

[0724] 'ENE ZIE BORCH THO BOUWENN...'

A new look at the *Pan-Frisian Dike Law* in light of a Low German Ommeland version*

Thomas S.B. Johnston

Summary

This article concerns the Pan-Frisian Dike Law, well known as one of the articles of Frisesk Riucht in the Old Frisian and Low German manuscripts from Riustringen. Another version of that Dike Law is found--in a completely different context--in three Low German manuscripts from the Ommelanden. The historical background of the text itself is discussed first. An initial characterization of the text is made with regard to its textual environment in the Riustring tradition. Findings from research on the early history of dike building along the Frisian littoral help to establish that the text likely stems from the first half of the 13th century and was written somewhere east of the Lauwers River. An analysis of some of the imagery in the text provides corroboration for these assumptions. The text can therefore be placed within the context of the early Pan-Frisian movement in the same area and period. Based on a comparison of certain elements from both the Pan-Frisian Dike Law and the Seventeen Statutes, it seems likely that the former text may once have functioned as a narrative embellishment to an earlier, regional version of the 10th Statute.

In the second half of this article, the hitherto unpublished recensions of the Low German Ommeland translation of the Pan-Frisian Dike Law are introduced and subsequently aligned and compared with both the Low German Riustring translation and the Old Frisian recension of the text found in R1. Differences in style between the Low German Riustring (paraphrastic) and Ommeland (literal, form-based) translations lead us to establish that the latter translation represents an Old Frisian original which is independent from that represented by both the Old Frisian and Low German recensions from Riustringen. This in turn makes it possible to call into

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question the traditional interpretations of some passages in the text which have been based, until now, solely on the Riustring sources.

I. Introduction

Tucked away among articles of *Frisesk Riucht*, within some of the manuscripts stemming from Riustringen in the easternmost corner of medieval Frisia, is an Old Frisian legal text concerning the sea dike. Over the years, this particular text of dike law has received considerable attention. Scholars like Grimm (1816) and Borchling (1908b) made liberal use of passages from that law in their works on the poetic element in early legal prose. The imagery found there is striking indeed. It tells, for example, how 'we Frisians ought to build a fortress against the sea, a golden hoop which will encompass all of Frisia'. Further on, it mentions how the Frisians must protect their land with three tools: 'with the spade, the barrow, and the fork' and defend it 'with sword and spear and with the brown shield against the steep helmet, the red shield, and unjust dominion.' For the medieval Frisians, threatened as much by flooding as by invading foreign armies, this text will have had a special significance.

All of the scholarship around this text, which I will be calling the *Pan-Frisian Dike Law*, has been based, until now, on two highly similar recensions: one in Old Frisian and the other in a Low German translation, both of which stem from the district of Riustringen, located near the Weser delta.¹ A variant version of the same text exists as well, however. It has come down to us in the form of a different Low German translation which has survived in manuscripts stemming from the so-called Ommelanden, that is to say the region between the Lauwers and the Ems rivers. I am familiar with three such manuscripts. In each of these Ommeland sources, the *Dike Law* text is split into two halves. A second, presumably more recent, text of dike law, known elsewhere as the *Hummerke Dijckrecht* (Humsterland Dike Law), has been inserted between them.²

1. The Old Frisian recension is found in the First Riustring Codex (R1). Cf. the editions of Buma 1961: 121-122 (diplomatic) and Buma and Ebel 1963: 90-91 (critical, with German translation). A photograph of the two pages in R1 which contain the dike law is found in Schmidt 1975: 40. The Low German Riustring recension is published by Borchling 1908a: 182.

2. It was in the course of my research on U.B. Groningen, MS. PE 12, the subject of my forthcoming dissertation, that I ran across these three other manuscripts. The text inserted between the two halves of the *Pan-Frisian Dike Law* in these other manuscripts occurs on its own in PE 12 (fols. 156r-156v), where it carries the title *Hummerke Dijckrecht*, i.e. the Dike Law of Humsterland, a district just east of the Lauwers River in the Western Quarter of the Ommelanden. See the edition of that text according to PE 12 in Von Richthofen 1840a: 364-365.

The existence of this variant, Low German Ommeland version of the *Pan-Frisian Dike Law* is reason enough for taking a new look at that old text itself. I will begin by examining the context in which the previously known, Riustring recensions of this *Dike Law* appear, so as to provide some insight into its background. A brief consideration of early dike construction and regulation along the North Sea coast will help us to place the text in a broader historical perspective, and so establish some parameters with regard to its probable age and provenance. A discussion of the political implications of some of its imagery will link it to the 'Pan-Frisian' initiatives of the 13th century. In particular, the resemblance between this text and the 10th of the *Seventeen Statutes* will be noted.

Following my discussion of the *Pan-Frisian Dike Law* itself, I will introduce the sources of the new version of the text and discuss their relation to each other. This Low German Ommeland version will then be compared with the hitherto known (Old Frisian and Low German Riustring) recensions. An alignment of the two Riustring and three Ommeland recensions will facilitate this discussion and enable readers to draw their own conclusions as to the value of the new version for the interpretation of this venerable text.

II. Background to the Text

The Context of the Dike Law in the Riustring Tradition: Frisesk Riucht

In both its Old Frisian and Low German Riustring recensions, the text of the *Dike Law* occurs as part of a larger group of miscellaneous stipulations or *Rechtssatzungen*. These are commonly referred to as articles of *Frisesk Riucht* (i.e. 'Frisian law'), as the majority of them are introduced as such. The Old Frisian First Riustring Codex (R1) contains two sets of these *Frisesk Riucht* articles. The *Dike Law* constitutes the 10th and final article of the first of those sets (X). Seven of the nine articles preceding it there are introduced by the sentence *Thet is ac frisesk riucht* ('This, too, is Frisian law'). All thirteen of the articles in the second set (XV) in R1 begin in virtually the same manner: *Thet is ak frisesk Riucht*.³

3. A similar collection of *Frisesk Riucht* articles is found in the younger, Second Old Frisian Riustring Manuscript (R2) as well. The first three of its eighteen articles are identical to the initial articles in the first group (X) in R1. Beyond that, however, the contents of the two collections are different. Only the articles 2-4 and 6-7 in R2 have been provided with a stereotypical preface, although the adjective *frisesk* is missing in the last two instances. According to Buma (1954: 30), the material in the collection in R2 is 'tamelijk heterogeen ... een bonte mengeling, waarin weinig lijn te ontdekken valt'.

The preface to the *Dike Law*, which reads *Thet is ac londriucht*, is rather idiosyncratic in this context.

The first group of these *Frisesk Riucht* articles in R1 is generally held to be older as its language is more archaic and poetic than that of the second set.⁴ The *Dike Law*, in particular, figures prominently in any rationale for this characterization. The combination of its antiquated style, its nonstandard prefatory sentence, and its unusual length in comparison to the rest of the *Frisesk Riucht* articles led Buma (1961: 39) to postulate that its link with that collection was more or less coincidental. If the two sets in R1 do indeed represent two different periods, such that their separation in that manuscript was not accidental, then it is not inconceivable that the *Dike Law* text was merely tacked on to the end of the older set.

One could also argue, on the other hand, that the division between the two sets is arbitrary in R1, and that they were united in other, no longer extant, Old Frisian manuscripts from Riustringen. There is sufficient evidence to assume the circulation of a large number of such manuscripts, highly similar to R1, in the 13th through the 15th centuries. One of these was eventually translated into Low German, thus becoming the model for several 16th century Low German Riustring manuscripts. The Old Frisian source from which all of these Low German Riustring manuscripts (LR) descend evidently shared nearly all of R1's faults in addition to having had some of its own. On the other hand, it clearly offered a more complete reading of many texts than R1 does, filling up some of the lacunae in the latter manuscript.⁵ Three of the LR manuscripts⁶ contain what amounts to a revised and expanded form of the *Frisesk Riucht* collection (compared to that in R1). All but two or three of the articles from both sets in R1 are present in this form, although in a thoroughly different sequence. It also contains some material not found in the corresponding collection in R1. The *Dike Law* constitutes the 17th of a total of 31 articles in the LR recension.

Virtually every article of the Low German Riustring translation of the *Frisesk Riucht* collection begins with the formula: *Dith is ock fresche recht*. Here, too, the clause introducing the *Dike Law* stands out, this time in terms of its length: *Dith is ock fresche recht vnd recht aller Fresen*. Only §16, the article immediately preceding the *Dike Law* in this LR collection, has a similarly expanded

4. Cf. Borchling 1908a: CXIII, but also Gosses 1957: 177-78, n. 5.

5. Cf. Borchling 1908a: CV-CVII and XC; also Buma 1961: 29-32.

6. These are the Low German Riustring manuscripts b, c, and d as labelled and described in Borchling 1908a. Of these, only MS. d is still extant today. Cf. Borchling 1908a and Gerbenzon 1975: 59-60. All three of these stem from the district of Wursten on the eastern shore of the Weser estuary.

introduction, ending with *...vnd landrecht aller Fresen*. Although §16 of the LR collection is not among the articles of the *Frisesk Riucht* collection in R1, it does occur elsewhere in that manuscript, namely, within the context of the *Twenty-four Land Laws* as *`een ongenummerde extravagante'*.⁷ There its introductory clause runs: *Thet is londriucht allera Frisona*. The same article is found in most of the other Old Frisian versions of the *Twenty-four Land Laws* as well, although its position within that text varies. Albeit with some hesitation, this article was clearly considered to be of the same ilk as those which constitute the *Seventeen Statutes* and the *Twenty-four Land Laws* proper.⁸ The unusual similarity between the introductory clauses this article carries and those of the *Dike Law*, both within R1 and in the LR manuscripts, may well indicate a similar status for the *Dike Law*.⁹ Further evidence for this assumption will be presented later on.

Little is known about the provenance of the Riustring *Frisesk Riucht* collection(s) in general. Borchling (1906: 27) noted that those articles contain nothing which would associate them specifically with the district of Riustringen. He nevertheless cautioned against the assumption that they should apply to the entire Frisian region (as the introductions to most of the component articles would imply), since they are not found in Old Frisian manuscripts stemming from other areas. Algra goes a step further in arguing that this collection was probably not native to Riustringen at all, but imported from elsewhere along the Frisian littoral.¹⁰ If we follow Algra's criterium that texts which mention the *asega* and/ or the *frana* must derive originally from west of the Lauwers (based on his theory that these officials functioned chiefly if not exclusively in that area), then at least three of the *Frisesk Riucht* articles in R1 will have been borrowed from that area.¹¹

Clearly, the *Dike Law* stands out among the other articles of *Frisesk Riucht*

7. Quote taken from Gosses 1957: 177, n. 4. The article in question is tacked onto the end of the 22nd of the *Twenty-four Land Laws*, following an iteration of the first of the *Seventeen Statutes* there. Cf. Algra (1991b: 456-59) on the affinity between the *Seventeen Statutes* §1 and the *Twenty-four Land Laws* §22, among other such pairs.

