

Curses or Threats? Debating the Power of Witches' Words in 17th-Century Scottish Courtrooms

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Abstract

17th-century Scottish court records present a perspective on witchcraft language that is unavailable in Early Modern English trials, namely that of defence lawyers. This paper offers a discursive analysis of speech act functions attributed by trial parties to alleged witches' utterances in three 17th-century Scottish witchcraft cases. Culpeper and Semino's (2000) curse definitions are combined with Jucker and Taavitsainen's (2000: 74) "pragmatic space" to capture the spectrum of witchcraft speech acts. The examination of metacommunicative expressions suggests that threats were key witchcraft speech acts with different degrees of performativity, ranging from venting anger to effective harm-causing curses. The supernatural dimension of witches' threats is absent in modern threats.

1. Introduction

17th-century Scottish witchcraft trials provide untapped linguistic evidence for examining the power associated with witches' words from a new angle. In contrast to the Salem witch trials and English law, defendants in early modern Scottish criminal court proceedings had the right to defence counsel (Hiltunen 2010: 71; Walker 1995: 431). Defence advocates' objections to witchcraft accusations present an alternative legal perspective, constructed under the same socio-historical conditions as prosecution charges and verdicts by jury and judges. The examination of their arguments illuminates period-specific understandings of witches' speech.

Court records are important sources for the reconstruction of spoken language of the past. Witchcraft cases in particular contain "speech-based" data of spontaneous face-to-face encounters since words uttered in everyday conflicts were highly rated as circumstantial evidence (Culpeper and Kytö 2010: 17, 80). Witches' speech in Early Modern English (EModE) texts has attracted the interest of a number of scholars, especially in connection with the new edition of the Salem witchcraft

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papers (see Rosenthal et al. 2009).¹ While pragmatic aspects of courtroom interaction in witchcraft trials have been analysed in detail, comparatively little has been written on witches' language in everyday quarrels with neighbours. Culpeper and Semino (2000) argue that witches' curses in early modern England were believed to cause misfortune through supernatural evil powers.

The present study tests this previous finding with a discursive analysis of witchcraft speech acts in three 17th-century Scottish trials. Witchcraft speech acts are defined as spoken utterances that were recorded in direct or indirect speech and evaluated as legal evidence of witchcraft. The analysis addresses the following questions: which speech act functions did different trial parties attribute to witchcraft suspects' earlier utterances? What do their attributions suggest about the perceived illocutionary force of witches' words? Speech act functions are reconstructed through "metacommunicative expressions", i.e. linguistic expressions used by language users to comment on speech acts (Jucker and Taavitsainen 2013: 95; see also the study by Grund in the present volume), such as the speech act verb *threaten* reported in the witness testimony below (example (1)):

- (1) [...] ye said Agnes **threatnid** the said *william* saying Schoe
 sould mak him goe halting hame
 (MS NRS JC2/8, p.417, emphasis mine)
 'the said Agnes threatened the said William saying that she should make him
 go limping home'

Metacommunicative expressions are examined with respect to their relation to speech act definitions. Culpeper and Semino's (2000) curse definitions are combined with Jucker and Taavitsainen's (2000: 74) "pragmatic space", a concept derived from semantic field theory that helps to describe distinctive features and overlaps of related speech acts. As will be argued, threats, such as in example (1), were key speech acts in 17th-century Scottish witchcraft accusations. The qualitative investigation suggests that witches' threats covered a spectrum of different speech acts, ranging from venting anger to (what was believed

¹ See, for example, the special issue on witchcraft records in the *Studia Neophilologica* 84: sup1 (2012) and the studies on the Salem witch trials in the *Journal of Historical Pragmatics* 8(1) (2007) and 3(1)–(2) (2002).

to be) effective harm-inflicting magic. The supernatural element of witches' threats is no longer found in speech act definitions of Present-Day English threats (see Section 4).

This paper continues the introduction to the historical context of Scottish witchcraft prosecution and the data in Sections 2 and 3. Section 4 discusses speech act definitions of curses and threats and the concept of pragmatic space. Section 5 describes the methods of analysis. The case study is divided into two parts: The first conducts a close reading of an example to illustrate the shifting evaluations of alleged witches' utterances in the course of trial proceedings. The second part presents the findings. Finally, main observations are summarised and conclusions drawn.

2. Scottish witchcraft prosecution

In Scotland, witchcraft was a statutory crime carrying the death penalty from 1563 to 1736 (Larner 1981: 1). The charge was *malefice*, which manifested itself in “specific evil acts [...] performed through supernatural powers” (Larner 1981: 7). Witchcraft accusations usually emerged out of neighbourhood tensions (Normand and Roberts 2000: 87). Although a death sentence was the likely outcome of a trial, around a third of suspects escaped execution (Martin and Miller 2008: 56).

Whereas accused persons in EModE trials had to defend themselves, Scottish defendants' right to defence counsel was established in 1587 (Walker 1995: 431). Defence strategies were shaped by advocates' institutionally defined role to interpret rather than challenge the law. While defence lawyers could make objections to specific pieces of evidence, they could not question the status of witchcraft as a crime or “the concept of witchcraft as such” (Larner 1981: 176–177).

Evidence of witchcraft consisted of confessions, witness testimonies, and witchcraft reputations (Normand and Roberts 2000: 98; Martin 2002: 73). In confessions, accused witches would admit—commonly under torture—that they had a demonic pact, which meant that they had entered a relationship with the devil, enabling them to perform witchcraft (Larner 1981: 107, 135). A verdict of guilty could stand on confessions alone (Normand and Roberts 2000: 98). In the absence of confessions, witness testimonies, containing neighbours' reports of malefice, gained importance as indirect evidence of the devil's intervention (Martin 2002:

88). The local reputation of being a witch was usually built over many years. Neither witchcraft reputations nor reports of malefice were sufficient proof *per se* for conviction (Normand and Roberts 2000: 95, 98).

