

(thought)

## **RELIGION, LANGUAGE AND THOUGHT**

The mental and moral worlds overlap so much they are included together. The following are particular topics on which pieces were written by Alan Macfarlane in the early 1980's: Deceit, Gossip, Heresy, Language, Morality – regulation of, Morality and social distance, Promises and trust

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[The following overview of the mental world and of morality was written for the E.S.R.C. final report by Alan Macfarlane in 1983]

### **Overview of the mental and moral world**

The study of alien modes of thought has long been a central concern of anthropology and it is here that it has made many of its most striking contributions. The historian would also like to enter the thought worlds of the people he studies, but at first sight the formal nature of most of the surviving documents and the fact that they were written by an educated elite would seem to make it impossible to go far in this direction. Yet recent work on wills, diaries, inquisition records and other sources has shown that the position is not entirely hopeless one.

To start with, we can learn a considerable amount about literacy and education at the local level, the ability to read and write and sometimes facts about the ownership of books from inventories. The degree to which ability to read and write was important, the accounting abilities of village officers, the diffusion of the written word, all can be partly reconstructed from village records. The control of the written word is often a powerful tool in perpetuating the division between a cultured elite and ordinary peasants, between the 'Great' and the 'Little' traditions. The degree to which this was the case over past centuries in our communities can be examined in some detail.

Another area for investigation concerns thoughts about death, disease and causation. The occasional witchcraft or sorcery trial, religious sentiments expressed in wills, verdicts in coroner's inquisitions can be used to begin to build up a picture of the mental reactions to the high levels of mortality and morbidity and to the insecurities of the economy. There are hints of millenarian beliefs about the end of the world, of judgments and providences. The activities of minority religious groups, particularly the Elizabethan nonconformists and later the Quakers provide information on religious beliefs and sentiments and force people explicitly to define their beliefs.

If, for the present, we include here religion, then the outstanding feature of the religious system that emerges from both our areas is its 'protestantism', that is the emphasis on individualism, asceticism, internalization of revelation. Contrasted to the world of saints, pilgrimages, rituals, masses, local cults etc. of southern Catholicism or other world religions, this is religiously a very domesticated, not to say impoverished world. Many take the Reformation to be the turning point, and it is certainly the case that the tendency

in this direction was heightened by the abolition of the magic and ritual of Catholicism, culminating in the ultimate rational, quiet, meditative tendencies of Quakerism. But it seems likely that the political change at the Reformation did not really make a complete break in an older tradition. For the religious system, as can be seen, fits very well with those features of the kinship, political and economic system which seem to be present well before the Reformation. There was and continued to be a world of spirits and of Spirit, which the historian needs to bear constantly in mind. Yet there is a striking absence of that elaborate spiritual and ritual world which Durkheim, for example, saw as a manifestation of the particular mechanical solidarities of an agricultural world. It is already a world of much nonconformity and tolerance, of individual opinion, of inner revelation rather than communal ritual.

In pursuing the difficult topic of mind and thought, we would need to look more carefully at language and speech. This is difficult because we are dealing with written records alone, and hence do not know what everyday speech was like, except occasionally when it is reported. We can indeed make some study of changes in grammar and vocabulary and the meaning of words, and the introduction of new concepts over time. Indeed, since every word used can be intensively analysed with the use of the computer, and we have almost all the material surviving for two parishes over hundreds of years, it will be possible to make a most interesting study of linguistic usage. Through patient analyses we should also be able to piece together small sets of information on the attitudes to many things: towards night, day and the divisions of time, towards natural objects, towards the human body and its parts. There are even occasional glimpses, particularly in court cases or libelous rhymes, of the sense of humour of villagers and the use of language in gossip and ridicule. But all these gleanings need to be set within a range of other records.

Moving towards the more abstract field of symbolism, we can on the basis of the documents make some comments on the symbolism and importance of colours, numbers and gestures. The work of anthropologists on classification of animals, on boundaries, on purity and danger, can be partially replicated. We can study the material for the use of proverbs and sayings, the use of analogies and metaphors, the concepts of luck and chance. In none of these topics will local community studies provide more than a glimpse, to be supplemented by material from other contemporary sources. Often a search for material on a particular topic leads to a complete absence of information which then poses a difficult problem of interpretation.