8. Cf. Algra (1991b: 414-16, and 445) who views this article as a later interpolation into the *Twenty-four Land Laws*, that is, after the tradition of 'twenty-four' had already been established.

9. Cf. Gosses 1957: 177, note 4. Earlier, the wording of the introductory clause to the *Dike Law* in R1 (*Thet is ac londriucht*) prompted Borchling (1908: CXIII) to propose that the *Frisesk Riucht* collection constituted nothing less than a continuation of the *Twenty-four Land Laws* and was thus intended to follow directly after that text (i.e. in an earlier manuscript).

10. Algra (1991b: 188): "Het ligt voor de hand dat de compiler, als hij uit een Riustringer bron geput had, zulks had vermeld, al was het alleen maar om het gezag van zijn tekst te vergroten."

11. See Algra 1991b: 216-222 and 255-263. One or both of these judicial officials are mentioned in §5 of the first set (X) in R1 and in §2 and §10 of the second set (XV). Algra (p.221, n.66) deals specifically with R1, X §5 and XV §10.

with which it appears in its Riustring tradition. Its connection to that collection of articles may not be authentic. Nevertheless, the possibility that at least some of the other *Frisesk Riucht* articles stem from the westernmost Frisian area raises the question as to whether or not the *Dike Law* could also have been borrowed from west of the Lauwers. The type of dike described in that text, as well as the imagery it contains, can provide us with some important indications about its provenance and age. A brief look at the findings of recent scholarship regarding the history of dike building in the Frisian coastal region will help us in that respect.¹²

Background on the Construction and Regulation of Dikes

The oldest codification of laws pertaining explicitly to the Frisian littoral is the *Lex Frisionum*, held to have been drawn up in 802. The fact that it contains no mention of dike construction or maintenance allows us to infer that dikes, if at all present around that time, were not yet important enough to merit special attention. On the other hand, there are also indications that the science of dike construction was not unknown in northern Europe even during the Roman era, both within and beyond the borders of the Roman Empire.¹³

In the 9th and 10th centuries, structures consisting of fortified walls surrounded by a moat were built along the coast of Flanders and Zeeland as places of refuge for the population in the event of Viking raids. Gottschalk (1985: 102) suggests that dike building might have begun as early as the 9th century in those areas, with the modification of such walls. Blok (1984: 6) argues that the same Viking invasions ultimately thwarted the earliest, Carolingian dike building initiatives. It was only after the political situation had become somewhat more stable in the 11th century that the construction of dikes could resume in earnest. The earliest evidence of dike building in the County of Holland dates from the second half, if not the end of the 11th century (Hallewas 1984: 25). In comparison to the situation in Flanders, Zeeland, and Holland, the construction of dikes further north along the coast, i.e. roughly the medieval Frisian territories, may have begun somewhat later as a consequence of the relatively high level of security offered by the terps in that region (Blok 1984: 2).

12. Except where an author is mentioned specifically, the information in the following sketch derives from the following studies: Blok 1984, Cock 1976, Fockema Andreae 1968, Gottschalk 1985, Hacquebord and Hempenius 1990, Hallewas 1984, Hofmeister 1984, Homeier 1969, Krämer 1984, Reinhardt 1984, Schmidt 1975, Siemens 1974.

13. Cf. e.g. Hacquebord and Hempenius 1990: 35-36.

The earliest dikes were by no means year-round defensive sea walls stretching great distances, but rather essentially local projects serving temporary ends. Throughout the Frisian littoral, dike building appears to have begun with simple, low earthen embankments extending from (often between) terps such that crops in the adjacent fields would be protected from summer flooding. The apparent necessity for such seasonal protection at a local level would seem to imply that there was as yet no defensive dike directly on the sea (Krämer 1984: 84). Islands in the marsh landscape were sometimes encircled by a dike which helped to secure or eventually win them for agricultural exploitation. The smaller (summer) dikes were gradually linked up with others of the same sort, forming longer lines which, in turn, encompassed larger areas. The outermost of these will have offered inadvertent year-round protection in some places. As such, they will have formed the basis for a continuous, defensive sea dike, one which was intended to seal the land permanently and hermetically from inundations of salt water. This type of dike, the *seburch*, represents the final and most advanced phase in the early history of dike building. It is this sort which is described in the *Dike Law*.

Remarks on the Age of the Dike Law

It is difficult to say exactly when this final stage was reached, since it was generally the result of a gradual development.¹⁴ Siemens (1974), referring specifically to the *seburch* mentioned in the *Dike Law* in R1, places its construction sometime around 1200. Reinhardt (1984: 35-37) even goes so far as to identify particular stretches of extant dike east of the Jade (in the former region of Riustringen) as being part of the original *seburch* mentioned in that text. He gives a broader estimation as to the time of its construction, namely sometime in the 13th century. Others (e.g. Homeier 1969, Schmidt 1975) have argued that this sort of dike could have been completed only towards the end of the 13th century.

It might well have been changes in the behavior of the sea itself, during the second half of the 12th century, which formed the impetus for the construction of a *seburch*. A major deluge opened up the Zuyder Zee in 1170. This disaster is generally held to be responsible for the development of a defensive 'ring dike' around West Friesland (in the current province of North Holland), a project

14. It should be noted in this regard that the sea dike around the northeastern part of Frisia west of the Lauwers (Eastergoa) is thought to have been built all at once, in contrast to the earlier, accumulative manner in which the sea dike came to be in the neighboring Westergoa. Cf. e.g. Rienks and Walther 1954: 20-21 and Huisman 1992: 40.

which was only finished in the mid-13th century at the earliest.¹⁵ A few years earlier, in February 1164, storms at sea caused the dikes in the district of Riustringen, such as they were, to burst. As a result, much of the land in the Jade basin disappeared permanently under sea water, and part of Riustringen was separated from the rest by a bay (Homeier 1969: 33, cf. Ey 1992: 36). The same storm also effected severe flooding in the Ommelanden, between the Lauwers and the Ems. That area was plagued by flooding throughout the first half of the 13th century as well, particularly in the years 1219-1222 (Wieringa 1946: 2).

If I am right in assuming that these catastrophic floods will have functioned as stimuli for the serious transformation of any existing stretches of humble summer embankments near the coast into a single, full-blown defensive fortification against the sea, then it may be possible to establish a time frame for the construction (to completion) of an actual *seburch* throughout the Frisian region. A relatively conservative estimate would be the period from 1165 until 1275. The *Dike Law*, which calls for the building of such a dike and institutes fundamental regulations regarding its upkeep, was presumably written sometime within this period. As a tentative *terminus post quem* we might therefore take the year 1165.

The oldest surviving copy of the *Dike Law* is the one in R1, although the original version certainly predates that manuscript. Not only is the form of the text in R1 defective (as will be discussed below), but the text was also present in other copies of the same compilation (the so-called *Asegabôk*), witness the LR tradition. We have seen, moreover, that the archaic language of the *Dike Law* has led scholars to conclude that it must be among the oldest components of that (original) manuscript compilation. Thus, while R1 itself is held to date from the shortly before 1300,¹⁶ the text compilation it reflects is certainly older. As a presumed elder component of that compilation, the *Dike Law* is no doubt (even substantially) older yet. Although it therefore seems safe to conclude that this text dates from no later than the first half of the 13th century, our concrete *terminus ante quem* (i.e. R1) is still no earlier than the late 13th century. This corresponds to the tail end of the period within which the sea dike will have been completed. Bearing this general time frame in mind, it is possible to make some conclusions about the possible provenance of the *Dike Law*. A characterization of the legislation regarding the sea dike in the different Frisian areas can assist us in this regard.

15. Gottschalk (1985: 105) argues that it was finished in the mid-13th century, while Hallewas (1984: 18ff) contends it was completed only in the early 14th century.

16. Cf. Buma 1961:28-32 and Buma and Ebel 1963: 13-17. The latter consider it probable that R1 itself dates from the last decades of the 13th century.

The Provenance of the Dike Law

The earliest references to dikes in Old Frisian laws which apply specifically to the area west of the Lauwers are found in the ('Elder' and 'Younger') *Skeltanariucht*.¹⁷ This text amounts to a collection of jurisprudence, mainly concerning the shrievalty. It is arranged in roughly chronological order, spanning the period from 1086 (the beginning of the *condominium* of that region by the Bishop of Utrecht and the Count of Holland) until the middle of the 13th century.¹⁸

In §2 of the 'Elder' *Skeltanariucht*, territorial limitations are established for the Frisians' obligations with regard to military service. The reason given for this is that they were needed at home in order to guard the *ouwer* ('shore,' 'embankment') against the *salta se* ('salty sea') and the *wilda witsing* (literally: 'wild Viking'). Although the word dike is not used here, it is possible that the *ouwer* refers to a sort of dike. In §18 of the same text, we find the word *ouwer* as well. There is no doubt that an actual dike is meant in this case, however:¹⁹ the Frisian is under orders (*bi banne*) to maintain the defensive dike against the salty sea, and sanctions are mentioned for negligence resulting in a burst. It is likely that this article was added to the collection at some point in the period 1212-1270.²⁰

The only article in the 'Elder' *Skeltanariucht* which actually uses the word 'dike' is §4. This article puts a ceiling on the Frisians' obligations with regard to the upkeep of dikes and roads, thus effectively curtailing the authority of the *grewa* (count) under whose orders the dike was to be maintained.²¹ Algra (1991a: 24) holds this article to be a later interpolation, however, which would decrease the value of this reference for our purposes. Of the three potential references to the dike in the 'Elder' *Skeltanariucht*, only two are unambiguous and neither of these appears to be among the oldest articles. Both of them mention a *ban* which, in the context of *Skeltanariucht*, is clearly a command from a higher, central

17. Edited most recently (with German translation) in Buma and Ebel 1977: 74-127 (III) and 206-239 (XIII), respectively.

18. The 'Elder' *Skeltanariucht* stems for the most part from the 12th century, although some of its contents may well be from before 1086 and others from the 13th century. Nearly all of the 'Younger' (part of the) *Skeltanariucht* stems from the 13th century. See Algra 1991a.