The reality of witchcraft, and of God and the devil, seems to have been “widely accepted” across all layers of 17th-century Scottish society, which, however, does not imply that there were no sceptics nor that everyone shared the same set of beliefs (Larner 1981: 11–14, 176; Normand and Roberts 2000: 54; Martin 2002: 75). Popular and educated witchcraft belief are distinguished as different, yet intertwined, belief systems (Martin 2002: 74). The common people drew on ancient folk belief in magic and spirits to make sense of “otherwise inexplicable” disease and accidents (Walker 1995: 477). Blaming the witch was a convenient alternative to the prevailing Calvinist view according to which people had to acknowledge misfortune as God’s just punishment for their sins (Larner 1981: 171–172). Educated witchcraft belief, albeit derived from the older popular belief, was a new perspective of witchcraft defined by early modern representatives of church, law and government. It is reflected in treatises on theology and demonology, a famous example being James VI’s *Daemonologie*. Educated witchcraft belief differed from popular belief in its account of supernatural power. Less educated or uneducated people were not concerned about how witches obtained their supernatural powers and might well have believed that witches actually possessed those powers. By contrast, educated people tried to fathom the power structures in the supernatural realm that enabled witchcraft (Larner 1981: 15, 69–79, 141, 157–191). The demonic pact, a key element of educated witchcraft belief, served to explain witches’ access to the devil’s power in exchange for their souls (Martin 2002: 73, 78–79). The pact was similar to feudal bonds between lords and vassals. Moreover, it was considered a perversion of the divine covenant. Like Israel, Scottish Protestants saw their nation as a godly society, consecrated to God. Witchcraft implied a covenant with God’s archenemy, and was thus a serious breach of God’s laws (Larner 1981: 172; Martin 2002). Both analogies propose a hierarchical relationship of witches bound in service to the devil. From educated perspectives, the devil did not devolve his powers to witches. Instead, witches would use magic practices to stir Satan to fulfil his lordly obligation to take revenge on those who had wronged them (Larner 1981: 176; Martin 2002).

Popular and educated belief intersected in witchcraft prosecution when representatives of the educated ranks elicited confessions of the demonic pact and collected testimonies of malefice from less or uneducated suspects and witnesses (Normand and Roberts 2000: 55; Martin 2002: 73–74).

3. The trials

The trials investigated in this paper were held at the Justice Court, the supreme criminal court in Edinburgh (Gillon 1953: 4). The accused, Margaret Wallace (1622), Isobel Young (1629), and Agnes Finnie (1644–45), were sentenced to death. The trials have been selected because they offer “almost unique” insight into 17th-century legal proceedings in witchcraft cases (Smith 1974: 627). Extant detailed cases such as these are few in number and tend to be central court cases, while records from local courts—where most witchcraft trials were held—have often not survived (Martin and Miller 2008: 53).

The defendants' social profiles share features with the majority of accused witches. Like most witchcraft suspects, Young and Finnie were prosperous commoners, who were well integrated in their communities (Martin and Miller 2008: 59–62). Young was married to a portioner, i.e. a heritable landholder, in East Barns in the Lothians (Martin 2013: 73). She was actively involved in managing the substantial farming household with at least 12 servants (Martin 2013: 67, 75). Finnie was a widowed shopkeeper and moneylender in Potterrow, an Edinburgh suburb. Wallace's status was somewhat higher than that of the average witch. Her husband was a merchant burgher in Glasgow, belonging to the social and political urban elite (Pitcairn 1833 [2005]: 508; Lerner 1981: 47). Many charges against the three women report quarrels evolving out of their everyday interactions with neighbours, business partners and debtors (Smith 1974: 628; Martin 2013). When tried for witchcraft, Wallace, Finnie and Young were by estimate 34, 48 and 65 years old respectively (Goodare et al. 2003; Martin 2013: 83). While Finnie was within the normal age range, Wallace was younger and Young older than most witchcraft defendants (Martin and Miller 2008: 60).

Transcripts of the trials are drawn from the following editions: Margaret Wallace's trial (1622) from the third volume of Pitcairn's (1833 [2005]: 508–536) *Criminal Trials in Scotland*, Isobel Young's trial

(1629) from the first volume of the *Selected Justiciary Cases*, edited by Gillon (1953: 96–120), and Agnes Finnie’s trial (1644–45) from the third volume of the *Selected Justiciary Cases*, edited by Smith (1974: 636–673). The editions are based on the Books of Adjournal, i.e. the bound records of Justice Court proceedings. The records were written in Late Middle Scots (LMScots), the variety of Scots in the period 1550–1700 (see Macafee 2002: xxxiv). Because of linguistic reliability issues, I have checked the edited source texts against extant manuscripts (MS NRS JC2/6 and JC2/8).² Additionally, I have examined surviving process papers of Isobel Young’s case that were not or only fragmentarily copied into the court books (MS NRS JC26/9). Editing principles for cited corpus examples follow Smith’s (2012: 71–74) transcription policy for Older Scottish texts. Bold script is used for embedded examples and to highlight text in block quotes for my emphasis. Modern English translations of cited examples are based on the *Dictionary of the Older Scottish Tongue* (DOST) and the *Oxford English Dictionary* (OED).

Justice Court records present the voices of different parties. In pre-trial investigations, oral testimonies by witnesses, plaintiffs or defendants were written down by scribes as depositions (Normand and Roberts 2000: 95–96; Kytö, Grund and Walker 2011: 1). Deposition contents were later rearranged into indictments (Larner 1981: 135). Indictments and depositions were read aloud in court. The floor was then given to defence and prosecution lawyers to debate the evidence (Normand and Roberts 2000: 101). The prosecution was led by the Lord Advocate, i.e. the royal advocate, who was assisted by his depute in Young’s case, and in Wallace’s case joined by private prosecutors, who were alleged victims of the accused. In addition to professional defence lawyers, Wallace and Young were defended by their spouse or sons respectively. Justice-Deputes, who acted as judges, decided which charges were *relevant*, i.e. which charges contained valid evidence for the accusation. After the jury’s verdict was taken, Justice-Deputes imposed the sentence.

As discussed by many scholars, historical court records preserve mediated versions of spoken language (e.g. Grund and Walker 2011: 37–56). This complex issue deserves fuller discussion than is possible here. For present purposes, may it suffice to note that court records tend to

² See Kytö, Grund and Walker (2011: 7–10) for the increased concerns about the linguistic faithfulness of edited historical texts, and Leitner (2015) for an assessment of the transcription quality of the consulted editions.

reproduce the “substance” of interactions inside and outside courtrooms, with varying degrees of accurately recording the actual words spoken (Culpeper and Kytö 2010: 60). When collecting evidence, judicial representatives used interrogatories to elicit standard elements of witchcraft language. Furthermore, scribes were instructed to select the most convincing parts of oral testimonies and shape the wording according to legal conventions (Larner 1981: 135–137; Martin 2002: 77). In the transmission process, depositions underwent several stages of rewriting (Culpeper and Kytö 2010: 58). As a consequence, cited utterances in court records are removed from the original spoken interaction. Given the absence of audio-recordings, historical court records are nevertheless among the best sources for investigating spoken language in earlier periods (Hiltunen 2010: 70; Kytö, Grund and Walker 2011: 2).