Although this will overlap with our discussion of the effects of literacy and of the moral universe, it is still perhaps worth recording a few preliminary impressions concerning the mental world of the inhabitants of these two parishes. The integration, monetarization, mobility which we have stressed throughout seems to have created a mental world very far from that in many ecologically similar societies. For example, the world we witness in the Nepalese society is a long way from that revealed by the Kirkby Lonsdale and Earls Colne material. The rigid polarities of space and time, divided into sacred and profane, safe and dangerous, tame and wild, male and female, which have been documented for many peasant societies are largely absent. As predicted by anthropologists, writing and paper, money and contracts, in other words free communications, have homogenized time and space: they are dead, flat, conquered. The village is not filled with dangerous areas, the years with special times. There is more qualitative evaluation that we might find in a modern industrial society. But when we

place the evidence against the reported situation for most human societies, the qualitative differences are relatively slight. Concepts of purity and danger, for example, are very weakly developed; there are few, if any, absolute taboos. Indeed the very concept (and word) taboo, is foreign to the culture. The obsession in the society is not with boundaries and thresholds and rituals to join or divide, it is with money, contracts, custom, fair behaviour.

All these, of course, are tentative and preliminary impressions, for the data has not been properly analysed and is not, in any case, conclusive. Furthermore, first impressions are sometimes wrong. But certainly, at present, it would seem that what we are finding in Earls Colne may contrast very strongly with what is reported for other mainly agricultural societies. If, as we have argued, the political, legal, economic and social worlds are also unusual, it would not be surprising if the mental world was likewise.

### **Personal morality**

Finally, there is the residual sphere of personal morality. This encompasses topics such as the degree to which moral codes are universal - one code for the rich and poor, men and women, old and young - or differentiated. Anthropologists have often noticed the absence of absolute standards of truth, good and evil in the societies they study. These matters are contingent; it is good to lie to an enemy or even to all those outside the family. Was this the case in our sample villages? How far did the 'moral community' stretch; was it bounded by the village border or did it even encompass townsmen? Questions concerning truth and falsehood, of fairness and unfairness, of generosity and meanness, of cruelty and kindness are among the most difficult and intriguing for historians. If, as in Earls Colne, we are lucky enough to have people arguing about these matters in the ecclesiastical and equity courts, it is possible to begin to suggest certain features of the moral systems of past villagers.

We may take just one impression from Earls Colne concerning the uniformity of morality. In many peasantries truth and morality are limited, often one is only truthful, honest and fair to a very small set of close kin. 'Amoral familism' sets each family against another and certainly once outside the village all morality is dead and deception reigns. Truth is relative to the social relationships. Also morality is cut across by class or caste: the moral systems and responsibilities end at the bounds of peasantry, nobility etc. What is curious at first sight about the material from our villages is that people appear to have subscribed to an idea of universal morality: people were expected to tell the truth, the whole truth and nothing but the truth, that strangers could be trusted, that morality stretched outside the family and even the village. It is plain that many contemporaries believed that disinterestedness and altruism existed, that the world was not full of ravenous wolves. The ideas of the 'gentleman', of the word being as good as a bond, of fair dealing, are all parts of this complex. It is easy to see how necessary all this was for a commercial economy, yet this does not diminish the fact that it contrasts so strongly to the situation in many societies.

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## **DECEIT**

The failure to keep promises may be an unintentional form of deceit.  
But there are more conscious forms of the misuse of language leading to

deceit. These also broke ethical codes and needed to be regulated. They come under such general headings as 'lying', 'cheating', 'cosenage', 'deception', 'fraud', 'false pretences' etc. and these and similar words need to be looked up and examined in context. We are to a certain extent dealing here with the verbal counterparts to such acts as the use of false weights and measures. Theft can be perpetrated as easily by these methods as it can be by actual physical removal of objects.

There are numerous subtle shades of deceit. There is downright positive lying - saying something which the speaker knows to be untrue. There is evasion, the failure to bring forward information which would be expected if one were being honest, there is fraud, the pretending to be or know something which one does not, and so on. In many societies each of these is a fine art and one would not expect to get 'the truth, the whole truth and nothing but the truth' from any other mortal - and would presume that everyone but one's closest family would be engaging in various shades of 'terminological inexactitude' as Churchill put it, all the time. Truth is contextual and relative. Life is a constant battle to defend oneself against the prying eyes of neighbours, enemies, authority etc. Lying and deceit, especially towards outsiders, are built into the system.