19. The captions added above this article in the Old Frisian manuscript Jus Municipale Frisonum (J) and incunabulum Druk (D) include the word 'dike'.

20. This also goes for §§ 19-21 (concerning sluices) and for §40 of the 'Younger' *Skeltanariucht*. See Algra 1991a: 20 and 23.

21. Cf. Fairbanks (1939: 124-25, IV) in reference to this article: 1) '(...) the right to require indefinitely large public works could be used for tyranny or punishment, and so has to be restrained.' And further: 2) '(...) This section is the only limitation in the Skeltana riucht on the governor's general authority.'

authority. The 'Younger' *Skeltanariucht* has seven articles which deal explicitly with dikes. The element of the *ban* is present in all of these as well; five of the seven use the formula *bannena dike* or *bannena seburch*. All of these were presumably added sometime in the 13th century.²²

According to our estimation, the period in which the defensive sea dike will have been built west of the Lauwers overlaps with that in which the *Skeltanariucht* was codified, i.e. during the regimes of the Bishops of Utrecht and/or the Counts of Holland. The earliest regulations regarding (sea) dikes in that area clearly reflect a political situation in which directives were issued by a sovereign, central administration. In matters concerning the dikes, then, the Frisian region west of the Lauwers was no different from Holland and Flanders (cf. Hofmeister 1984: 47). As a consequence, that area can safely be ruled out as a possible provenance for the *Dike Law*. The *seburch* mentioned there is not a *bannena seburch*, nor does the text contain any references to administrative officials representing any central authority.²³ Indeed, the declaration within the *Dike Law* that *wi frisa* must defend *use lond* against *thet unriuchte herskipi* ('we Frisians ... our land ... unjust dominion') seems to indicate the--precarious--absence of such an administration altogether.

It is the political situation of the Frisians to the east of the Lauwers, during the same period, which makes the area between the Lauwers and the Weser the natural candidate for the provenance of the *Dike Law*. By the time the systematic construction of a defensive sea dike had begun along the North Sea coast, the Frisians to the east of the Lauwers were effectively 'free' from any such central authority, the power of the various counts who had had claim to those districts having become negligible by the beginning of the 12th century (Gosses 1946: 351). The construction and upkeep of the sea dike in that region will therefore have had less of a 'totalitair karakter' (Fockema Andreae 1968: 183) than was the case in the regions west of the Lauwers and east of the Weser.²⁴ As with other legal

22. Algra (1991a: 23) does not discuss the age of §§ 14-16 of the 'Younger' *Skeltanariucht* but sets §§ 17-19 and 40 in the period of the *Hollânske hegemony* (1212-1270). Article 18 might yet be from an earlier period, although the evidence for this is not conclusive (cf. Algra 1991a: 18-19).

23. This is in contrast to what Blom (1863: 31-37) argued on this subject.

24. In parts of the Weser estuary and in that of the Elbe, dike construction appears to have been closely tied to reclamation and colonization efforts. In the 12th and 13th centuries, sovereigns such as the Duke of Saxony and the Bishop of Bremen saw both as instruments for expanding their political and economic influence. In some cases, certain concessions or privileges were granted to the inhabitants of the newly colonized areas, many of whom had come from Holland to help build the dikes (Hofmeister 1984). Frisians were also 'imported' as experts in dike building and management (cf. e.g. Fockema Andreae 1968: 184).

and administrative matters in that region, the regulation of dikes and sluices was the result of a co-operative effort at an essentially local level. Particularly between the Lauwers and the Ems, the building and maintenance of dikes gradually came under the supervision of local monasteries which would have had access to the necessary manpower and expertise.²⁵ One consequence of the more 'grassroots' legal situation in this area was the comparatively large number of codifications of local dike laws, each pertaining to a particular area (initially corresponding to a parish) adjacent to the sea dike.²⁶

The *Hummerke Dijckrecht*, mentioned in the Introduction, is certainly the most archaic if not the oldest of these *local* codifications from between the Lauwers and the Ems.²⁷ The district of Humsterland (Hugmerke, Hummerke) remained an island up until the 15th century. As such, it lay beyond the original *seburch* in that area but was certainly encompassed by its own defensive dike which will have dated from the same period.²⁸ Although the territory regulated by these laws was thus limited, the same text was evidently used in some of the neighboring districts as well. As we shall see, each of the Low German Ommeland recensions of the *Pan-Frisian Dike Law* is found in connection with this Humsterland text.

The Dike Law in a Pan-Frisian Context

The *Pan-Frisian Dike Law* is clearly not just another one of these local legal texts, however. It has the character of a manifesto in which the fundamentals of dike maintenance are laid down, albeit summarily,²⁹ and then not for just one

25. See e.g. Hacquebord and Hempenius (1990: 38-44), who discuss the sudden growth of monastic foundations in the Ommelanden between the end of the 12th and the early 13th century as a necessary condition for any eventual serious dike construction in that area. Cf. also Cock 1976: 603-609, Ehbrecht 1974: 123-24, and Fockema Andreae 1968: 186-87. With regard to Frisia west of the Lauwers, see Mol 1992.

26. Cf. e.g. Siemens 1974: 12 and Fockema Andreae 1968: 187-88.

27. The oldest dated text of dike laws is one pertaining to 't Zandt from 1295 (cf. the edition in Blok, *et al.* 1896: 134-35, nr. 195). This text has the typical form of a charter: the laws themselves are sandwiched in between an introductory paragraph and a conclusion in which the persons involved in the negotiations are mentioned as well as the date (and location) on which the agreement was settled and written up. In contrast, the *Hummerke Dijckrecht* lacks these more 'modern' formal characteristics. This fact, along with the archaic character of some of its stipulations (e.g. the article on 'spade-pitching' which outlines the procedure for relinquishing the ownership of a stretch of dike -- and the adjacent parcel of land -- when one is no longer capable of maintaining it) make it likely that these Humsterland laws are older than those of 't Zandt.

28. Cf. Feenstra 1988: 25, Siemens 1974: 9 and 33, and Rietema 1925: 201-03.

29. Winsemius (1947: 67-68, note 248) considers this text significant because it 'in zekere zin de grondwet van het dijkrecht behelst: genoemd worden, al is het niet overal even duidelijk, de algemene verplichting tot het dijkwerk, de bepaling, dat iedere roede gelijk aan de andere is, hetgeen wil zeggen, dat er geen verschil wordt gemaakt tussen goede en kwade dijken, dat zowel de aan zee grenzende als meer in het binnenland gelegen landerijen onderhoudsplichtig waren, een regeling van het recht tot aardhaling, het wegonderhoud en de dijkvrede.'

particular district but for the entire Frisian region: 'we Frisians ought to build a sea dike which will encompass the whole of Frisia like a golden band...'. The pretension that the text should be generally valid for all Frisians makes this set of dike laws a perfect example of a text which promotes the Pan-Frisian idea.³⁰

Algra (1991b: 237-278) has provided considerable evidence for his view that the late medieval construction of a Great and Free Frisia was conceived of in the region east of the Lauwers in order to provide some sort of legitimation for the rather extraordinary political situation which that region enjoyed. A corpus of legal material which would be valid throughout *al frislond* was a necessary component of that program. The presentation of many of those laws as privileges granted to the Frisians by Charlemagne will have served to reinforce the Pan-Frisian idea as well. Foremost among these texts of law were the *Seventeen Statutes* and the *Twenty-four Land Laws*. While most of the core content of those texts may actually originate from west of the Lauwers, it is likely, as Algra argues, that they were imported from that area by people east of the Lauwers sometime around 1225. In his view, the texts were then purged of much of the (politically risky) localisms from the west and embellished with material which was considered conducive to the promotion of the Pan-Frisian ideology. Such revised and expanded versions evidently circulated back and forth throughout the entire Frisian region. Variations among the surviving versions indicate that there had been a lively commerce in textual material.

It is not surprising then that some of the imagery found in the *Dike Law* is present in other Old Frisian texts as well. In §2 of the 'Elder' *Skeltanariucht* from west of the Lauwers, mentioned above, the Frisians' required tour of duty is limited to the *ebba...and...flode* (i.e. only as far as the spatial and/or temporal difference between high and low tide). The rationale given in this article, as we have seen, was the fact that the Frisians needed to protect their own shores against the *salta se* and the *wilda witsing*. To that end, they had *fiif wepnen* ('five weapons') at their disposal, namely, the spade, fork, shield, sword, and *etkeris oerd* ('spear's point').

Like the 'Elder' *Skeltanariucht*, the *Seventeen Statutes* and the *Magnus Statutes* also contain an article which deals with the Frisians' right to a limited

30. Of course, even a text which pretends to apply to the whole of Frisia naturally stems from a particular place. Partly as a consequence of the variety of political situations found along the Frisian littoral leading up to and continuing throughout the 13th century, references to 'all Frisians' should often be taken with a grain of salt (cf. Schmidt 1975: 52-62).

conscription. In the *Seventeen Statutes* §10, the terms of this limitation have been substantially broadened. The boundaries named there correspond to the Pan-Frisian conception of the region from the Flie (Zuyder Zea) in the west to the Weser in the east. The readings of that *Statute* found in the Old Frisian manuscripts from west of the Lauwers, as well as in the Fivelgo Manuscript (F) from the Ommelanden, add--perhaps in keeping with the tenor of the article in the 'Elder' *Skeltanariucht*--that they need go no further southwards than the distance they would be capable of traveling home again each evening. The enemies mentioned there are the sea and the heathen (or northern) army. Tools or weapons are not mentioned in this context.

In the *Magnus Statutes* §5 we find what amounts to a synthesis of the material in the corresponding articles from the 'Elder' *Skeltanariucht* and the *Seventeen Statutes*. Both the ebb-and-flow and the Weser-and-Flie boundaries are mentioned. The enemies against whom the shore must be protected are the *noerdkoninck* ('northern king') and the 'wild Viking'. The five 'weapons' mentioned in the 'Elder' *Skeltanariucht* §2 are itemized in the *Magnus Statutes* as well.