Likewise, metacommunicative expressions in trial documents are subject to scribal intervention, which raises the question of whose evaluation of speech act functions has been recorded. Different perspectives might blend into each other (Grund and Walker 2011: 56). In example (1), it can no longer be discerned if the speech act label *threatening* was reported by the deponent, prompted by the examiner or added by the scribe. In contrast to EModE trials and the Salem witchcraft papers (see Culpeper and Kytö 2010: 49, 67; Hiltunen 2010), 17th-century Scottish trial proceedings have a higher degree of scribal intervention because they do not render the courtroom dialogue in direct speech but as summarised narratives in the third person. Finnie's trial probably offers outstanding access to the defence advocates' voices as their notes were presumably copied word-by-word into the court books (Smith 1974: 632). Given the influence of scribes and judicial representatives on the production of legal records, metacommunicative expressions might mostly reflect educated witchcraft belief, whereas common people's perceptions might hardly have been preserved. Furthermore, rather than simply reflecting legal perspectives, metacommunicative expressions probably served as effective pragmatic devices to manipulate the evidence and construct convincing narratives of guilt.

4. *Curses and threats in pragmatic space*

In this study, curses and threats are defined as “neighbouring” speech acts in a “pragmatic space” of witches’ speech (Jucker and Taavitsainen 2000: 70). The concept of pragmatic space proposes a prototype approach to speech acts. Speech acts are “fuzzy concepts”; they overlap with related speech acts and “show both diachronic and synchronic variation” (Jucker and Taavitsainen 2000: 74). With its flexible dimensions the pragmatic space approach offers a useful framework for describing participants’ negotiations of speech acts (see Taavitsainen and Jucker 2007). Before applying it to curses and threats, the prototypical features of these speech acts are defined.

Curses in EModE witchcraft narratives had an additional function to Present-Day English curses (Culpeper and Semino 2000: 102–104). In Present-Day English, curses serve to express ill-wishes of misfortune for someone else. The illocutionary point is to vent anger rather than seriously desiring the fulfilment of the specified future misfortune. By contrast, EModE witches’ curses were understood as “supernatural declarations”, i.e. performative words that brought about the predicted harm through supernatural evil power (Culpeper and Semino 2000: 104, 107; Searle 1969: 18). The felicity conditions (see Searle 1969; 1993) of harm-causing curses are defined as follows:

PROPOSITIONAL ACT	Future event (E) related to Hearer (H)
PREPARATORY CONDITION	(1) E is not in H’s interest (2) Speaker (S) has a pact with the devil and is able to use his power
SINCERITY CONDITION	–
ESSENTIAL CONDITION	Counts as a declaration that E will happen to H (Culpeper and Semino 2000: 109)

The sincerity condition is not relevant, since the felicitous performance of witches’ curses did not depend on speakers’ sincere harm-causing intentions (Culpeper and Semino 2000: 110).

Culpeper and Semino (2000: 110–114) embed the speech act definition of curses in the socio-historical context of witchcraft prosecution. Witchcraft narratives are defined as an activity-type³ with the following stages: the demonic pact, the “falling out”, the curse, and the trial (Culpeper and Semino 2000: 111). Alleged witches’ words were

³ See Levinson (1992).

credited with harm-causing power because the devil and his pact with witches were believed to be real. The falling-out concerns everyday quarrels between alleged witches and their victims. In English and Scottish witchcraft trials, they provided the settings for aggressive language use, which could in retrospect be interpreted as causing misfortune (Culpeper and Semino 2000: 111–112; Goodare 2013: 6). Judicial verdicts crucially “instantiated” alleged witches’ utterances as acts of witchcraft (Culpeper and Semino 2000: 113–114).

Unlike harm-causing curses, prototypical witchcraft threats are not declarations, but count as announcements⁴ of inflicting harm supernaturally. Witchcraft threats bring about an understanding that something terrible will happen but the uttered words do not inflict the threatened misfortune. Speakers are suspected of having a demonic pact. Thus, the supernatural source of power enabling them to fulfil their threats is the same as in harm-causing curses. The supernatural dimension has disappeared in speech act definitions of modern threats. Proposed negative consequences are now brought about by human force only (e.g. Fraser 1998; Castelfranchi and Guerini 2007: 294–296). Human-power threats also appear in LMS Scottish trials, but are attributed to speakers who were not suspected of consorting with the devil (see Leitner 2015). Furthermore, the two types of threats have different sincerity conditions. The sincerity condition for human-power threats is satisfied if addressees infer that speakers intend to fulfil the threatened action personally or through other people under their control (Fraser 1998: 161–163). Harm-causing intentions in witchcraft threats were presupposed by accusers on the basis of the falling-out between alleged witches and victims. Everyday quarrels were regarded as circumstantial evidence for the witchcraft motive of malevolence borne against the afflicted (Walker 1995: 477). The felicity conditions of witchcraft threats may be summarised as follows:

⁴ Threats do not easily fit into Searle’s (1993) speech act taxonomy. They may have commissive and/or directive components, but neither is necessary to constitute a threat (Blanco Salgueiro 2010). For the present purposes, threats are defined as harm-inflicting announcements, leaving open the question of the kind and strength of the speaker’s commitment to fulfil a threat.

PROPOSITIONAL ACT	Future event (E) related to Target (T)
PREPARATORY CONDITION	(1) E is not beneficial to T (2) Speaker (S) is believed to be able to perform E through S's pact with the devil
SINCERITY CONDITION	Presupposed harm-causing intention
ESSENTIAL CONDITION	Counts as an announcement that S will make E happen by means of supernatural evil power

I have replaced the term *hearer* by *target* to include situations in which the alleged victim was not the addressee. Culpeper and Semino's (2000) witchcraft activity-type also applies to witchcraft threats and is complemented by the differentiation between popular and educated witchcraft belief discussed in Section 2.

The differences between popular and educated belief concerning witches' power add an important socio-historical aspect to the relation between witches' curses and threats in pragmatic space. Witches' curses and threats take different positions on Jucker and Taavitsainen's (2000: 74–75) performativity scale, that is to say, the two speech acts have different degrees of causing harm. Whereas prototypical witchcraft threats require additional actions to inflict misfortune, harm-causing curses are fully performative (Culpeper and Semino 2000). We may reasonably assume shared pragmatic space between harm-causing curses and witchcraft threats where the two speech acts become practically indistinguishable. If witches' threats were followed by misfortune, popular views of harm-causing power residing in witches' words merged with educated explanations of the devil's intervention to fulfil the threat on the witches' behalf.

5. *Method*

The present qualitative analysis comprises 33 witchcraft speech acts⁵ and their discursive negotiations in trial proceedings. This section explains the sampling criteria and describes the forms of metacommunicative expressions.

Witchcraft speech acts have been collected through close reading. Speech acts were excluded from the analysis if:

⁵ Witchcraft speech acts are defined in Section 1.

- they did not constitute evidence of witchcraft, e.g. insults
- they were not attributed to alleged witches, e.g. utterances of afflicted neighbours
- they were rendered as narrative reports of speech acts (NRSA) rather than as in/direct speech⁶

In NRSA, speech acts are summarised by descriptive speech act labels without giving further details of what someone said (Leech and Short 2007: 259). The function of reported speech acts—which “was clear to the contemporary audience”—is therefore difficult to interpret (Taavitsainen and Jucker 2007: 113). NRSA may still be useful in quantitative research on speech act labels (see Taavitsainen and Jucker 2007). The present purposes, however, require more specific information to reconstruct the pragmatic space of witchcraft speech acts.