But it could be argued that in order to work the governmental and economic system we see in EC it was essential that lying, deception, fraud etc. be kept to a minimum. Of course it existed, but if no-one could be trusted, one would end up in a Hobbesian world of a war of all against all. Bargains could not be struck, power could not be delegated etc. The system would have to rely upon those personal ties of patronage etc. used by other societies to get over these problems. There is very considerable scope for close investigation here.

Scolding: chiding, scolding, mockery, reviling, cursing

Swearing: blasphemy, swearing, obscene language

Time: hours, days, weeks, feast and fasts

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## **GOSSIP**

Anthropologists have spent some time in analysing gossip - e.g. the work of Gluckman et al. This is because working in small-scale, face-to-face, fairly immobile and densely connected societies they have realized how very important the topic is. The making and breaking of reputations, the dishonouring or honouring of a person, are of central concern where merit or honour or esteem or prestige come basically not from wealth

or class or whatever, but from what people think of one. That this was an important matter in seventeenth century villages one cannot deny. As I may already have pointed out, good fame was as important as good actions. To destroy a person's reputation was to destroy not only his view of himself, but even threaten his livelihood. A dishonest justice, a deceitful bailiff, an immoral clergyman were not acceptable. Hence the force of the lament so vividly recorded in the Harlakenden vs. Partridge case when a bailiff was accused of crooked dealings by the judge and replied with words something like 'oh my lord, I am dishonoured, I am a ruined man'.

The essence of gossip, a curious word to be used since it is not wholly bad (derived from godsib) and is quite legitimate in many ways, is the fact that it is carried on indirectly. This joins together various quite separate activities which we will look at under this heading. All of them involve the insidious attacks on people - which may or may not be true (truth is irrelevant, as is well known in the law of libel) - and may or may not be justified. But the attacks are not direct verbal abuse on another person, which has been dealt with elsewhere under verbal abuse. There are basically two major strategies which could be used in these attacks. One of them is specifically to 'sow discord' between people. That is to spread information which will lead to bad feeling between people. The other, encompassing this but much wider was to slander or defame a person, that is to attack his or her reputation.

#### MAKEBATE, SOWER OF DISCORD

Both these terms were used in the records, or in the lists of articles to be presented. A makebate is defined as 'one who or that which creates contention'. The perfect example from this very period is, of course, Iago, whose fatal scheming led to murderous dissension. In fact, there are many examples of this in Shakespeare's plays. The word makebate only occurs once in our data so far, but it should be possible to go beyond this, especially in the Chancery and other disputes, to see whether there were many other instances of this kind of activity.

#### DEFAMATION AND SLANDER

Defamation is defined by the SOED as 'the bringing of ill fame upon any one; disgrace...to attack the good name of; to dishonour by report'. It is in the words of the time, to detract from the 'fame' or reputation of a person - how he is thought of by the world. It is difficult to see much difference here from the word 'slander', which is defined by the SOED as the 'utterance or dissemination of false statements or reports concerning a person, or malicious misrepresentation of his actions, in order to defame or injure him, calumny, defamation..' Indeed the dictionary makes them almost synonyms. The words that are spoken in this way are the slander, the information may be scandal. It is thus necessary in order to examine this topic to look under all these headings.

In our data so far there are 28 references to the word 'defamation', 18 to 'scandal' and about 27 to 'slander'. These will need to be extracted in order to see what kind of information was thought worth presenting, who were the offenders and the offended etc. Defamation appears to have been the special concern of the ecclesiastical courts and most of the cases we have come from than court. Was slander ever tried elsewhere? Were the presentments usually for remarks that were untrue, that were malicious, or that were both? For it is recognized in the definition that there are two separate elements to this activity. Firstly, it may be untrue. But even if it is true, if it is malicious(done with evil intent), and has harmful effects on a person's reputation, it could still be presented.

An analysis of this subject should give us some insight into what were considered to be damaging things to say about a person - to attack his sexual prowess, honesty, godliness or what? This, an interesting mirror image, gives us some information about what reputation or honour consisted of. Is there evidence that slanders were ever dealt with more directly, outside the court process, by physical assaults etc ?. Is there evidence that people other than the individual concerned were caught up in defending honour? In many Mediterranean societies, for example, honour and reputation are not an individual but a family matter, particularly between brother and sister. To spread a slander about one member of the family will bring in the rest of the kin, especially if some aspersions are cast on the chastity of the women. Is there any evidence of this in the evidence, or were people expected to preserve their own reputation, as individuals, against the tongues of their neighbours?