According to these texts, then, the Frisians' chief adversaries were the sea itself and the (heathen) Norsemen, if these two don't just boil down to the same thing. The phrase *wilda witsing* in this context has often been advanced as evidence that this article (and thus at least that part of the text which contains it) could be no younger than the 11th century, since Viking invasions of the Frisian coast had ceased by the first half of that century. Algra (1991a: 1 and note 6) argues against such a literal interpretation, citing the use of this phrase in Middle Dutch to denote any enemy in general and the devastation of flooding in particular. The readings in the Old Frisian manuscripts Jus Municipale Frisonum (J) (where the *Skeltanariucht* has: *wilda witzenges floed* and the *Magnus Statutes* have: *wilda witzenges sees floed*) and F (where the *Magnus Statutes* have: *thene wilda witzend. and thene deikis flod*) would seem to corroborate this figurative interpretation.³¹ In any case, the need for a constant monitoring of the sea dike (and an immediate response should a burst occur) was advanced as being sufficient for an exemption from any obligations the Frisians otherwise might have had with regard to the lending of military support in foreign wars. As Winsemius (1947: 61) poignantly put it, "'Dienstplicht' wijkt dus voor dijkplicht."³²

31. The reading of this passage from the *Magnus Statutes* in F may be more original than that in J (and Unia), however. See Sjölin 1970: 45

32. This might be translated as: "Compulsory military service' has to make way for compulsory maintenance of dikes." The same goes, moreover, for one's obligation to appear at a judicial gathering. In the Old Frisian *Nedskin* ('legitimate hindrance') specified in the first of the *Twenty-four Land Laws*--in R1, the First and Second Emsingo Codices, and the First Hunsingo Codex--it is said that the Frisian will be excused from his obligation to appear before the court if he had to maintain the dike *withir thene salta se and withir thet wilde hef* (R1 IV, §1). The use of *wild* with *hef* ('sea') in this synonymic pair might also lend support to the idea that the *wilda witsing* might have denoted nothing more than the intrusive sea. Cf. Algra 1991b: 375-76.

The Frisians' defense of their land against the *salta se* is the starting point of the *Dike Law*. The presentation of the instruments necessary for reaching that end is somewhat different in that text than, for example, in the 'Elder' *Skeltanariucht* from west of the Lauwers. The latter text refers to five 'weapons,' two of which are clearly tools used in dike construction and maintenance (spade and fork). In contrast, the *Dike Law* speaks first of three 'tools' (spade, barrow, and fork) with which to 'hold' the land. It then goes on to list the instruments with which they must 'defend' their land against political enemies. These weapons correspond more or less to those mentioned in the other texts: sword, spear and (brown) shield. The 'enemy' they are intended to deter is different, however. The *Dike Law* speaks not of the *wilda witsing*, but refers to the Saxons, represented by the *stapa helm* ('steep, i.e. high, helmet') and the *rada skeld* ('red shield'), and representing *unriuchte herskipi* ('unjust dominion').

These characteristics call to mind a passage in another Old Frisian text, namely the so-called *Wenden* (i.e. exceptions) to the 16th of the *Seventeen Statutes*.³³ Though absent in the manuscripts from Riustringen, this text is otherwise found exclusively in manuscripts which are likewise associated with the Frisian region east of the Lauwers. It is more than likely native to that area as well. In reference to the inimical Saxons, that text speaks of: *thene haga helm ande thene rada sceld. ande thene sereda riddere* (H) ('the high helmet and the red shield and the armored horseman'). It was the Frisians from east of the Lauwers in particular who had the most to fear from the Saxons.

Approximately the same description of the Saxons appears to have been interpolated into the conclusion of the 10th Statute in the Old Frisian manuscript F (interpolation is underlined):

vmbe thet thet wi vse londe bi halda machte. With thene salta se. and thene nord sereda ridder. And with thene haga helm. and thene rada schild. And with then nordisca here. ('such that we might protect our land against the salty sea and the northern armored horsemen, and against the high helmet and the red shield, and against the Nordic army.')

33. Old Frisian versions of the *Wenden* to the 16th *Statute* are found in the manuscripts E1 (VII, §§21-26), F (XVII, §§72-75), H1 (XIV), and H2 (VI). Low German Riustring and Ommeland versions also exist. Regarding the references to the Saxons see e.g. Wiarda 1805: 292-93 (dd-ff), Halbertsma 1957, Algra 1967: 351, and Schmidt 1975: 26-27.

The scribe of F compiled his text of the *Seventeen Statutes* from more than one manuscript. At least one of his sources was closely related to the tradition of that text found in the Old Frisian manuscripts from west of the Lauwers (Algra 1991b: 59-61 and 283). The sentence into which he inserted the segment referring to the Saxons has the most in common with the corresponding sentence in R1, however. The Riustring text of the 10th Statute concludes as follows:

sa mugu wi behalda use lond and usa liode with thet hef and with thene northhiri ief vs god helpa wili. ('we might thus protect our land and our people against the sea and against the Nordic army, if God will help us.')

It may have been a desire to modernize the 10th *Statute*, that is to update the Frisians' blacklist, which motivated the scribe of F to add the reference to the Saxons there. It is more likely, however, that such a passage was already present in one of the sources from which he copied that *Statute*. The only other text which combines the protection of the land against the sea with that against the Saxons is the *Pan-Frisian Dike Law*.³⁴ Just as one might not have expected the sea to be the principle enemy mentioned in an article about military service, the reference to the Saxons (or 'unjust dominion' in general) hardly seems immediately pertinent to a text of laws about a sea dike.

This correspondence between the 10th *Statute* in F and the *Pan-Frisian Dike Law* appears to be less accidental when we consider the striking similarity between the conclusion to the 10th Statute in R1 and that of the Low German Ommeland translation of the *Pan-Frisian Dike Law*:

10th *Statute* (R1): *sa mugu wi behalda use lond and usa liode [...] ief vs god helpa wili.*
Dike Law (LOB): *aldus sullen wy vnse landt holden vnde vnse luiden ofte vns godt hulpe.*
 ('So shall we safeguard our land and our people, if God will help us')

We noted earlier that the *Pan-Frisian Dike Law* seems somehow out of place among most of the other articles of *Frisesk Riucht* in the manuscripts from Riustringen. We also brought up the possibility that the *Dike Law* may have had

34. Perhaps not unrelated to this is the mention of the *seburch* in the idiosyncratic preface to the 16th of the *Seventeen Statutes* in F: *Thet wi fresan hebbat vr kern alle burga bi hala twam burgum. Thio forme istio a burch. thio other is thio seburch.* ('We Frisians have elected to forbid all fortified constructions except two: the first is the river dike [and] the second is the sea dike').

the status of an `extravagant' *Land Law* or *Statute*. Using historical evidence relating to (the early regulation of) dike construction and maintenance, it has been possible to determine that our text no doubt stems from the region east of the Lauwers, and probably dates from around the middle if not the first half of the 13th century. In this light, the *Dike Law*, which claims to apply to *al frisland* and rallies the Frisians to protect their land from *unriuchte herskipi*, is right at home among the texts which were meant to promote the Pan-Frisian ideology. Indeed, this `Pan-Frisian Dike Law' would by no means have been out of place among the textual material from which the *Seventeen Statutes* (and the *Twenty-four Land Laws*) were taken.

The *Seventeen Statutes* are held to have undergone an organic development, evolving gradually and nonuniformly, over a longer period of time (cf. Algra 1991b). In spite of the similarities among the various surviving readings of that text, it seems clear that they do not all derive ultimately from one primary text. As Krolis-Sytsema (1993: 93) puts it:

`there was evidently no one, generally received, standard text of the *Seventeen Statutes*. The *Seventeen Statutes* were not written down in one sitting but were accumulated over a period of time. A larger supply of original *Statutes* existed from which selections were made, according to regional preference. The magic number of seventeen was always taken into account in the selection process' [my translation].³⁵

Most of the material which makes up the 10th *Statute* as found in the various Old Frisian readings is presumed to constitute later embellishment of the original, core content (e.g. Algra 1991b: 323). Compared with the readings of that *Statute* found in the other Old Frisian manuscripts, the reading in R1 is rather divergent. It has some elements in common with the reading in F, however. The manuscripts R1 and F have a number of things in common with regard to the *Seventeen Statutes* in general, in fact, one of which is the tendency for references to the Frisians and their land to be set in the first person plural where all other Old Frisian versions use a form of the third person plural.

The 9th *Statute* in both R1 and F, for example, begins as follows: *wi frisa agon ...* ('We Frisians ought to...'). The *Pan-Frisian Dike Law* opens in the same way. The 9th *Statute* has a relatively lengthy discussion of the seven `streets' (three

35. '... der sil gjin algemien jildende standerttekst fan de 17 Kêsten west hawwe. De 17 Kêsten binne net yn ien keardelskreaun, mar stadichoan groeid. Der hat in gruttere foarrie fan orizjinele Kêsten west, dêr't regionaal in oare kar út makke is. It tal fan 17 waard by dy kar altiten goed yn de rekken holden.'

roads and four rivers) which the Frisians are said to have been granted. According to Algra (1991b: 322), this part of that *Statute* is likely a 'novella', that is, an embellishment added later to the original core. Its content is in some ways comparable to that of the *Pan-Frisian Dike Law*. Both deal with what might be referred to as the medieval Frisian infrastructure, and each contains a reference to the security of the Frisians within that infrastructure.

Ironically, this section of the 9th *Statute* is missing in R1. The scribe of that manuscript repeated part of the historiographical embellishment of the 7th *Statute* there instead. In the Low German Riustring translation of the *Seventeen Statutes*, it is the 10th *Statute* which is jumbled in this way. The fact that both surviving recensions of the Riustring *Asegabôk* compilation are defective between the 9th and 10th *Statutes* is not insignificant. It indicates that there was some confusion at that point in the *Seventeen Statutes* in an earlier manuscript from which both Riustring recensions derive.

It is worth mentioning that a similar confusion exists in the same position within the *Seventeen Statutes* in Codex Unia (U) and the Old Frisian incunabulum, Druk (D), both of which stem from west of the Lauwers. A sizable chunk of text has been interpolated into the 9th *Statute* in both of those sources. More or less the same (interpolated) passage occurs as the 10th *Statute* in a shorter version of that text found in several Low German Ommeland manuscripts. Krolis-Sytsema (1993) has made it plausible that this passage constitutes, in fact, a 'lost', alternative 10th *Statute* which evidently stems from a no longer extant, alternative text of the *Seventeen Statutes*.