Regarding metacommunicative expressions, descriptive speech act verbs/nouns are pivotal since they represent language users' evaluations of speech act functions. They are distinguished from performative speech act verbs, which are used in linguistic realisations of speech acts, e.g. **I vow to god I sall do to ye ane | evill turne**, ‘I vow to God I shall do to thee an evil turn’ (Taavitsainen and Jucker 2007: 112–113; MS JC2/6, f.68r). Descriptive speech act labels are examined in conjunction with other metacommunicative expressions, as follows:

- witchcraft labels, e.g. *sorcery*
- lawyers' metapragmatic comments on witchcraft acts, which may extend to several sentences, e.g. legal definitions of witchcraft
- metacommunicative expressions that convey witchcraft suspects' psychological states when uttering incriminating speech acts, such as negative emotions, e.g. *hatred*, or attitudes of malevolence, e.g. *malice*

Witchcraft labels are not speech act verbs/nouns; they also refer to non-verbal witchcraft practices. Nonetheless, they indicate a witchcraft dimension assigned to an utterance followed by some misfortune.

⁶ See Leech and Short (2007: 255–281) for the different modes of speech presentation mentioned in this paragraph.

Metacommunicative expressions of psychological states signal sincerity levels of harm-causing intentions attributed to witchcraft suspects.

Descriptive speech act labels are not a reliable guide to speech act functions (Jucker and Taavitsainen 2013: 99). In historical data, speech act labels might refer to functions that have disappeared or changed over time, as in the case of the speech act verb *curse* discussed by Arnovick (1999: 75–93) and Culpeper and Semino (2000). Studying speech act labels in conjunction with other metacommunicative expressions and speech act citations therefore helps to obtain more contextualised interpretations.

6. (Re-)evaluating speech act functions

Trial parties' evaluations of the power of witches' words were underpinned by opposing goals. The prosecution wanted to secure conviction, whereas the defence's goal was to persuade the judges and jury that the accused person was not a witch.⁷ For each indictment article, defence lawyers had to argue convincingly that the charge lacked sufficient evidence of witchcraft. The close reading of example (2) in this section illustrates how the speech act functions of alleged witches' utterances could be reevaluated from accusation to verdict.

Although the defence lawyers in the investigated trials could not save their clients from being sentenced to death, their pleading was successful for some charges. In Christiane Dickson's accusation against Agnes Finnie, for instance, the witchcraft dimension was cancelled. The report of Dickson's accusation in the indictment presents a typical quarrel between Finnie and one of her debtors (example (2)):

- (2) Item vpone ane fryday In ye monethe of Junii Last or *yairby* Cristiane diksone the *mother* of Issobell Achesone making ane compt *with* 3ow concerneing some small debtis |
awin to 3ow be ye said cristiane And 3e finding 3e could *nocht* get 3our Intent of ye compt at yat tyme 3e in **great radge and angre threatnit** hir in yir speitches **The devill ryd about ye toun with 3ow & all 3ouris** According to ye *quhilk devillische threatning* It is of verritie That ye said Issobell Achesone dochter |

⁷ In contrast to the Salem witch trials (Doty and Hiltunen 2002: 310), defendants' confessions in Scottish witchcraft trials resulted in a death sentence rather than acquittal (see Section 2).

to ye said Cristiane schortlie yaireftir going to dalkeith about some lauchfull
bussienes |
schoe in hir returneing hame agane about four houris eftirnoone be *your*
sorcerie |
& **witchcraft** ressavit ane grevous fall and yairby brak hir leg sua that schoe
was forcet to be careit and brocht hame vpone ane horse bak And sua be *your*
witchcraft according to *your devillische predictione* hir leg was brokin *quhilk*
wrang sua done to hir being weill knawin to *3ow 3e* vpone the morne yaireftir
come to ye said Issobell achesones hous And said to hir thir wordis Look yat
3e say *nocht* of me that I have **bewitched** *3ow* As ye rest of ye *nichtbouris* sayis
(MS NRS JC2/8, p.400, emphasis mine)

‘Also, on a Friday in the month of June last or thereby, Christiane Dickson, the mother of Isobel Aitchison, doing an account with you concerning some small debts owed to you by the said Christiane, and you, finding you could not get your claim of the account at that time, you in great rage and anger threatened her in these speeches: “The devil ride about the town with you and all yours.” According to which devilish threatening it is of verity that the said Isobel Aitchison, daughter to the said Christiane, shortly afterwards going to Dalkeith about some lawful business, she in her returning home again about four hours after noon by your sorcery and witchcraft received a grievous fall and because of that broke her leg so that she was forced to be carried and brought home on horseback. And so by your witchcraft according to your devilish prediction her leg was broken, which wrong so done to her being well known to you, you, on the following morning after that came to the said Isobel Aitchison’s house and said to her these words: “Look that you say not of me that I have bewitched you as the rest of the neighbours say.”’

Because the accident involving Dickson’s daughter happened shortly after the quarrel, Finnie’s invocation of the devil became incriminating witchcraft evidence. The cited utterance **The devill ryd about ye toun with 3ow & all 3ouris** was evaluated as a *threat*. The DOST entries ‘Thretten v.’/‘Thretning vbl. n.’ list meanings of announcing harm-causing intentions and of making a ‘prediction’ or ‘prophecy (of harm or evil to come)’.⁸ The second sense seems more applicable to example (2) because the cited utterance does not express the speaker’s harm-inflicting intention. Moreover, it was condemned as a *devilish prediction*. According to OED⁹ definitions and LEME entries, a *prediction* foretells a future event. As a speech act label, it would hence refer to truth-conditional rather than performative acts because the predicted event would not be

⁸ Incidentally, meanings of foretelling supernatural evil are not recorded for *threat/threaten* in the OED or the *Lexicons of Early Modern English* (LEME).

⁹ There is no DOST entry for *prediction*.

brought about by the words uttered, but would be verified or falsified by actual future events. However, like *threatening*, *prediction* is modified by *devilish*, which adds a dimension of supernatural evil to the cited speech act. Although occasionally appearing in other LMS Scottish criminal cases, *devilish* was commonly used as a modifier in witchcraft indictments (Leitner 2015: 179). Witches' predictions might have been regarded as fully performative. Evidence for such an understanding is found in Young's trial. Young's lawyers questioned the harm-causing **force** of her **prediction** to make a mill stop working (MS NRS JC2/6, f.265r). If Young's utterance was perceived as a truth-conditional prophecy, it seems odd that the defence tried to negate its performative strength. The witchcraft dimension in example (2) is reinforced by collocating witchcraft labels: *sorcery*, *witchcraft*, and *bewitched*, the latter allegedly used by the defendant herself. Hence, the speech act labels *threatening/prediction* might describe a fully performative harm-causing curse rather than a threat announcing, but not performing, harm.

