisions due to technical limitations.

The choice to focus on depositions in their corpus is motivated by the authors' conclusion that «[this] genre [...] has attracted increasing scholarly interest and yet has been hitherto relatively inaccessible to researchers» (2). In fact, the depositions contained in *ETED* allow new insights into the life and language of the Early Modern English society, as well as into the procedures in both types of courts. The authors integrate extracts of these depositions into their running text, thus allowing the reader to obtain a more concrete picture of their argument.

Dealing with witness depositions, the authors also stress the importance of these materials for the study of spoken language in past contexts. Historical pragmatics has indeed gained ground in historical research<sup>5</sup>, resulting in an increasing interest in those text types with a high degree of 'spokenness'<sup>6</sup>. The retrieval of direct quotations in the depositions constitutes a complex task due to the five possible discourse levels in the corpus. The depositions naturally contain messages from the deponent to the scribe, but may also include quotations from conversations among both involved and even uninvolved persons; these messages were then put on paper by the scribe, handed over to the court, finally processed by the editors and made available to the public. Considering the sketchy evidence and the irregular presence of these discourse levels, their disentanglement represents the crucial obstacle for a pragmatic evaluation and promises room for diverse debate.

Chapter 2 (15-56), 'Genre characteristics', faces the ubiquitous problem of temporal, spatial and linguistic distance that historical studies encounter. By means of the term 'deposition' and other related terms such 'information', 'examination' and 'testimony', the authors illustrate how the modern concept of 'a deposition' does not necessarily coincide with both the meaning and range of application of the term 'deposition' in the 16<sup>th</sup>-18<sup>th</sup> centuries. The materials in *ETED* are taken from both criminal and ecclesiastical courts – a wise decision related to both form and content that allows significant conclusions since the different sources include comparable structures. The structure of the depositions from either of these courts follows a standard pattern, including information about the court, the deponent and the testimony. Quite unsurprisingly, though, this structure has also not been consistently applied by all scribes.

<sup>4</sup> For a survey of electronic resources for historical research see KYTÖ (2010). NEVALAINEN and TRAUOGOTT (2012) include contributions based on electronic resources.

<sup>5</sup> See JUCKER and TAAVITSAINEN (2010). MAZZON and FODDE (2012) offer more specific case studies.

<sup>6</sup> KOCH and ÖSTERREICHER (1985) propose various criteria for the classification of texts according to their «communicative distance» and «communicative immediacy». In contrast, CULPEPER and KYTÖ (2010) present a scope-oriented model with three partially overlapping groups of texts (speech-like, speech-based, speech-purposed).

Chapter 3 (57-100) presents a comprehensive overview on the historical context from 1560-1760, ranging from the Elizabethan religious settlement, to the Civil War, Restoration and the Glorious Revolution. Extracts from the depositions illustrate the most frequent charges during these historical landmark events and expose the harsh living conditions of the English population in the 16<sup>th</sup>–18<sup>th</sup> century, including poverty, hunger and plagues. The absence of any documentation from ecclesiastical courts during Cromwell's regime is due to the abolition of this type of court from 1646-1660. Special attention has been paid to the social and economic background of the informants in ETED. The metadata added in ETED provides information on sex, age, occupation of the deponent, and also on the type of the court, its location and the date it was recorded. The tables show for example that the majority of the deponents had a lower social status (tradesman, farmer, servant) and that women made up about a third of all deponents. The author rightly suggests ETED as a valuable source for research on these extra-linguistic features in the Early Modern English society.

Chapter 4 (101-146) adds another facet to this book by introducing the legal background against which the trials in ETED were held. The differentiation between criminal and ecclesiastical courts is further explored on the procedural level, which has a direct impact on the structure and language of the depositions. The author also investigates the types of trials held in both courts: while criminal courts mainly dealt with 'worldly' charges (theft, robbery), ecclesiastical courts were aptly referred to as 'bawdy courts' (130), as charges of moral and religious offences were processed there.

Chapter 5 (147-180) sheds light on the multifaceted, but neglected role of the scribe in ETED. The author himself refers to this approach as «anachronistic and to some extent out of place» (152) if considered against the background of the juridical system of the Early Modern English period. While investigating the role of the scribe «certainly has justification» (152) for modern linguistics in the 21<sup>st</sup> century, it is less surprising that no information on the identity of the scribes – whose sole task consisted in putting on paper what was said in court – was collected more than three centuries ago. Unfortunately, the occurrence of clearly identifiable scribal interventions is limited. Further information has to be inferred by the data available in the depositions – surely a well-known dilemma among historical linguists. In line with chapter 3, a well-arranged table is used to present all 194 scribal hands, including the name of the collection, the period it is assigned, the court type, the total number of hands in a collection and authorial comments. The author further analyses the hand's language, including handwriting, orthography, abbreviations and punctuation. With regard to orthography, it has become clear that despite the complexity of variation in Early Modern English, the individual scribe shows a relatively limited amount of variation. The decrease in time of systematic variation in general has been ascribed to the standardization of the English language, but it is questionable whether the evidence found in some manuscripts can be used for generalizations.