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## **HERESY**

This offence was one where there was a division of work between the Church and the State. A General Synod or Bishop of the Diocese could certify that a person was a heretic and upon certificate of such conviction, the writ de haeretico comburendo could be granted. If the individual did not abjure, he was to be burnt. There is no indication of any persons being prosecuted for this offence in Earls Colne throughout the period

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## **LANGUAGE: CONTROL OF**

Modern work in socio-linguistics has brought us back to an awareness that was very common in this period that words have power and that the distinction between verbal and physical actions is not absolute. The concept of the speech act etc. is useful in helping to emphasize the many

forms of linguistic usage which were subject to control. Anthropologists working in non-literate cultures are particularly aware of the importance of words, but historians, reliant on the written word, tend to miss their significance. It is obvious that we are dealing with a culture which is already dominated by paper and writing, but nevertheless in everyday life the manipulation of speech in various ways was of great concern to the authorities. We have already dealt with speech that offended against the political order in a serious way under 'treason', and the subject is covered elsewhere in relation to serious cursing under witchcraft. But the residue of the manipulation and control of language is best dealt with here. As a start we may look at the contemporary categories of illicit or prohibited speech. In the articles for the Archdeaconry of Colchester for 1635, article 29, people were admonished to enquire whether there were 'any reputed common...blasphemers of Gods holy name, common and usual swearers, filthy speakers, railers, sowers of discord among their neighbours, or speakers against minister's marriages...' In the model articles for court leets in 1510 it was stated that juries should present 'all common chiders and brawlers to the annoyance of his neighbours and evesdroppers under men's walls or windows by night or by day to bear tales or to discover their counsel to make debate or dissension among neighbours'. From these two statements we have the following categories: blasphemy, ordinary swearing, filthy language, railers, sowers of discord, chiders and brawlers, evesdroppers and gossips. Looking through Jessica's verbal abuse categories there are also the following words: slander, defamation, scold, reviling, scoffing, mocking, makebate.

Each of these terms overlapped, but they were also slightly different and it will be necessary to spend an hour with a good dictionary in order to sort them out. The word 'defamation' reminds one that to be 'of good name and fame' was extremely important in this society - it was an offence in the ecclesiastical courts not merely to have committed a wrongful act, but even to have behaved in a way which would have led reasonable people to suspect one of such an act. This was the obverse of the saying that justice must not only be done, but must be seen to be done. This was the danger of gossip and slander. The concern with good reputation is of central importance in our material. But it is necessary not only to deal with the negative use of language outlined above, and which should also include the obverse of prayers, i.e. cursing, but also with the failure to conform to the positive use of language. This is the area which was specifically covered by the equity courts - deception, broken promises, fraud etc. In relation to economics it was the concern of Chancery etc., in relation to marriage it was the concern of the ecclesiastical courts, especially the breaking of marriage contracts. One might, as a tentative start, divide the control of linguistic acts as follows:

spreading false or damaging information -slander, defamation, gossip, evesdropping, backbiting, makebate etc. These were indirect attacks

on people through the spoken word (GOSSIP)

direct attacks on persons through spoken word: chiding, railing, scolding, scoffing, mocking, cursing (SCOLDING)

using forbidden language -invoking name of God(blasphemy), using ordinary swear-words, using filthy language(SWEARING)

All the above have a certain similarity in that they were all prohibited. Two allied, though slightly different matters were:

failing to keep one's word: oaths, promises etc. (PROMISE)

giving false or misleading information: lying, deceit, fraud etc.( DECEIPT)

A more detailed consideration of these five categories of verbal control will be found under the titles in capitals.

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## **MORALITY – REGULATION OF**

Naturally, in the real world the regulation of morality overlaps with the regulation of the peace etc. But we may artificially cut off a realm here. Offences against the peace is dealt with under public peace, the regulation of the physical and economic world(excluding property) is dealt with under regulation of village life, the regulation of property and of thought and ideas will be dealt with elsewhere. Here we are dealing with those aspects of behaviour -whether verbal or physical acts - which were considered to be immoral or unethical. This encompasses that difficult bundle of things which encompass fairness, equity, justice, sin, immorality etc. It is an extremely tangled subject, a main concern of the ecclesiastical courts, but also of the equity and manorial courts. How are we to divide and classify the subject? Three ways of doing this would be as follows. Firstly by the nature of the behaviour in question, which would boil down to thoughts, words and deed. Secondly, by the social distance of the parties involved, which would spread outwards from the individual, through his close kin, to villagers, to unrelated persons. The third criterion would be the types of control agents and the types of sanction they imposed, from informal kin and neighbourly pressures, through the local courts up to Chancery. There are other cross-cutting classifications which need to be borne in mind - among the most important being time and space. Much behaviour on a week-day, for example, was immoral on a Sunday.