Finnie's lawyers rejected the witchcraft dimension, instead arguing for an expressive curse. They reevaluated her utterance as not being conditioned by a demonic pact, and instead as communicating negative emotions and attitudes of hostility without inflicting the reported harm (see Culpeper and Semino 2000: 106; Searle 1993: viii). The redefinition is implied by the defence's metacommunicative expression **nocht minatorie bot onlie curseing** 'not minatory but only cursing' (MS NRS JC2/8, p.410). As a synonym for 'threatening', the Latin term *minatory* indicates a formal register common for legal texts (OED). For *cursing*, the OED¹⁰ records senses related to both performative and expressive curses. In the DOST entry 'cursing *vbl. n.*', the performative sense only applies to the ecclesiastical term of 'excommunication', which does not apply to the cited instance. The contrast constructed through the coordinating conjunction *but* and the modifier *only* conveys an understanding of harmless *cursing* that was differentiated from a witchcraft speech act constituted by threatening. The defence lawyers further negated the involvement of witchcraft by emphasising that a small debt did not establish a motive of **Innimitie**, 'enmity', and that the reported accident had a natural cause (MS NRS JC2/8, p.410). In support

¹⁰ See OED entries 'curse, *n.*/'curse, *v.*' (Second Edition, 1989, accessed 21 February 2015).

of the latter point, the defence added that the accusation lacked evidence for the devil's intervention and that the accident's natural cause was confirmed by the surgeon who had treated the injured woman. Thus, the defence challenged the performative effect ascribed by the prosecution to the alleged witch's words.

The argument for a non-performative curse was convincing. The judges decided that the article should be remitted to the kirk session, i.e. the local church courts. If the kirk session found Finnie guilty of her **devil | lische & wicked Imprecationes**, 'devilish and wicked imprecations', they should punish her accordingly (MS NRS JC2/8, p.416). Kirk sessions were not authorised to try witchcraft or impose corporal punishment (Walker 1995: 302–303). The transfer back to the kirk session where the accusation against Finnie was initiated implies that the judges adopted the defence's perspective and evaluated the cited utterance in example (2) as a "breach of the peace", for which a minor sentence, such as repentance or fine payment, was sufficient punishment (Smith 1974: 629). In the light of the shifting perceptions of speech act functions from a witchcraft act to a harmless invocation of evil, the modifier *devilish* gains a weaker meaning of morally detestable behaviour without a demonic pact.

7. Findings

As shown in Section 6, metacommunicative expressions attributed by trial parties to witchcraft suspects' utterances imply different perceptions of performativity. This section describes features of witchcraft language from the viewpoint of 17th-century Scottish legal professionals. The legal definitions are juxtaposed with the pragmatic space of witchcraft threats reconstructed through metacommunicative expressions and linguistic realisations of recorded witches' speech acts in the investigated trials.

Witchcraft threats seem to have been an established concept in 17th-century Scottish criminal law. In *The Laws and Customs of Scotland*, Sir George Mackenzie (1678: 92), a renowned lawyer, discussed 'Threatening' with reference to Finnie's case. Defence advocates in the investigated trials cited legal definitions of Latin *mina* ('threats').

Moreover, speech act labels of threatening, i.e. *threaten*, *menace*, *minatory*, and *boast*¹¹, are predominant with 74 occurrences, accounting for more than half of the overall 137 speech act labels attested in the data. Other major semantic domains are labels of malediction, i.e. *curse*, *enchantment*, *execration*, *imprecation*, *incantation*, and *prediction* [of harm], with 32 instances, and labels of harm-inflicting commitment, i.e. *promise* or *vow* [to do harm], accounting for 14 instances.¹² Among the examined utterances, there are only five without any threatening speech act labels or closely related terms of harm-inflicting commitment. Harm-inflicting commitments share their main features with threats, but are distinguished from the latter by a stronger and more explicit sense of commitment, conveyed by the speech act labels *promise/vow*, as in example (3):

- (3) The said *margaret wallace* furth of ye malice of hir heart **promieist & avowit** That scho sould mak the said Cuthbert *within few dayis yaireftir* nocht of habititie to work or wyn to him self ane caik of breid (MS NRS JC2/6, f.75v, emphasis mine)
 ‘The said Margaret Wallace, out of the malice of her heart, promised and vowed that she should make the said Cuthbert within a few days after unable to work or to win himself a cake of bread’

In LMScots, the verb ‘promis’ had an additional sense synonymous to threatening and overlapping with the “solemnity” associated with vows (DOST; Searle and Vanderveken 1985: 193). Although the negative sense is not recorded for the noun, nominal occurrences of *promise* are attested for harm-inflicting announcements in the examined utterances. For Present-Day English, Searle (1969: 58) notes that *promise* may be used as a performative speech act verb to express commitment in threats, but he separates the speech acts by their preparatory condition: promised actions should be beneficial to the target; if they are disadvantageous, they constitute threats. This distinction is upheld in recent discussions, which otherwise emphasise the overlaps between threats and promises (Castelfranchi and Guerini 2007: 278, 282; Blanco Salgueiro 2010: 225). However, the recorded

¹¹ ‘Threaten’ was the most common sense of Older Scots ‘bost v.’ (DOST).

¹² The lexical/spelling variants of the speech act labels listed in this paragraph have been considered.

usage of *promise* in LMScots suggests that language users did not regard the benefit of the future action to the target as a distinctive feature of promises.

Concerning the propositional act of witchcraft threats, legal perspectives varied as to the required explicitness of the threatened misfortune. For EModE curses, Culpeper and Semino (2000: 106) argue that the propositional content was “superfluous” because alleged witches’ utterances were interpreted as harm-causing irrespective of their vagueness. Scottish defence advocates, however, rejected the witchcraft dimension of unspecific threats, which is exemplified by an objection from Wallace’s lawyers (example (4) below):

- (4) ane general thraitning to do ane evill
turne nocht *condiscending* vpon the speciall evill turne
can haif na coherence *with* ane speciall skaith following
yaireftir to mak it venifce
(MS NRS JC2/6, f.62r)
‘a general threatening to do an act of ill will, not specifying the particular act of ill will, can have no coherence with a particular harm following afterwards to make it sorcery’

Likewise, Mackenzie (1678: 92) stressed that witchcraft threats had to be “specifick, bearing the promise to do a particular ill”. However, this critical view existed next to another legal perspective according to which general threats were acceptable evidence (Larner 1981: 176). It is therefore not surprising that vague announcements of harm, such as **he sould repent his yair cuming** ‘he should repent his coming to that place’, were instantiated by judges and jury as witchcraft acts (MS NRS JC2/6, f.266r).