Correspondence in certain typical formulations and imagery between the *Pan-Frisian Dike Law* and the 10th *Statute* in the Old Frisian manuscripts R1 and F in particular points to a possible relationship between these two texts. Did the *Pan-Frisian Dike Law*, perhaps in an earlier form, once function as a sort of narrative embellishment to the core content of a *Statute* similar in theme to the 10th in a (mid-13th century?) compilation which antedated the surviving Riustring manuscripts? It is not inconceivable that it did in at least one, regional version of the *Seventeen Statutes*, only to have been removed to the scrap heap of *Frisesk Riucht* by a later compiler in Riustringen. Was this hypothetical earlier manuscript compiled in Riustringen or did it perhaps stem from the Ommelanden? The similarity in this regard between R1 and the Ommeland manuscript F, but particularly the occurrence of the *Pan-Frisian Dike Law* in Low German manuscripts from the Ommelanden might allow for the latter possibility as well.

III. Text Edition and Commentary

The Old Frisian recension of the *Pan-Frisian Dike Law* in R1, as mentioned

earlier, is defective. Aside from a few spelling errors, its major defect is thought to be a lacuna; the text appears to be missing the conclusion of a sentence which should specify what is to be done by the owner of land which lies beyond the dike.³⁶ It was also mentioned that, while the (hypothetical) Old Frisian manuscript from which the Low German Riustring (LR) translations descend is thought to have shared most of R1's problems, it also must have provided a more complete reading of several texts.

According to Borchling (1908a: CI), the person who translated the Riustring *Asegabôk* compilation into Low German cannot have been entirely fluent in Old Frisian. As examples from several different texts in his rendition of that compilation show, the translator was apt to simply skip over some of the Old Frisian words--and occasionally even entire passages--which he did not understand. In some other cases, he would translate them with what he mistakenly thought were appropriate Low German words or phrases. Borchling's evaluation in this regard was based on a comparison of the two surviving recensions (which he calls A and B) of the LR compilation, both of which stem from the original translation into Low German. The *Pan-Frisian Dike Law* is found exclusively in three of the LR manuscripts of 'recension B', however. As this text is absent in 'recension A' of the compilation,³⁷ it is impossible to say with any certainty whether the variance between the Low German and Old Frisian Riustring readings of the *Pan-Frisian Dike Law* represents original translation errors or simply indicates more recent corruptions of the already translated text (cf. Borchling 1908: CV). It was precisely for that reason that Borchling (1908: CI) warned against relying too heavily on the LR translation in one's interpretation of difficult passages in the Old Frisian reading of that text in R1.

The Low German Ommeland Translation

The Low German Ommeland (LO) recensions of the *Dike Law*, published here for the first time, may serve to tip the balance one way or the other in some cases. That is to say, their testimony might confirm or deny some of the assumptions which have been made about this text on the basis of the hitherto

36. See discussion below. The allegedly missing clause should occur in the position between lines 21 and 22 in the alignment. Cf. Wiarda (1805) 272 and 291, Van Helten (1907) 21-22, Buma (1961) 121, and Buma and Ebel (1963) 90, n. 58.

37. Borchling (1908a: IC) attributes the absence of the *Frisesk Riucht* articles (among which the *Pan-Frisian Dike Law*) in 'recension A' to their great antiquity ('wegen ihrer hohen Altertümlichkeit'). The 16th century compiler of 'recension A' was evidently primarily interested in those texts from the compilation which he judged to be still of practical relevance.

known (i.e. Riustring) recensions. Before going into more detail on this point, however, it is necessary to introduce the sources which contain these Ommeland recensions. The LO translation of the *Pan-Frisian Dike Law* is found in the following manuscripts:

A. Emden, *Bibliothek der Gesellschaft für bildende Kunst und vaterländische Altertümer*, MS. 254, fols. 48r and 49r. (1547) This manuscript was written, as the scribe declares, on New Year's Day, 1547. The compilation has figured, directly or indirectly, in studies of other Old Frisian texts in Low German (Ommeland) translation. Gerbenzon (1956) was unfamiliar with this particular manuscript, but concluded that a 19th century copy of it (A¹) contains what he considered to be the best recension of the so-called *Rechten ende Wilkoeren* (Gerbenzon 1956: 428-444). This hypothesis was reinforced by studies on some of the individual components of the *Rechten ende Wilkoeren* (See Gerbenzon 1961 and Meijering 1974).

A¹ Ljouwert/Leeuwarden, *Provinciale Bibliotheek van Friesland*, MS. 1352, pp. 143 and 146-147. (19th cent.) This is a copy of A. Its contents are described in Gerbenzon and Meijering 1978: 56-59.

B. Groningen, *Universiteits Bibliotheek, coll. Pro Excolendo*, MS. 23, fols. 102v-103r and 104v. (16th cent.) According to Gerbenzon (1956: 429), this manuscript dates from the second half of the 16th century. It was written by a single hand. A description of its contents is given in Gerbenzon and Meijering 1972: 78-81. Manuscript B has also figured in studies of other Old Frisian texts in Low German (Ommeland) translation. The recension of the *Excerpta Legum* there (I) stems from that (H) in MS. 61 of the Ommelander Archief in the Rijksarchief in Groningen (Gerbenzon 1956: 73). The latter is a 'relatief goed handschrift' (*ibid.*: 64), written in 1534 by Uffko Ebkens van Reide in Appingedam (Formsma 1962: 26). B also contains a recension of the *Rechten ende Wilkoeren*, although it is not among what Gerbenzon considered to be the best ones of that compendium. This was corroborated by Meijering (1974: 107-114) with regard to one of its component parts: the *Opstalsboom Statutes*.

C. Groningen, *Rijksarchief van Groningen, Archief Hoge Justitiekamer, nr. 2358-portefeuille* (no page numbers). (1751) The title page of this text reads: 'Dijkregt van Uithuisen. Door de Dijkriegers aldaar aan de Hoge Justitie Camer geproduceert den 12. Junij 1751.'

Just as both the Old Frisian and Low German recensions of the *Dike Law* in the Riustring tradition occur in more or less the same context, i.e. within a collection

of articles of *Frisesk Riucht*, there is a certain uniformity among the three LO recensions as well. As mentioned above, the *Pan-Frisian Dike Law* is split into two halves in the LO sources. The caesura in the text occurs between lines 13 and 14 in the alignment at the conclusion of this article. The *Pan-Frisian Dike Law* seems to function as a sort of ideological embellishment for another, more prosaic text of dike law: the *Hummerke Dijckrecht*.

Oddly enough, explicit references to Humsterland are absent in those cases in which that text is accompanied by the *Pan-Frisian Dike Law*, i.e. in the LO sources of the latter text. In manuscript **C**, for example, the expanded text is presented as the *Uithuizen Dike Law*.³⁸ In manuscripts **A** and **B**, on the other hand, the same embellished text is titled simply *Dat Dick Recht*. It follows the *Winsum Sluice Law* (1464) and the so-called *Hunsingo Overrecht* in **A**, while in **B** it follows immediately after the *Winsum Sluice Law*; the *Hunsingo Overrecht* occurs later, as the final text in that manuscript. The juxtaposition of *Dat Dick Recht* and the *Winsum Sluice Law* in **B** is no doubt what led De Rhoer, in the context of a discussion of the *Hummerke Dijckrecht* found in PE 12, to refer to this expanded text as the *Winsum Dike Law*.³⁹ Although the mere proximity of these two texts seems insufficient to merit such a designation, their juxtaposition may not be entirely coincidental either.⁴⁰ Winsum lies in between the medieval island district of Humsterland to the southwest and the village of Uithuizen to the

38. I.e. *Dijkregt van Uithuisen*. It is interesting to note that PE 12 was evidently kept in Uithuizen at least in the period 1536-1566, witness the notes concerning a mill there on fol. 143v of that manuscript.

39. De Rhoer was referring to B (i.e. PE 23) or one nearly identical to it: there are differences in spelling between De Rhoer's citations and the corresponding passages in this manuscript, but his transcriptions are often contestable. Furthermore, PE 23 was bought by the society 'Pro Excolendo Jure Patrio' (PEJP) at the same estate sale (H.A. Werumeus, in 1783) as PE 12 and would thus have been accessible to De Rhoer as he was writing. Cf. De Rhoer 1791: 39: 'My is in handen gekomen een geschreve versameling van oude Zylrechten, en onder deezzen ook dat van Winsum, die op meer dan een plaats aan dit ons Dykrecht [i.e. the *Hummerke Dijckrecht* in PE 12, TSBJ] licht konnen byzetten.'

40. It is worth noting that manuscript B is one of the four (out of 45) manuscripts discussed in Gerbenzon (1956) which contain both the *Excerpta Legum* and the ('normal') *Rechten ende Wilkoeren*. As there appears to be a more or less complementary distribution of these texts, manuscripts containing both must be (copies of) composite manuscripts or the work of scribal compilations based on more than one source. Compositional oddities in **A** (which incidentally also contains substantial excerpts from the *Excerpta Legum*, although this fact is not mentioned in Gerbenzon 1956) would seem to implicate that manuscript, too, as being of promiscuous parentage. It is therefore possible that the 'embellished' *Hummerke Dijckrecht* and the *Winsum Sluice Law* were taken as a block from one and the same source (or two highly similar ones?) and added to manuscripts **A** and **B** by their respective compiler-editors.

northeast. As Winsum and Uithuizen both lie within the district of Hunsingo,⁴¹ the geographical area in which the *Hummerke Dijckrecht* (whether embellished with the *Pan-Frisian Dike Law* or not) seems to have been used was concentrated in the northwestern part of the Ommelanden.⁴²

The recensions of *Dat Dick Recht* (found in manuscripts **A** and **B**) are nearly identical to each other. The part of that text in those manuscripts which corresponds to the *Hummerke Dijckrecht* varies slightly from that in PE 12, however. The scribe of **B** was particularly sloppy in that part of the text, it might be noted, having skipped over one article and repeated another as a result of eye skip. As **A** has certain trouble spots throughout the entire text (i.e. the sections of the *Pan-Frisian Dike Law* as well as the *Hummerke Dijckrecht*) which are not shared by **B** (and vice versa), both readings can be considered to derive independently of each other from a communal ancestor.