Chapter 6 (181-214) investigates the language of the depositions in ETED. Bearing in mind that only depositions with English as their base language are included, this chapter shows the occurrence and the «functional load» (181) of language mixture and code switching<sup>7</sup> with Latin. The lack of evidence for French terminology in ETED suggests that it was inexistent or only very little used in either type of courts – despite its unchallenged influence on legal terminology. By the 18<sup>th</sup> century, however, English had established itself as «the sole language of the law» (184) and Latin was officially banned from legal records. Prior to this piece of legislation, the two types of courts show

<sup>7</sup> Code switching, particularly in business and professional contexts, is itself a large field of historical research; see WRIGHT (1999) and SCHENDL and WRIGHT (2011).

differences in the use of Latin: criminal courts show a steady decline, while its use in ecclesiastical courts «remains healthy» (190) during the same time-span, despite a reduction for certain usages. Unfortunately, data for the latter type of court is only available until 1715, rendering a complete diachronic analysis impossible. Due to the unreliability of modern parameters for the classification of the occurrence of single words, the authors rely on information retrieved from the *OED*, admitting that many cases remain «problematic» (186). In all cases of a combined use of English and Latin, evidence points to an «institutional and professional» mixing rather than to a true bilingualism (214), as has already been claimed for earlier periods<sup>8</sup>.

In chapter 7 (215-246), the overall aim to produce a *linguistic* version of historical manuscripts is further illustrated by means of two case studies carried out in the 267,238 word corpus. First, the two authors discuss the personal pronouns *thou* and *you*, followed by an analysis of the past tense verb forms *was* and *were* in ETED. While the first study emphasises the usefulness of ETED for the study of features related to spoken language, the second case study is described as «rewarding» (233) on the grounds that depositions normally refer to events preceding the trial. With regard to the former, however, it remains uncertain whether all of these instances are free from scribal influence. The tables and graphs for the study on *thou* and *you* provide an overview on the results, but they also show that the lack of a complete set of data allows no comprehensive survey. As with many historical documents, scholars are indeed «at the mercy of the extant material» (4).

Chapter 8 (247-282) is designed as an overview on technical aspects of ETED and editorial principles. ETED is available in five distribution versions: XML, resolved XML, TXT, HTML and PDF. This aspect of user-friendliness allows for choosing the best format for different purposes, as for example on-screen reading and printing, as well as for analyses with electronic search tools. The CD-ROM includes additional software, the *ETED Presenter* developed by Raymond Hickey, to search the data. Its strengths are a clear layout, intuitive accessibility and a well-presented range of search tools. In addition, the author shows why and how certain editorial decisions have been made, especially on the typographical level, but also concerning the annotations and meta-information added to the files of the depositions. These technical details and the main editorial principles could have been included in one of the introductory chapters, thus allowing better accessibility of the manuscripts for the less experienced reader.

The glossary (289-322) constitutes a useful help while working on ETED. It contains legal terminology and other vocabulary related to the procedures and settings in ETED, some even unknown to the *OED*. The four sections of the appendix (323-335) contain word counts with various tables and graphs, a concise overview on the historical events between 1560 and 1760, an explanation of the assigned functions of hyphens in ETED and manuscript references.

Altogether, *Testifying to Language and Life in Early Modern England* can be highly recommended to an audience with both a (historical) linguistic, but also a more general historical focus. It clearly points out the differences between ETED as a linguistic collection of depositions, which pays particular attention to the linguistic features of the manuscripts, and other, more content-oriented collections. The authors amply illustrate the pivotal role of the historical and legal background and complement the relevant sections with extracts taken from ETED. Thus, the manuscripts are a constant feature throughout the entire book, keeping the focus on the data and showing how each aspect of the book – both linguistic and extra-linguistic – is related to the depositions. The

<sup>8</sup> See TROTTER (2000) and WRIGHT (1999).

chapters are presented in a coherent and easy-to-follow way, with the sole exception of chapter 8 which should be part of the introductory section of the book. The software included to search the materials in ETED is well-organised, user-friendly and provides a wide range of possible search tools. On the meta-level, the extensive methodological discussions triggered by the complexity of the material add a further merit to this volume, as they provide valuable insights into the genesis of ETED.

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Stephan Giuliani  
 University of Innsbruck  
[Stephan.Giuliani@uibk.ac.at](mailto:Stephan.Giuliani@uibk.ac.at)