Furthermore, it was a matter of debate if specific witchcraft practices were required to make threats fully performative. Defence lawyers drew attention to the lack of verbal magic devices in reported witches’ utterances (e.g. Pitcairn 1833 [2005]: 513–514). Elements of harm-causing language in defence lawyers’ lists of witchcraft practices are not further explained except for invocations of the devil: **by incalling and In | vocatioun of ye name of Sathan Quha at the | accomplishment quhairof hes promiseist to geve his presens | to thame**, ‘by calling upon and invocation of the name of Satan, who, at the accomplishment of which, has promised to give his presence to them’ (MS NRS JC2/6, f.60r). This legal definition of witchcraft language reflects educated

beliefs of the demonic pact. Analogous to God's promises to answer the prayers of his people, the devil would work supernatural evil when called upon by witches. The view of witchcraft language as a corrupted version of godly prayers is further evident in one of the depositions against Isobel Young taken at the Presbytery of Dunbar, i.e. the district church court: Young's ill-wish that her neighbour's sheep should break their necks was framed by the reporting verb **prayit | to hir god** and the speech act label **divlische petition** 'devilish petition' (MS NRS JC26/9/5). Furthermore, defence lawyers insisted that the performance of harm-causing language and non-verbal witchcraft practices, such as the use of poisoned herbs, had to be witnessed, as it may be observed in the objections made by Wallace's and Finnie's lawyers (Pitcairn 1833 [2005]: 514–515, Smith 1974: 651). The insistence on eyewitnesses relates to the issue of evidentiality discussed by Grund (2012). Their arguments bring to mind Austin's (1962: 15) claim that the "conventional procedure" of a speech act needs to be followed "correctly" to render it felicitous. However, legal perspectives on the correct procedure varied. Wallace's prosecutors claimed that specifying witchcraft practices was not necessary because those practices were only known to witches themselves (Pitcairn 1833 [2005]: 514). The Lord Advocate in Young's case emphasised that threats of witchcraft were sufficient evidence if the misfortune followed **Immediatlie** and had no **apparent caus** other than witchcraft (MS NRS JC2/6, f.266r). It appears that the interval between threat and subsequent harm was negotiable. In Finnie's case, the jury cancelled the witchcraft dimension in one charge, apparently acknowledging the defence's argument that 24 hours were too long, but instantiated witchcraft in another charge which reported an interval of six weeks. The jury's decisions are difficult to assess; they could have been based on aspects other than the timespan.

For the witchcraft motive of enmity, which provided the ground for presupposed harm-inflicting intentions, defence lawyers also demanded more specific conditions than prosecutors. The prosecution considered the coincidence of a falling-out and threatening words as generally sufficient (e.g. Gillon 1953: 100). Defence advocates stressed that the matter in dispute had to be substantial to count as a motive of malevolence (see example (2)).

In sum, 17th-century Scottish legal practice was characterised by different co-existing legal definitions of witchcraft threats (Larner 1981:

176, 187). Some legal professionals readily accepted alleged witches' threats as proof of witchcraft, however vague the reported words were. More sceptical voices, like the defence lawyers in the investigated trials and Mackenzie (1678: 93), emphasised that threats followed by misfortune were "not so much as a presumption" of witchcraft in need of further examination.

In the investigated trials, witchcraft threats share pragmatic space with several neighbouring speech acts. At the performative end, they overlap with harm-causing curses and effective prayers to the devil. In LMScots, the semantic content of the speech act label *threat/threaten* could be extended to a potentially fully performative meaning. Young's lawyers, for instance, objected to one of the indictment articles that **it is nocht lybellit | That scho ayer thraitnet ayer his hand or his Leg** 'it is not specified in the charge that she threatened either his hand or his leg' (MS NRS JC2/6, f.266v). The direct object of *threaten* in this example is the afflicted body part. *Threaten* thus seems to adopt a harm-causing function similar to the EModE speech act verb *curse* (see Culpeper and Semino 2000). Linguistic realisations of apparently fully performative threats take the form of harmful predictions, as in example (2).

On a lower level of performativity, witchcraft threats announce harm-causing intentions that need to be accomplished by subsequent actions. Finnie's threat that she **sould gar ye devill tak ane byt of ye said Bessie | currie**, 'should cause the devil to take a bite of the said Bessie Currie', was clearly not fully performative since no misfortune followed her words (MS NRS JC2/8, p.399). As variants, harm-inflicting vows/promises express a stronger degree of speaker commitment.

The boundaries between harm-causing curses and harm-announcing threats are often fuzzy. Defence lawyers' standard expostulation that indictments failed to specify witchcraft practices and the above-mentioned prosecutors' argument of witchcraft being performed in secret cast doubt on the apparent performativity in example (2) and other indictment articles. The syntactic structure of indictments often leaves room for interpretation if the prosecutors constructed cited utterances of alleged witches as fully performative curses or as threats which implied but did not perform acts of witchcraft. On the one hand, collocations of the speech act labels *threaten* and *curse*, e.g. **Thraitnet with ane curs**, suggest a merging of the two speech acts (MS NRS JC26/9/1). On the

other hand, some depositions and the indictment in Young's case provide exceptionally detailed evidence of how the prosecution constructed a witchcraft threat as a less performative speech act: the alleged witch uttered *threatening* words during the falling-out; later she was seen to have fulfilled her threat by performing a spell and ritual gestures associated with witchcraft (MS NRS JC26/9/1, JC26/9/5).

Furthermore, witchcraft threats overlap with expressive curses. When debating the abovementioned threat against Currie, Finnie's lawyers argued that the long gap between the quarrel in Finnie's shop and the time when Currie's deposition was taken affected the recall of the exact words spoken (example (5)):

- (5) The woïr/dis eftir nyne weikis betuixt ye alledget vttering of yame
 And ye said Bessie Curreis depositions *quhilk* is ye ground of ye dittay
 Could *nocht* be weill rememberit quhither yai war spokin be way of Im
 precatone The devill tak a byt of 3ow Or be way of threatning
 I sall gar the devill tak a byt of 3ow
 (MS NRS JC2/8, p.409)

'The words, after nine weeks between the alleged uttering of them and the said Bessie Currie's deposition, which is the basis for the indictment, could not be well remembered whether they were spoken by way of imprecation: "The devil take a bite of you," or by way of threatening: "I shall cause the devil to take a bite of you."'

The two speech acts were distinguished by their linguistic form. *Threatening* was defined by speaker agency to stir the devil to inflict misfortune, syntactically encoded in the first-person subject **I sall gar**. An *imprecation*, lacking this expressed harm-causing intention, would not mark the speaker as a witch, but simply as the utterer of a rather harmless curse. The distinction is, however, not as neat as proposed. Apart from the speech act labels in example (5), the defence lawyers evaluated Finnie's words as **no poynt of witchcraft bot cursing & threatning** 'no point of witchcraft but cursing and threatening' (MS NRS JC2/8, p.409). While the coordinating conjunction *but* establishes an implicature that witchcraft was absent in Finnie's *cursing/threatening*, the parallel co-occurrence of the speech act labels in the lexical bundle suggests shared pragmatic space.