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## **MORALITY AND SOCIAL DISTANCE**



What is right and good is dependent not only on the nature of the actions or the words in themselves, but it is affected by space and time, as has been stated. But it is even more affected by the social context in which words are spoken and deeds are done. This is abundantly clear to anthropologists. One of the premises of the cross-cultural study of law is that what is right and rational will vary depending on the parties concerned. An affectionate gesture may be right and proper towards one's mother, but not towards one's sister etc. Things are expected of husbands, which are not expected of other men etc. The morality of language and actions within the context of a number of specific relationships is of great importance. How should a husband behave and what happens to him if he fails to conform, should one behave in the same way to strangers as one does to co-villagers or kin? Is morality universal or is it cross-cut by gender, class, kinship etc.

This raises so many huge and complex problems that one feels like avoiding all these subjects. It may well be that these topics will be best dealt with under the chapters on class, kinship etc. Since we are here dealing with the formal regulation of conduct, perhaps we can limit ourselves merely to considering those types of behaviour which various official institutions - the church, customary law, common law etc. felt competent to interfere with and enforce. We will leave on one side economic rights in property, which will be dealt with under property. We will also leave on one side all consideration of breaches of the peace. One is left with actions which were not actionable at common law, but were considered all the same to be matters of public concern.

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## PROMISE AND TRUST

'An Englishman's word is his bond'. Behind this old phrase there lie a wealth of meanings. It could be argued that in many societies there is very little faith placed in promises; one says a thing depending on the context and it is expected that one will do something else. The idea of 'holding a person to their word' is absurd. Language in the present cannot bind behaviour in the future. The situation will have changed etc. One of the necessities of a market capitalist economy, however, is that promises be kept. One cannot write down and have witnessed every one of those thousands of small agreements and contracts one has to make. When one agrees on a price, on a purchase, on a job being done, on hiring or firing, on a boundary, on a wage, on an engagement, on a rendezvous, many of the agreements are done orally. As time passes, the situation may well change and it may no longer be so much to the advantage to both partners that the promise be effected. But if one fails to turn up at the church for the wedding, or fails to deliver the wool, or to appear as a witness in court, the other suffers damage. It is essential that words of promise should be honoured, even if they turn out to be a person's disadvantage. This is another area where the morality of language is concerned and it is again the courts concerned with ethics - the

equity courts, particularly Chancery, and the ecclesiastical courts, which are most concerned with enforcing promises. How are we to see inside the system, to see what kinds of promise were binding and enforced?

The frequency of the appearance of the word 'promise' or one of its other versions, over 500 times in our data, shows how important this idea was and it will be worth analysing in some detail. But there are many situations and pieces of material bearing on the keeping of one's word which will never explicitly be labelled in this way and it will need to be a careful search. In the meanwhile, two illustrations of the sort of material one might use can be mentioned.

The first is the breach of promise surrounding marriage. The power of the spoken word to bind future behaviour is very well illustrated by this topic. Marriage was a life-time union which affected a person's happiness more than any other single decision in his or her life. The choice of a marriage partner was of crucial importance and was a difficult and delicate matter. During the course of the negotiations between families and individuals leading up to it, it might well be that a person would realize that they had made a mistake. But the system of engagements was such that if a person spoke the following words, in the future tense, to another person (and it was reciprocated) 'I will take thee to be my lawful wedded wife', then the espousal or engagement could not be broken off without the agreement of both parties. No witness was needed, just the words spoken bound a person for life. It was the breach of this simple promise that led to so many cases in the ecclesiastical courts of this period - and it will be worth analysing some of them. The binding power of promises was equally well illustrated by the sequel to this. If a person made a slip in tense, absent-mindedly or even unwittingly using the present tense 'I take thee to be...' etc. and this was reciprocated, again no witnesses being needed, then the couple were indissolubly married by cannon law. They could not be fully divorced once they had sexually consummated the union, unless there were present one of the rare grounds for annulment or divorce. Thus a dozen words without any actions could bind a person for life.