It is also curious to note that the second part of the *Pan-Frisian Dike Law*, beginning with the stipulation about the dike peace (line 14), and forming what at first appears to be an epilogue to the *Hummerke Dijckrecht*, is nonetheless not the final article in that expanded text. Following the conclusion of the *Pan-Frisian Dike Law* in **A** and **B** there is a single, brief article about the dike peace which more or less corresponds to the final article of the *Hummerke Dijckrecht* as found in PE 12.⁴³ This situation is described in the table below.

Text	Article	PE 12	LOA	LOB	LOC
<i>Pan-Frisian Dike Law</i>	(1-13)		X	X	X
<i>Hummerke Dijckrecht</i>	(1-13)	X	X	X	(X)
<i>Pan-Frisian Dike Law</i>	(14-37)		X	X	
<i>Hummerke Dijckrecht</i>	(14)	X	X	X	

It remains unclear as to why the expanded text is broken up in this way. The fact that the beginning of the second section of the *Pan-Frisian Dike Law* and the final article of the Humsterland text both deal with the dike peace raises the possibility that the conclusion of the *Pan-Frisian Dike Law* was inserted on purpose between the final two articles of the *Hummerke Dijckrecht*, as if to unite the two texts

41. Uithuizen appears to have been part of the district of Fivelgo up until the first half of the 13th century, after which period it fell within the Eastern Ambit of Hunsingo, cf. Feenstra 1988: 12.

42. While the association of this text with Humsterland is only made explicit in PE 12, the fact that later, revised and expanded versions of these laws (1501 and 1562) specifically mention Humsterland confirms the connection between this text and the district of Humsterland.

43. I.e. art. 14 in the edition of Von Richthofen 1840a: 364-365.

thematically. Equally if not more plausible, however, is that the final article of the *Hummerke Dijckrecht* was added at a later stage to the expanded text found in **A** and **B**. That would imply that the second half of the *Pan-Frisian Dike Law* did indeed function initially as an epilogue to the Humsterland text in an earlier manuscript, an ancestor common to both **A** and **B**.⁴⁴ If that were the case, the scribe of such an ancestor to those two manuscripts must have become familiar with a (later?) version of the *Hummerke Dijckrecht*, similar to that in PE 12, and added the final article in that version to the expanded text (with the *Pan-Frisian Dike Law*) he had already copied. An alternative to the latter scenario is that the final article was only left out by mistake and added for good measure at the conclusion of the text in an earlier manuscript from which both **A** and **B** stem.

It should be clear from the table above that the recension of the text in **C** is missing the final section and offers therefore no assistance in this matter. In contrast to manuscripts **A** and **B**, manuscript **C** contains only the first section of the *Pan-Frisian Dike Law* (up to line 13 in the alignment). This section is then followed by the first two articles of the *Hummerke Dijckrecht*, after which point the copyist switched over to (a slightly abridged version of) the *Humsterland Dike Laws of 1562*,⁴⁵ beginning with its second article. In comparison to the recensions of the *Hummerke Dijckrecht* found in the manuscripts PE 12, **A**, or **B**, the reading of the first two articles of that text in **C** is the most corrupt of all. Nevertheless, it shows a certain formal similarity to the recension in PE 12, particularly in the second article, and stands thus in contrast to **A** and **B**. The segment of the *Pan-Frisian Dike Law* contained in **C** is of the same type as that contained in **A** and **B**. It is written in Dutch instead of Low German, however, and the text it gives is rather degenerate. The Old Frisian (*h*)*agan* ('ought'), for example, which in Low German is *eegen* (or *o[e]gen*), has become *Eigenaaren* ('owners') in that manuscript. On the other hand, the fact that it appears to run parallel to the Riustring version⁴⁶ in a few instances, in contrast to **A** and **B**, could indicate that it is a descendent of a manuscript of the Low German Ommeland version which was superior in quality to the immediate ancestor of both **A** and **B**. The similarity between **C** and PE 12 in the second article of the

44. The text of the *Hummerke Dijckrecht* found in PE 12 is not accompanied by the *Pan-Frisian Dike Law*. In fact, PE 12 stands out in the corpus of LO manuscripts due to the fact that Pan-Frisian ideological texts are missing there altogether. The section of PE 12 which contains the Humsterland Dike Laws is held to date from the late 15th century (Liefstinck and Gumbert 1988: 87).

45. Edited by Nap 1899: 187-196.

46. MS. C has the same sentence structure as R1 and LR in line 4 in contrast to MSS. **A** and **B**. It also has the sequence 'night/day' in line 8 found otherwise only in LR. On the other hand, **C** also reverses the sequence 'winter/summer' found in all of the other readings (line 11-12). Only the possible parallel in line 4 may therefore be of any significance.

Hummerke Dijckrecht adds support to that idea: its ancestor seems to have provided a better reading of both texts than did that of **A** and **B**. It is therefore particularly unfortunate that the text in **C**, despite its degeneracy, is so abridged.

Comparison and Characterization of the Low German Translations

Two different, independent Low German translations of the *Pan-Frisian Dike Law* (LR and LO) are known to us. A comparison of them, both with the Old Frisian recension in R1 as well as with each other, will allow us to come to some conclusions about their value for Old Frisian philology.

The LR recension deviates from the Old Frisian recension found in R1 in a number of cases. Some, but by no means all of these differences in LR can be justly termed *Übersetzungsfehler*. Perhaps the most flagrant example of a poor rendition by the translator of his Old Frisian source is the one noted by Borchling (1908a: CV), namely the choice of *sleden* ('sleighs') as a translation for the archaic Old Frisian *wegke* ('horse')⁴⁷ in line 12 of the alignment. Whether or not the translator was influenced by the word *winter* in the same context, as Borchling suggested, he certainly missed the mark there.

Another clear translation error is the Riustring scribe's Low German rendition of the Old Frisian term *wilasa werpe* (line 16). Buma and Ebel (1963: 91) follow the lead of Von Richthofen (1840b: 1149 s.v. *wilas*) in their translation of this word pair as 'ungeweihten Gerichtsstätte' (i.e. 'unconsecrated site of a judicial gathering'). As such it forms a contrast to *wieda stherek houi* ('consecrated churchyard'). Any breach of the peace which is associated with both places is punishable by the same fine.⁴⁸ The Riustring translator saw in *wi-* not the root indicating 'consecration' but the homonym 'way', thus arriving at 'way-less' i.e. 'inaccessible'. This would have been a feasible translation in a different context, as Von Richthofen (1840b: 1149) noted. Rather than allowing the context to guide him here, he was led--in fact misled--by the Old Frisian form in this case.

47. On *wegke*, cf. Kern 1879: 184-87 and Buitenrust Hettema 1889: 155-56.

48. It is also possible that this is a corrupt reading of *wedeles werpe*, a term which occurs elsewhere in Old Frisian literature in a similar context. The similarity between these two pairs was already signalled by Wiarda (1805) who was nevertheless mistaken as to their meaning. Von Richthofen (1840b: 1149) rejected that idea, providing at the same time a convincing definition: 'the sprinkling of an aspergillum'. Galama (1969) discusses the figurative extension of this definition (to 'the area covered by a sprinkling of holy water') which results in a synonym for 'churchyard'. If *wilasa* is a corruption/misreading of *wedeles*, then this passage would constitute yet another case of this 'legal tautology'. The translation of this passage in the *Pan-Frisian Dike Law* (lines 15-17) would then be as follows: '...then he shall have the right to as great a (guarantee of) peace as he (would have) on the consecrated area (i.e. the area covered by a sprinkling of holy water) and as he (would have) on the consecrated churchyard.'

More often than not, however, the translator of the LR recension took the liberty of paraphrasing the Old Frisian text, sometimes at the expense of its form. He appears to have been more interested in providing the reader with a lucid account. In most cases, his efforts were not in vain. The phrase 'golden hoop' (line 3), preserved as such in the LO translation, is rendered in the LR translation as 'golden wall and band'. While perhaps less poetic, it is certainly unambiguous. Moreover, as if any question remained as to what that should refer to, the gloss 'that is the dike' was added a little further on (line 5) in that recension.

In line 26 of the alignment we find another example of what appears to be a free translation in the LR text. The meaning of the Old Frisian sentence in R1 is obscure to say the least. In particular, the word *fili* has remained unsatisfactorily explained.⁴⁹ The Low German reading provides a feasible alternative: 'that (i.e. the land inside the dike from which turf can be taken for the upkeep of the dike) shall remain undisturbed until the feast of St. Vitus' (i.e. June 15th). The reading in R1, as the *lectio difficilior*, merits special attention and may well be more original than what we find in the LR manuscripts. On the other hand, the possibility that the opposite is true, namely that the LR manuscripts offer a more original reading, cannot be ruled out entirely. Curiously, this sentence is missing altogether in the LO version. Whether its absence indicates a defect in LO or that that sentence constitutes a later addition to the version represented by the Riustring manuscripts is difficult to say. Other such differences between R1 and LR on the one hand and LO on the other will shed more light on this problem.

The sequence *bera...forke* (lines 29-30) is found in both R1 and LO and can therefore be considered original. It is possible that this reversal of the sequence in LR is due to an earlier scribal error and thus constitutes a later degeneration of the already translated text. A similar sequence change is found in lines 33-34 (*rada skeld ... unriuchte herskipi*). In the latter case, however, the original *unriuchte herskipi* has been paraphrased to the more general *vnrechtverdigen* ('the unjust').⁵⁰ A final example of the LR translator's apparent predilection for paraphrasing the text is found in the last sentence (line 36). Where R1 has simple *fon oua to uta* (Buma and Ebel 1963: 91 'vom Binnenland bis zum Meere'), the LR translation expands this to *van buthen wenthe tho bynnen vnd bauen vnd weddervmme* ('from the shore all the way to the interior and above and back').

In comparison to the Low German Riustring translation of the *Pan-Frisian*

49. Cf. especially Buma (1952) who summarizes previous scholarship on this word, but also Holthausen (1953) who refutes Buma's own theory in this regard. Buma and Ebel (1963: 91) translate the sentence as follows: 'das soll von allen Wiesen am steilen Meeresufer (?) vor St. Veitstag gelten'.

50. Borchling inserted the word *herschop* into his edition of the LR text on the basis of the text in R1 (cf. Borchling 1908a: CI, note 1).

Dike Law, the LO translation tends to be quite literal. Even where the Ommeland translator evidently misunderstood the content of what he was attempting to translate, he generally kept to the form of his Old Frisian source. In that respect, LO frequently gives the impression of being much closer to the Old Frisian original from which it stems than LR does. In other words, beneath the transparent LO form, one can often almost see an Old Frisian text.