Cursing language of people who were not reputed to be witches was not necessarily seen as ineffective. In early modern Scotland, the power of spoken words was widely acknowledged. The more people were

credited with access to supernatural powers, the greater the chances that the effects of unleashing evil would be attributed to their cursing words (Larner 1981: 140–143; Arnovick 1999: 75). Thus, the pragmatic space of early modern cursing language is characterised by gradient performativity. Between purely expressive and fully performative harm-causing curses are various shades, such as expressive curses containing traces of “declarative meaning” (Arnovick 1999: 76).

The ultimate negation of performativity was the reassessment of witchcraft threats as a venting of negative feelings. By reevaluating the prosecution’s purported witchcraft speech acts as **passionet speiches** ‘passionate speeches’, **flyting**¹³ or **skolding**, defence advocates stressed the natural dimension of the reported heated exchanges (MS NRS JC2/6, f.266v, JC2/8, pp. 410–411). The argument presented to judges and jury was that the charges against defendants were insufficient to justify a death sentence and should instead be tried as lesser offences of neighbourhood quarrels or expressive curses, as in example (5) (see also Mackenzie 1678: 93).

Collocations of descriptive speech act labels with other metacommunicative expressions vary across trial proceedings, probably reflecting different communicative purposes. In depositions, collocations tend to be limited to labels of anger, e.g. *anger*, *rage*. Witchcraft labels and the modifier *devilish* seem to be rare. By contrast, such expressions are used in indictments with a repetitive rhetoric to emphasise dimensions of harm-inflicting magic and supernatural evil. The tendency towards a less evaluative tone in depositions appears to correspond to their function of recording factual evidence. When the evidence of depositions was rearranged in indictments, prosecutors added strongly evaluative metacommunicative expressions to construct speech act functions of harm-causing or harm-intending threats of witchcraft in order to secure conviction. Moreover, labels of negative emotion, e.g. *malice*, and negative attitude, e.g. *hatred*, played an important role in establishing the witchcraft motive of malevolence and enmity. By contrast, defence lawyers pursued strategies of downgrading the performativity of defendants’ earlier words in their fight for an acquittal. In the defence’s responses to the prosecution’s charges, witchcraft labels have a deictic function, referring back to the indictment. Additionally,

¹³ For a discussion of LMScots *flyting*, see Leitner (2015: 147–148, 192–193).

witchcraft labels and metacommunicative expressions of enmity are modified by the adjective *alleged* and the determiner *no* to question or negate the accusations. In jury verdicts and in process minutes summarising judges' assessments of charges and the imposed sentences, metacommunicative expressions of all types seem to be rare. Although witchcraft labels occasionally occur, the dimension of witchcraft tends to be instantiated or cancelled by reaffirming or rejecting the relevance of charges or the guilt of the accused.

8. *Conclusion*

This study has taken a discursive speech act approach to 17th-century Scottish notions of witches' speech. Threats were found to be the most common speech acts in the three investigated trials, covering a range of performativity degrees from venting anger to effective harm-causing curses. Defence advocates' arguments give rare insight into early modern pragmatic features of witchcraft language. The debate of defence and prosecution about the speech act functions of witchcraft suspects' earlier utterances reveal different co-existing legal perspectives of witches' speech. The present findings thus provide evidence for the synchronic variation of speech acts within the same community-of-practice. Moreover, similar to diachronic shifts in the speech act functions of English curses, the supernatural harm-causing dimension of LMScots *threats* is absent in speech act definitions of modern threats.

Examining descriptive speech act labels in pragmatic space—a method deployed in previous historical pragmatic studies (see references cited in Jucker and Taavitsainen 2013: 92–112)—has been fruitful for present purposes. Culpeper and Semino's (2000) findings for *curse/wish* have been complemented by further speech act labels attributed to witchcraft language. The reconstruction of the performativity of speech acts has been enhanced by analysing collocations of speech act labels with other metacommunicative expressions. Ambiguities in the historical records can make it difficult to interpret such collocations. In contrast to previous findings for EModE witchcraft language, the present observations suggest that not all cited utterances of alleged witches were fully performative, not even from the prosecution's viewpoint. Further research is, of course, needed to test the claims of this paper. The question arises if *threaten* is a specific legal concept in LMScottish

witchcraft trials or if it can be found for EModE witches' curses, too, if threatening speech act labels are included in future analyses.

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References

Primary sources

- Gillon, Stair A. (ed.). 1953. *Selected Justiciary Cases 1624–1650*, vol. 1. Edinburgh: Stair Society. [Trial of Isobel Young (1629): 96–120].
- Mackenzie, George. 1678. *The Laws and Customs of Scotland in Matters Criminal*. Edinburgh: Thomas Brown.
- National Records of Scotland, Edinburgh. High Court Book of Adjournal – Old Series, 1584–1650, MS NRS JC2/6 (ff. 59v–78v (Margaret Wallace), 264r–277v (Isobel Young)), MS NRS JC2/8 (pp. 397–425, 429 (Agnes Finnie)).
- National Records of Scotland, Edinburgh. High Court of Justiciary Processes, 1627–1629, MS NRS JC26/9 (Items 1, 5, 8 (Isobel Young)).
- Pitcairn, Robert (ed.). 2005 [1833]. *Criminal Trials in Scotland from 1488 to 1624*, vol. 3. CD-ROM. Burlington, Canada: TannerRitchie Publishing. [Trial of Margaret Wallace (1622): 508–536].
- Smith, J. Irvine (ed.). 1974. *Selected Justiciary Cases 1624–1650*, vol. 3. Edinburgh: Stair Society. [Trial of Agnes Finnie (1644–45): 636–673].

Secondary sources

- Arnovick, Leslie K. 1999. *Diachronic Pragmatics: Seven Case Studies in English Illocutionary Development*. Amsterdam: John Benjamins.
- Austin, John L. 1962. *How to Do Things with Words*. Oxford: Clarendon Press.