A second example can be found in the very interesting Rose Partridge case. The central issue as I recall it over the disputed land in the court rolls was broken promise. Rose alleged that Roger Harlakenden said that he would do one thing, which he never performed. All the rest, the forging of court rolls, disputes over other property and whether Rose was a good mother etc., arose out of this alleged broken promise. It seems clear that if Rose could prove that a promise had been made and not kept then equity or 'fairness' demanded that she be recompensed. Indeed, it could be argued that a great deal of the function of equity lay in attempting to remedy this situation, it was concerned with making people keep to spoken or even unspoken but strongly implied assurances. People could imply things by their actions as well as their words, by what they did not say as well as what they did say. A deeper analysis of

our equity material should throw some fascinating light on this attempt to bring action into line with language.

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## SCOLDING

Although their effects were all damaging, the proliferation of different words for different forms of direct verbal attacks suggests that, as an anthropologist studying a present community would realise, there were very important differences in different forms of attack. Drawing on the very interesting work of du Boulay on mockery in Greece, Bailey and others on vicious verbal abuse in many peasantries, we may look at the different words to see what they might mean. This is especially important since it is one of the main findings of recent anthropological studies of many peasantries around the world that one of the central features of their cultural system is a high level of verbal abuse. Whatever the reasons - for example it is argued that in a non-mobile, poor, closely connected situation hostility builds up and then breaks out with exceptional bitterness - the results are that verbal abuse is very extreme - providing a backdrop to the high levels of physical abuse. Hence the study of this subject will provide a valuable insight into the degree to which English society had the 'cultural' dimension of a traditional peasantry.

It will finally be necessary to sort the various types of verbal abuse into some kind of order, either in terms of virulence, social distance, the degree of humour involved, or some other classification. But at present, not knowing what the various categories were, we will have to start with just taking them one by one.

## CHIDING

So far the word 'chide' occurs some five times in our data and it will be necessary to see how it was used and who was accused of it - e.g. was it always women, within marriage etc. The Shorter Oxford English Dictionary (SOED) defines it as 'to contend with loud and angry altercation, brawl, wrangle', 'to utter rebuke', or to 'scold, find fault with'.

What seems clear here are two things. Firstly that it is a noisy activity, meant to be overheard by others to whom one is implicitly appealing. Secondly, that there is some element of rebuke - in other words an appeal to some unfulfilled standards. Chiding therefore has some justification, reminding a person of their duties in a loud voice so that they will come under pressure from others. It is a delicate matter to decide who has exceeded the bounds of justified criticism. The way in which this was decided, and the nature of the implied criticisms, will be very interesting to analyse when we have the full texts and the persons involved.

## SCOLDING

The seriousness of the offence of scolding, a more powerful form of chiding it would seem, is shown by the fact that one could be a 'scold' and that a special instrument of humiliating punishment, the cucking stool, was reserved for those who were proved to be scolds. Its relative infrequency is shown by the fact that scold and words like it only appear some ten times in the present data. We will need to see who these were, whether they were presented several times etc. The SOED definition of scolding suggests that it shared with chiding the two elements of noise (to attract neighbours) and some reference to a standard which was not being maintained. But it had two extra features. One was the use of unseemly language, which particularly connected it with women, who were presumably not permitted to use certain language of a strong kind reserved for men, and the second, was that there was a more torrential and non-stop flow of abuse. Chiding was of lesser duration. The association of scolding etc. with women is worth pursuing. It is easy to see how in a society where men were stronger physically, socially and economically, women's main methods of defence and control would lie in the use of their tongues - but even this defence was taken away if it was estimated that their abuse was too strong, unjustified etc.

#### MOCKERY, SCOFFING, RAILING

The essence of scolding and chiding was the vehemence of the abuse - noisy and with the use of strong language. This is what differentiated it from mockery etc. While both uses of language were based on an appeal to external standards, the effect was achieved in mockery etc. much more quietly by the use of humour of various kinds - satire, irony, exaggeration, imitation etc. Such tools are very important indeed in many societies - for instance they are a central theme in Du Boulay's portrait of a Greek mountain village. One of the interesting things about the EC evidence is how little these language arts were developed. The one use of the words mockery and scoffing in the whole of the data so far comes in the notorious case where Henry Abbott was amerced by the manor court. When the bailiff came to distraint some cloth from Abbott Abbott did 'in very contemptuous scoffing and mocking manner against his foresaid lord' said to the servants of the lord that, Mrs Harlakenden being lately dead, 'I had thought your master had sent you to me to have taken cloth to make mourning coats'. The humorous imputation of meanness, lack of filial respect, poverty etc. was, of course, grossly insulting. But why is there so little of this - or perhaps it will be found elsewhere once we examine reported speech.