The Ommeland translator's solution for the Old Frisian *wegke* is typical for his style. Whereas his Riustring colleague seems to have opted for a more considered, if incorrect, rendition, the Ommeland translator more or less maintained the form of the Old Frisian *mith wegke and mith weine* ('with horse and with wagon') with his *myt wegene ende myt wagene* (meaning something like 'with ways [i.e. roads] and with wagon'). This was done at the expense of a logical reading, however.

In many cases, the preservation of the form of the--hypothetical--Old Frisian text in the LO translation results in a perfectly reasonable reading. In lines 2-3 of the alignment, for instance, LO conserves the Old Frisian (*h*)*aga* + *to* + inflected infinitive construction, comparable to the English 'ought to' + infinitive,⁵¹ whereas the LR substitutes a different auxiliary verb *scholen* ('shall', 'must') which necessarily results in an alternate construction. Similarly, in lines 15 and 24 the Old Frisian *hagere* (3rd sg. pres. subj. of *aga* + enclitic masc. nom. pron.), i.e. 'he should (have)' or 'he has the right to', is preserved in LO. In LR, on the other hand, the verb has been changed to *horen* and *thohoren*, respectively, and is accompanied with the necessary pronominal adjustments (e.g. dat. masc. *eme* instead of nom. *he*).

In other cases, the Ommeland translator's allegiance to the form resulted in a semantic derailment. One such case involves the Old Frisian relative particle *ther* (i.e. 'which') in line 4. LR correctly translated this with *de*, thus preserving both the syntax and the proper sense of the rest of the sentence. In LO, however, the form of the Old Frisian *ther* has been superficially--and erroneously--maintained in the word *daer*. This mistake, when combined with the following word, *omme*, resulted in another error, namely the interpretation *daer omme* (i.e. 'for that reason'). The translator then apparently made a vain attempt to make sense of the mistake by moving the verb forward and changing its form to the infinitive of the causative (from 'lies' to 'to lay') in order that it might fit better with his *daer omme*. As noted above, the LO manuscript C follows LR and R1 in this case, though it may be that the scribe of (one of the ancestors of) C simply recognized the problem and repaired the damage.

One of the admittedly difficult passages in the Old Frisian text (R1) offers another example of how the two Low German translations differ in terms of the

51. MS. C shows a degenerate reading ('*Eigenaaren*') in this position, as discussed above.

method used by the translator. The Old Frisian *allera ierdik*, in line 6, is a conflated form of *allera jerda ek* (literally: 'of all yards each,' i.e. 'every measuring rod'). The subsequent *iuin har oron* (line 7: 'just as high as the others') uses the rare form *har* ('high') instead of the more common *hach*. Moreover, a definite article preceding *oron* is missing in the Old Frisian recension in R1. The translator of the LR text managed to get the same point across using other words: 'every dike rod shall be equal to the others.' On the other hand, the translator of the LO text, in remaining as true as possible to the form of his Old Frisian source, ran into problems once he reached the word *ierdik*. As his gloss in line 6 ('that is rods') indicates, he was clearly aware of the meaning of the Old Frisian *jerde* as measuring rod, but was not entirely confident that his words *alle gaderlicke* would convey that meaning unambiguously. The Low German form of the Old Frisian *jerde* is *ga(e)rde*. The translator--or a scribe who copied this translation into a manuscript from which **A**, **B**, and **C** descend--may have confused that word with one common to both languages, namely *gader* ('together'). In combination with *alle*, the latter word results in *allegader* which can mean 'altogether, in total' as well as 'completely'. The form *alle gaderlicke* could be a hybrid of *allegader* and *ga(e)rlike* ('completely'), although the suffix *-lycke* might also represent another form of the Old Frisian *ek*. A third possibility is that the confusion stems from a phrase like the Middle Dutch *gaerde gaerde like*, meaning 'all rods the same amount.'⁵² Whatever the background of this form in the Low German Ommeland translation, and despite its morphological similarity with the Old Frisian on this point, its meaning is entirely different. If it weren't for the (correct) gloss, the entire passage would have been made incomprehensible. With regard to the rest of this passage, the formal correspondence with the Old Frisian text could be maintained without any problems.

The Low German Ommeland Translation: A Different Tradition

If, for convenience' sake, we take the text as found in the Riustring recensions (R1 and LR) as the standard, then it appears that none of the surviving readings of the LO translation is entirely free from corruptions. Some of these appear to stem from an ancestor (presumably) common to all three Ommeland recensions. The form *alle gaderlicke* is evidently one such inherited corruption. Another is the degeneration of the Old Frisian *stapa* (literally: 'steep', i.e. 'high') in line 32 to *schappen* in **B** and *scharpen* ('sharp') in **A**, presumably due to the common error of misreading of the original *t* as *c*. The fact that LO has *heels torues* ('of solid

52. Cf. Beekman 1905: 614, s.v. *gaerde gaerde gelijk, gaerde gaerde like*: 'D.i. alle gaerden evenveel'.

turf') in line 20 instead of the Riustring *grenes turues* ('of green turf') may be no more than the oversight (eye skip) of an earlier copyist of the already translated text. The same goes for the LO *voeten* ('feet') in line 25 where R1 and LR have *fethma* and *vademe* ('fathoms') respectively. Differences of this type between the LO translation and the Riustring forms of the text provide little information about their relationship to each other.

On the other hand, there are several indications that the LO translation may reflect an alternative Old Frisian version of the *Pan-Frisian Dike Law* to that represented by the Old Frisian and Low German Riustring texts. That is to say, the Old Frisian original from which the LO text derives may have differed from both the Old Frisian text in R1 and the one reflected in LR. One example of a possible variant reading is found in lines 11 and 12. Both the Riustring and the Ommeland readings contain the essential elements of winter and summer and of travel with (horse and) wagon. The sequence and the context in which these elements occur is different, however. Nonetheless, both can be said to amount to the same thing. Another example is that in lines 16-18. Where R1 and LR have the admittedly difficult phrase *oua tha wilasa werpe*, the Ommeland reading gives a perfectly lucid and justifiably appropriate alternative *vnde yn ene weden huijse* instead.⁵³ Given the LO translator's literal or form-bound translation style, it seems unlikely that these are mere paraphrases.

Yet other, perhaps stronger, examples are the different readings found in lines 36-37. We have noted that the LR translation offers a rearranged and expanded reading of the Old Frisian text found in R1. The LO translation, on the other hand, offers a different but equally viable reading: 'and our people'. While one might be tempted to reconstruct a series of misread diacritical marks leading from an Old Frisian reading as in R1 (*fon oua to uta*) to the LO reading (*ende onse luden*), it is far more likely that the latter derives from an alternative Old Frisian reading. As was pointed out earlier, the Low German reading in this case corresponds neatly with the conclusion of the 10th of the *Seventeen Statutes* in Old Frisian (in R1). The subjunctive form of the verb 'to help' instead of the periphrastic verbal construction in the Riustring readings, as well as the omission of the reference to St. Peter⁵⁴ in the LO translation, might also serve as

53. Wedenhuijse < wethemhus. Cf. OFris.: *wathemhus* ('parsonage,' 'rectory') in E1, VIII, r. 107. Cf. Richthofen 1840: 1156-57 (s.v. *withume*, *wethem*, *wathem*): "Wenn das Brem. wb. 5,215 unter 'wedem' 'geistlichen grund und boden; alle unbeweglichen güter der kirche; ein pfarrhaus' versteht, so ist das eine spätere, verallgemeinerte bedeutung, (...)." Further: 'An wathemhus E. 31, 13 entspricht das saterl. wedenhus (pfarrhaus).' Cf. also Van Helten 1907: 383 (s.v. *withume*) 'zur kirche gehörender (ebenfalls geweihter) raum'.

54. Cf. Wiarda (1805: 293, ii) who suggests that St. Peter might have been the patron saint of Riustringen.

indications that the Low German translation represents an Old Frisian version of the *Pan-Frisian Dike Law* different from that found in the (Old Frisian and Low German) Riustring manuscripts. The omission of lines 26-27 in the LO recension, as discussed earlier, could also be explained in this way.

Admittedly, the striking differences between the Riustring and the (hypothetical) Ommeland Old Frisian versions are few and minimal. More often than not, the various sources offer fully parallel readings. If indeed the LO translation stems from a different Old Frisian version of the *Pan-Frisian Dike Law* than the general Riustring one (represented by the texts found in R1 and the LR manuscripts), then the distance between the archetypes of the 'Riustring' and the 'Ommeland' versions will not have been very great.

Bearing in mind the methodological difference between the two Low German translations (in comparison to the Old Frisian text in R1), it is worth taking another look at what previous scholars have considered to be the main defect in R1. The logical conclusion of the sentence in lines 19-21 of the alignment appears to be missing. Buma and Ebel (1963: 90) go so far as to reconstruct the missing Old Frisian phrase in their edition of R1. To facilitate the discussion, I will give an English translation of the passage in lines 19 to 25. The hypothetical lacuna is found between brackets:

If he then has so much (i.e. enough) solid land and green turf beyond the dike with which he can maintain the dike's foundation [then he should do it with that]. And if he doesn't have so much (i.e. enough) solid land and green turf beyond the dike with which he can maintain the dike, then he has the right to thirty feet of turf and thirty fathom of grass inside the dike.

This passage from R1 seems inordinately redundant. The corresponding passages in LR and LO differ from each other with respect to their form, but are practically identical in terms of their meaning and textual economy. Both convey a sense which is present only in the second part of the passage in R1 (after the supposed omission in that manuscript), namely that *insufficient* availability of turf beyond the dike necessitates a claim to turf inside the dike.

The corresponding passage in LR runs parallel to the first part of that in R1 with the exception of the word *nicht*, which reverses the sense. In LO, on the other hand, the corresponding passage has more in common with the second part in R1, both with regard to sense and, to some extent, form. Whereas the negational element in R1 is at the beginning of the second sentence (line 22), it

occurs later in LO in the form of the word *geen*. The word *dikstathul*⁵⁵ in the first part of the passage in R1 is represented in the LR reading, but absent in LO. In the second part of the passage in R1 (as in LO) we find only the word *dik*. The otherwise identical context in R1 may indicate that the scribe of that Old Frisian manuscript was simply taking a short cut there.