- Blanco Salgueiro, Antonio. 2010. "Promises, Threats, and the Foundations of Speech Act Theory." *Pragmatics* 20(2): 213–228.
- Castelfranchi, Cristiano and Marco Guerini. 2007. "Is It a Promise or a Threat?" *Pragmatics & Cognition* 15(2): 277–311.
- Culpeper, Jonathan and Merja Kytö. 2010. *Early Modern English Dialogues: Spoken Interaction as Writing*. Cambridge: Cambridge University Press.
- Culpeper, Jonathan and Elena Semino. 2000. "Constructing Witches and Spells: Speech Acts and Activity Types in Early Modern England." *Journal of Historical Pragmatics* 1(1): 97–116.
- DOST = *Dictionary of the Older Scottish Tongue*. 2004/2014. University of Dundee/University of Glasgow. Available at: <http://www.dsl.ac.uk/>. Accessed: 27 August 2015.
- Doty, Kathleen L. and Risto Hiltunen. 2002. "'I will tell, I will tell'. Confession Patterns in the Salem Witchcraft Trials." *Journal of Historical Pragmatics* 3(2): 299–335.
- Fraser, Bruce. 1998. "Threatening Revisited." *International Journal of Speech Language and the Law* (formerly *Forensic Linguistics*) 5(2): 159–173.
- Gillon, Stair A. (ed.). 1953. *Selected Justiciary Cases 1624–1650*, vol. 1. Edinburgh: Stair Society.
- Goodare, Julian. 2013. "Introduction." *Scottish Witches and Witch-Hunters*. Ed. Julian Goodare. Houndmills, Basingstoke: Palgrave Macmillan. 1–16.
- Goodare, Julian, Lauren Martin, Joyce Miller and Louise Yeoman (eds.). 2003. *The Survey of Scottish Witchcraft*. University of Edinburgh. Available at: <http://www.shca.ed.ac.uk/Research/witches/>. Accessed: 27 August 2015.
- Grund, Peter J. 2012. "The Nature of Knowledge: Evidence and Evidentiality in the Witness Depositions from the Salem Witch Trials." *American Speech* 87(1): 7–38.
- Grund, Peter J. and Terry Walker. 2011. "Chapter 2: Genre Characteristics." *Testifying to Language and Life in Early Modern England*. Merja Kytö, Peter J. Grund and Terry Walker. Amsterdam: John Benjamins. 15–56.
- Hiltunen, Risto. 2010. "Discourse and Context in a Historical Perspective: On Courtroom Interaction in Salem, 1692." *Discourses in Interaction*. Eds. Sanna-Kaisa Tanskanen, Marja-Liisa Helasvuo,

- Marjut Johansson and Mia Raitaniemi. Amsterdam: John Benjamins. 61–77.
- HTOED = *Historical Thesaurus of the OED*. 2009. Oxford: Oxford University Press. Available at: <http://www.oed.com/thesaurus>. Accessed: 10 August 2015.
- Jucker, Andreas H. and Irma Taavitsainen. 2000. “Diachronic Speech Act Analysis. Insults from Flyting to Flaming.” *Journal of Historical Pragmatics* 1(1): 67–95.
- Jucker, Andreas H. and Irma Taavitsainen. 2013. *English Historical Pragmatics*. Edinburgh: Edinburgh University Press.
- Kytö, Merja, Peter J. Grund and Terry Walker. 2011. “Chapter 1: Introduction.” *Testifying to Language and Life in Early Modern England*. Merja Kytö, Peter J. Grund and Terry Walker. Amsterdam: John Benjamins. 1–14.
- Larner, Christina. 1981. *Enemies of God: The Witch-Hunt in Scotland*. London: Chatto and Windus.
- Leech, Geoffrey and Mick Short. 2007. *Style in Fiction. A Linguistic Introduction to English Fictional Prose*. Harlow: Pearson Longman.
- Leitner, Magdalena. 2015. Conflicts in Early Modern Scottish Letters and Law-Courts. University of Glasgow: Unpublished PhD Thesis.
- LEME = *Lexicons of Early Modern English*. 2015. University of Toronto Press. Available at: <http://leme.library.utoronto.ca/>. Accessed: 27 August 2015.
- Levinson, Stephen C. 1992. “Activity Types and Language.” *Talk at Work: Interaction in Institutional Settings*. Eds. Paul Drew and John Heritage. Cambridge: Cambridge University Press. 66–100.
- Macafee, Caroline. 2002. “A History of Scots to 1700.” *A Dictionary of the Older Scottish Tongue from the Twelfth Century to the End of the Seventeenth*. Eds. Margaret G. Dureau, Lorna Pike and Harry D. Watson. Oxford: Oxford University Press. xxiv–clvii.
- Martin, Lauren. 2002. “The Devil and the Domestic: Witchcraft, Quarrels and Women’s Work in Scotland.” *The Scottish Witch-Hunt in Context*. Ed. Julian Goodare. Manchester: Manchester University Press. 73–89.
- Martin, Lauren. 2013. “The Witch, the Household and the Community: Isobel Young in East Barns, 1580–1629.” *Scottish Witches and Witch-Hunters*. Ed. Julian Goodare. Houndmills, Basingstoke: Palgrave Macmillan. 67–84.

- Martin, Lauren and Joyce Miller. 2008. "Some Findings from the Survey of Scottish Witchcraft." *Witchcraft and Belief in Early Modern Scotland*. Eds. Julian Goodare, Lauren Martin and Joyce Miller. Houndmills, Basingstoke: Palgrave Macmillan. 51–70.
- Normand, Lawrence and Gareth Roberts (eds.). 2000. *Witchcraft in Early Modern Scotland: James VI's Demonology and the North Berwick Witches*. Exeter: University of Exeter Press.
- OED = *Oxford English Dictionary*. 1899–2014. Oxford: Oxford University Press. Available at: <http://www.oed.com/>. Accessed: 27 August 2015.
- Rosenthal, Bernard, Gretchen A. Adams, Margo Burns, Peter Grund, Risto Hiltunen, Leena Kahlas-Tarkka, Merja Kytö, Matti Peikola, Benjamin C. Ray, Matti Rissanen and Marilynne K. Roach (eds.). 2009. *Records of the Salem Witch-Hunt*. Cambridge: Cambridge University Press.
- Searle, John R. 1969. *Speech Acts: An Essay in the Philosophy of Language*. Cambridge: Cambridge University Press.
- Searle, John R. 1993. *Expression and Meaning: Studies in the Theory of Speech Acts*. Cambridge: Cambridge University Press.
- Searle, John R. and Daniel Vanderveken. 1985. *Foundations of Illocutionary Logic*. Cambridge: Cambridge University Press.
- Smith, Jeremy J. 2012. *Older Scots: A Linguistic Reader*. Edinburgh: The Scottish Text Society.
- Smith, J. Irvine (ed.). 1974. *Selected Justiciary Cases 1624–1650*, vol. 3. Edinburgh: Stair Society.
- Taavitsainen, Irma and Andreas H. Jucker. 2007. "Speech Act Verbs and Speech Acts in the History of English." *Methods in Historical Pragmatics*. Eds. Susan M. Fitzmaurice and Irma Taavitsainen. Berlin: Mouton de Gruyter. 107–138.
- Walker, David. 1995. *A Legal History of Scotland: The Sixteenth Century*. Edinburgh: T. & T. Clark Ltd.