Another instance would be the scoffing remarks made by one of Harlakenden's men (Cobbe?) when asked where certain lands lay - he replied to the learned Judge in the Court of Common Pleas in a most mocking manner. To explain the absence of this verbal device, as well as the virtual absence of mockery through physical imitation (theatre, farce, puppets etc.)

will be interesting.

## BRAWLING AND REVILING.

Brawling is defined by the SOED as 'to wrangle, squabble'. Since we have dealt with physical assaults under 'affray' and they were the concern of the officers of the public peace, brawling and reviling seem to be limited to public and noisy quarrels in which no weapons were drawn or blows of a physical kind given. They were often the outcome of the previously discussed scolding etc., but they could also just be the result of a two-sided quarrel. They did not necessarily imply a failure in some way, but to publicly quarrel in itself was an immoral act. A person who did so frequently should be discouraged. It will be interesting to see who and in what context the 13 instances of use of the word brawl and five of the word revile occur.

## CURSING

This should probably be associated with swearing, but it is also subtly different. It is logically consistent to believe that if prayers work, so do their reverse, curses. By expressing strongly and with certain words a view about people or the world, to curse one's neighbours or his crops, one could harm them. In certain situations, as Keith Thomas has shown, cursing was used by the church itself to kill vermin or one's enemies. The old testament was full of the power of the curse and the dying curse of a man, and especially of a parent, is very powerful in many societies. One of the curiosities again in the EC material is that although cursing (and the Evil Eye which is an extreme form of it), seem to have been recognized as theoretically possible -witness the remark of Josselin when a person's windmill was burnt down..' the woman often wisht it were on a light fire, god sometimes gives in persons their curses...'- there is, on the whole, little concern with cursing. So far, there are only three references to the word curse, and I doubt if there are any to alternative words such as malediction. In societies termed peasant there is a constant apprehension of envy, the evil eye, cursing etc. The work of Bailey, Du Boulay, Pocock on India, and many others have shown the enormous power of envy leading to curses. Or in Africa, the curse of the elders is an important form of social control. Why is it so relatively absent in the material? Is it that the records do not record it, or was it really largely absent. This will obviously overlap with the extreme form of cursing, namely witchcraft. Was there any cursing of kin, appeal to dead ancestors etc?

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## SWEARING

This will be taken to cover all uses of forbidden words. Words, like everything else, are acceptable in their appropriate context. Thus the name

of God, or of private parts of the body, may be used in the appropriate situation. But if they are taken out of that situation and they become dangerous and threatening. This is particularly the case in a society such as that of England at this time when so much use was made of formal oaths in many situations - so help me God etc. It debased the currency to use it too freely and offended laws of decency and holiness to use loose language. The three major categories of immoral use of language were taking the name of God in vain -blasphemy; ordinary oaths and swearing; the use of words which were categorized as 'filthy'. We may deal with each of these in turn.

## BLASPHEMY

We have seen that the archdeacon's articles in 1635 asked that those who were common 'blasphemers of Gods holy name' should be presented. So far there are only five instances in the name index to derivatives of the word 'blasphemy'. We will need to look at these in context and see what lay behind the presentments. It might also be possible to look at the word 'God', 'Jesus' etc. , but only in certain contexts for there would be many references. It is interesting that the argument was pushed to its logical conclusion by the Quakers who argued that all oaths invoking the name of God were blasphemous - is there any reflection of this view in the material? Is there any suggestion of changes whereby it became more acceptable, or less acceptable, to use religious words in ordinary language - or in jokes etc? Who were the blasphemers and what was their punishment? Were they doing it for a particular purpose?

## ORDINARY SWEARING

When the same articles spoke of 'common and usual swearers' it is not quite certain what it means. Presumably it referred to the fact that people, rather than reserving their solemn affirmations 'by our lady', 'by my father's death' or whatever to those serious occasions when an oath was required - which were very many (the word 'sworn' is found over 1400 times in our data so far), would use such affirmations or oaths in their ordinary speech to shock or make particular points. The word 'swear' and its derivatives appears about 60 times in the material. It will be interesting to see what particular oaths were used, who was accused, and how they were dealt with. Josselin may have some remarks on this and other kinds of oaths, swearing etc.