Could it be that the scribe of R1 mistakenly omitted the element of negation in the first part of that passage, and then decided to remedy the situation by duplicating the bulk of the material, though this time resolutely beginning with a negative formula? If this be the case, then the defect in the R1 reading is not due to any lacuna in this position, but to a redundancy. We have seen that neither of the two, distinct Low German translations derives from the recension in R1. Each of them can therefore be said to represent Old Frisian sources independent from R1. Since only one of these translations (LR) was known to have survived until now, the superiority of the text as found in R1 has never been questioned. Criticism based on a single translation of the text would be insufficiently founded. With the second Low German translation, one which represents a largely similar yet different version, independent from the general Riustring one, we now have sufficient grounds for proposing such a hypothesis. The agreement between the two, distinct Low German readings in this passage points to a redundancy in R1.

For all their short-comings, these two Low German translations, surviving in documents from not earlier than the 16th century, nevertheless call into question the ascendancy of a much older, Old Frisian recension of the same text. The Low German Ommeland translation in particular, inasmuch as it reflects an Old Frisian version which is independent from the Riustring tradition of the *Pan-Frisian Dike Law*, is especially important. It not only indicates that the reception of this text was not limited to the district of Riustringen, but it also serves as a foil for the familiar Riustring version of the text. As such, it contributes to our understanding of this Old Frisian text itself. In the Low German Ommeland translation of the *Pan-Frisian Dike Law* we have a reminder of the importance of further study of 15th and 16th century Low German manuscripts from the Ommelanden for the field of Old Frisian philology.

Vrije Universiteit Amsterdam
Faculteit der Letteren

55. This word is generally thought to mean 'the basis of the dike' (Cf. e.g. Van Helten 1907: 21, s.v. *dikstathul*, Buma and Ebel 1963: 91). Cf. also the Dutch *dijkstaal*. See further Krämer (1984:83ff) who comments on this word in light of her study on early stages of dike construction.

Pan-Frisian Dike Law⁵⁶

1. **R1** Thet is ac londriucht.
LR Dith is ock fresche recht vnd recht aller Fresen,
LOA Item dyt ys vreesen recht
LOB Item dit ys vresen recht.
LOC Dit is vriesen Regt,
2. **R1** thet wi frisa hagon ene se burch
LR dath wy Fresen scholen eyne seebordt
LOA dat wy vreesen oegen een see boeck
LOB dat wy fresenn oegen ene zie borch
LOC also dat Vriesen Eigenaaren eenen Ze booge
3. **R1** to stiftande. and to sterande. enne geldene hop.
LR maken vnd einen gulden wall vnd bandt
LOA tho bouwen den gulden hup
LOB tho bouwenn den gulden hoep.
LOC Te bouwen de golden hoop
4. **R1** ther umbe al frisland lith.
LR de vmme alle Freßlande lycht,
LOA daer omme tho leggen alle Vreslant
LOB dar vmme leggen alle vreeslandt.
LOC die om alle vrieslant Legt
5. **R1** ther skil on wesa
LR dath is de dyck, dar schallanne wesen
LOA daer sall an wesen
LOB dar sal an wyesen
LOC daar Zal weesen
6. **R1** allera ierdik
LR eine jewelike rode dykes
LOA alle gaederlycke dat ys roeden ende
LOB alle gaderlicke, dat ys roden
LOC alle gaderlijk taal, dat is Roeden
7. **R1** iuin har oron. ther thi salta se
LR gelick den anderen. Dar de sollte seefloth
LOA eenen hoechden anderen daer dee solte zee toe vleetet
LOB euen hoech den anderen. daer de zolte zee tho vlueth
LOC even hoogh Ten anderen daar de Zoute Zee Toevloijt
8. **R1** betha thes dis antes nachtes to swilith.
LR des nachtes vnd des dages thofluth,
LOA beyde des dages ende des nachtes
LOB beydes des dages, vnde des nachts
LOC beide des Nagts des daags

56. R1 stands for the Old Frisian recension found in the First Riustring Codex. The text is taken from the critical edition of Buma and Ebel 1963: 90-91. The reader is urged to consult the diplomatic edition of Buma (1961: 121-122) with regard to rubricated letters, etc. as these have not been marked as such in the present edition. **LR** stands for the Low German Riustring recension. The text is excerpted from Borchling 1908a: 182. The Low German Ommeland (**LO**) translation is represented in the three manuscripts (**A**, **B**, **C**) described above.

9. R1 Ther skil thi utrosta anti inrosta
 LR dar schall
 LOA daer dee wterste den jndersten
 LOB daer den wtherste denn yndersten.
 LOC alsoo dat uiterste den innerste
- 10.R1 thes wiges plichtich wesa.
 LR de bynneste gelick dem vtersten des weges plychtig syn,
 LOA den jndersten den wtersten des weges plychtych tho wessen
 LOB den ynderste den wthesten des weges plichtich to wyesen.
 LOC Ende den Uitersten Wegen Pligtigh Zijn
- 11.R1 tha strete thes wintres. and thes sumures.
 LR de straten des wynters vnd des sommers
 LOA dat daer een yeuelyck mogen myt wegene ende myt wagene
 LOB dat daer een yttelycke noege myt wagenne ende myt wegenne.
 LOC dat daar een Iegelijk met wagenen
- 12.R1 mith wegke and mith weine to farande.
 LR myth sleden vnd wagen
 LOA in wat tyden soe he wyl des wynters ende des soemers
 LOB jn wat tijden so hie wil des wynters ende des sommers
 LOC in wat Tijden Zoo Zij willen des Zomers en des winters
- 13.R1 thet thi wein tha oron meta mugi.
 LR de eyne dem anderen nicht touen.
 LOA dat dee eene wagen den anderen moeten mogen
 LOB dat de ene vagene den anderen moten moge
 LOC den Eenen wagen den ander Wijke.

***** [Caesura in LO] *****

14. R1 alsoa thi inrosta to tha dike cumth.
 LR Also de bynneste tho deme dike kameth,
 LOA Item als men dan komen op den dyck
 LOB Also dan komen vpten dicke.
15. R1 sa hagere alsoa gratene fretho opa tha dike.
 LR so horet he tho also groten frede vp dem dyke
 LOA soe oget hee alsoe groete vrede op den dyck
 LOB so oeget hee alsoe grote vrede vp den dicke
16. R1 alsare oua tha wilasa werpe.
 LR vnd vp deme wegelosen worpe
 LOA
 LOB als men
17. R1 and alsare oua tha wieda stherek hou.
 LR alsoe vp dem geweygeden karkhaue.
 LOA als men op eenen ghewyende kerckhoue
 LOB als men vpten geweyden kereck hoeue.
18. R1
 LR
 LOA ende jn enen ween huyse
 LOB vnde yn ene weden huijse

19. R1 heth there thenne buta dike alsa felo
 LR Hefft he denne buten dykes so vele
 LOA dat hee soe voelle buten des dyckes
 LOB dat he also vole buten des dickes
20. R1 heles londes. and grenes turues.
 LR heles landes nicht vnd grones torues
 LOA heles landes ende hels torues
 LOB heles landes vnde heels torues.
21. R1 thet terne dik stathul mithi halda mugi. [*lacuna here in R1?*]
 LR dath he dendyckstapell mede holdenn mach,
 LOA
 LOB
22. R1 Ac neththere nauwet sa felo buta dike.
 LR
 LOA
 LOB
23. R1 heles londes and grenes turues.
 LR
 LOA
 LOB
24. R1 thet terne dik mithi halda mugi. Sa hagere binna dike
 LR so horedt eme bynnen dykes
 LOA dat geen mogen holden soe oget hee bynnen dyckes
 LOB dat geen dick mogen holden, so oeget he bynnen dijckes
25. R1 thritich fota turues. and thritich fethma to gerse.
 LR druttich voete dykes torues vnd druttich vademe tho grase,
 LOA dartych voeten torues ende dartych voeten grasses
 LOB dartich voeten torues vnde dartich voeten grazen
26. R1 thet skil wesa alla fennon anda fili.
 LR vnd dath schall vnbekummerth wesen
 LOA
 LOB
27. R1 er sante vites di.
 LR wenthe tho sanct Vitus dage.
 LOA
 LOB
28. R1 Vta skilu wi frisa vse lond halda. mith thrium tauwon.
 LR Buthen schole wy unse lande holden myt dren touwen,
 LOA Item daer mede wy onse lant holden myt dren touwen
 LOB Item darmede wy vnse landt holden. milt drijen touwen.
29. R1 mith tha spada. and mith there bera.
 LR myth den spaden vnd myth der forken
 LOA ende resscappen mytter spade mytter bere
 LOB ende reesschoppen. mitten spaden milt der bere.
30. R1 and mith there forke. Ac skilu wi use lond
 LR vnd ock myth der borue. Ock schole wy unse lande
 LOA ende myt der forken ock soe soelen wy onse lant
 LOB vnde milt der forckem Ock so solen wy vnse landt holden.

31. **R1** wera mith egge and mith orde.
LR weren myth egge vnd ohrde
LOA weren myt *eeggen* ende myt eerde
LOB *vnde* weren myt egge *vnde* myt oerde.
32. **R1** and mith tha bruna skelde with thene stapa helm.
LR vnd myth dem brunen schylde jegen den stapa helme
LOA *ende* myt den brunen schylde weder den scharpen helm
LOB *vnde* mijt der brunen schijlde. weder *den* schappen helm
33. **R1** and with thene rada skeld.
LR idest contra inimicos, vnd wedder de vnrechtverdigen (herscop)
LOA *ende* weder den roden schylt
LOB *vnde* weder den roeden schijlt.
34. **R1** and with thet unriuchte herskipi.
LR vnd jegen den roden schylt.
LOA *ende* tegen dat onrechte heerscup
LOB *vnde* tegen dat vnrechte heerschop.
35. **R1** Aldus wi frisa halda use lond
LR Aldus schole wy Fresen vnse lande holden
LOA al dus sollen wy onse lant holden
LOB aldus sullen wy vnse landt holden.
36. **R1** fon oua to uta.
LR van buthen wenthe tho bynnen vnd bauen vnd weddervmme,
LOA *Ende* onse luden
LOB *vnde* vnse luiden
37. **R1** ief us god helpa wili and Sante pedeR.
LR oft vns godt helpen wolde vnd sanct Peter.
LOA off ons god hulpe
LOB ofte vns godt hulpe.

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