## OBSCENE LANGUAGE

The former two uses of language broke categories by taking words out of a particular frame or category and placing them elsewhere. A different form of this activity lay in the use of 'obscene' or 'filthy' language - an association of dirt and danger and crossing of boundaries to which Leach and Douglas have drawn our attention. The word 'filthy' only appears twice in our present sample, the word obscene not at all, and

'dirt' only once. It is probably under another category of verbal abuse that we will find most of the instances of presentments of verbal obscenity. In the light, for example, of Leach's work on animal categories and verbal abuse, it will be interesting to see what words were used to whom in what context - when people wanted to use obscene language did they draw on bodily functions, sex, animals or what?

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## TIME

As a number of historians (e.g. KV Thomas, EP Thompson) have pointed out, the regulation of time, work discipline etc. is a central way into the whole problem of the transition from a 'pre-industrial' to 'industrial' world. Our data can throw a little light on this. Among the topics under which the regulation of time might be looked at would be.

### HOURS OF THE DAY

Were there any regulations concerning what one could do at various times in the day, how many hours one could work and when etc.?

### NIGHT AND DAY

There were many activities which one could do in the day which could not be done at night, and many offences were worse if done at night. For example, burglary was an offence which specifically involved a night attack - if done in the day it was simple housebreaking. It is clear that there was a kind of curfew and the constables seem to have been meant to keep a patrol through the night hours. Being a 'common nightwalker' was an offence in itself. How often was it prosecuted? The seriousness of activities at night is shown in a matter to be enquired of in the court leet (1510): 'any vagabonds or gamesters or robbers among you that wake on the night and sleep in the day and haunt the customable ale houses and taverns and routs about, and no man knows from whence they come, nor whither they shall go...' It will be interesting to look up the contexts of the use of the word 'night'.

Looking at our crude index there is clearly some interesting material here. In EC in 1495 two men were accused of being 'common suspicious nightwalkers'. In 1556 a man 'did unlawfully answer the watch when they bid him put out his candle and go to bed'. The attempt to regulate this is shown in two by-laws passed in the village. In Colne Priory in 1578 it was resolved: 'At this court it was ordained and ordered as by the whole homage thereafter to be observed and kept that every person residing within the said leet that go out of their houses in the night after the ninth hour shall forfeit unto the Lord 12d and that the constables of the leet have full power to apprehend all persons offending'. Seven years later EC manor 'agreed that if any person be found out of his house after nine of the clock in the evening except he can show a

reasonable cause he shall forfeit 3/4d'. It is not surprising that the only presentment which might come under this head which I have found so far is that of Henry Abbott, who was amerced in July 1592 by the EC court that 'in the nighttime haveing on only his shirt came out of his doors into the highway and greatly disturbed the watchment being then set in watch according to the laws of this realm'. In 1607 in EC court leet, Thomas Harvie was presented as not of good behaviour but a 'night walker'.

## DAYS OF THE WEEK

It has been argued that one of the major transitions in modern times has been in the separation of labour from leisure, the growing insistence, for example, that Sunday should be a day of rest. The argument goes that in their stress on 'sabbatarianism' the Puritans were preparing the way for the industrial week with hard labour for six days and then an enforced rest. Occupations became more and more restricted and the boundary between, first of all 'secular' and sacred time, and later between work and rest time was elaborated. Within the week there were also subtle changes. Whereas before different days had different qualities - Friday being unlucky, Monday being the day for certain activities etc. - gradually the world was divided into the 'week-end' and the week - in which every day was the same.

Although a good deal has been written about this at the national level by C.Hill, K.Thomas and others no-one has investigated it at the level of actual daily behaviour. This is partly because the problem of working out the patterns of what day of the week it was when certain types of activities occurred is quite beyond possibility - except with a computer. We are in the unique position of being able to see whether, indeed, there was a shift in our period. Whether, for example, there were official or customary rules which tended to prevent certain actions taking place on certain days, or tended to cluster them. For example, we can see whether people abstained from economic transactions on Sundays etc. The ecclesiastical court material would help here for there is some interesting material on days of the week etc. We can even find out something about eating habits by days of the week from the fifteenth century accounts.

## FEAST DAYS AND FAST DAYS

As well as the supposed shift in emphasis on particular days of the week, it will be possible to test the regulations concerning special days or periods in the calendar - Lent, Christmas, saints days etc. To what extent was diet, sex, labour etc. controlled in relation to these? How were the regulations maintained? What evidence is there that a rhythmical calendar which accentuated



feasts and fasts and the difference between sacred and secular time, gave way to one which made no differences?