

Man of Honour

Representations of Gender in Norway in the 18th Century

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Breach of promise was a recurrent theme in Norwegian church and local courts until the beginning of the 18th century. A number of pregnant women sued their former suitors, arguing that their honour had been violated. As a routine the man was sentenced to marry or to give the girl satisfaction, provided the woman had an untainted reputation. These cases may be read as a set of representations and performances in which women as well as men redefined the meaning of their sexual experiences and practices, in terms of the concept of honour and ideal representations of femininity and masculinity. In this article, one particular case from the beginning of the 18th century is discussed; involving a man and a woman who negotiated about a breach of promise, and about honour and shame. The sexual behaviour of the woman was placed at the centre of her integrity, but the dialogue in court and the divergent understanding of their sexual relationship in this particular case suggest that sexual behaviour also played a part in male integrity.

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In November 1715 a man called Ole Tollefsen Myre from the valley of Hallingdal in central eastern Norway was charged with the offence of fathering four children out of wedlock with four different women. Men were seldom charged with this particular offence, but then, Ole Tollefsen Myre seems to have been a rather special man. A son of a local farmer, he travelled widely trading horses, and had acquired considerable wealth. According to the folk legend, he was nicknamed “Glitter Ola”. Renowned as a great conqueror of women, he left behind disappointed and cheated women and a flock of “bastards” wherever he travelled. On one occasion, when a girl due to his bad reputation refused his proposal of marriage, he is said to have gone off in anger, seducing three women in one night (Reinton 1939: 12–15, 67–75).

Certainly, the charges brought by the bailiff indicate that there could be some truth to the legend. When one of the deceived girls appeared in court, however, she succeeded in shifting focus from the seduction of the other women to

breach of promise and the violation of her honour.¹ Breach of promise was a recurrent theme in Norwegian church and local courts until the beginning of the 18th century. The rights of a maid seduced by a promise was protected by law, and a number of pregnant and deceived woman sued their former suitors, arguing that their honour had been violated. Until the rules were changed by a royal decree in 1734, the man was routinely sentenced either to marry the girl or to give her an economic satisfaction (Telste 2000, Telste 1993). The way Ole Tollefsen Myre tried to manoeuvre in face of the serious charges on the one hand and the allegations made by one of the girls on the other, indicate how ideas of gender were represented when men and women had to defend and explain a sexual relationship.

In conflicts about breach of promise and violation of honour a set of representations and performances was brought into play. Women as well as men had to reconstruct and interpret the meaning of their sexual experiences and

practices in terms of the concept of honour and ideals of femininity and masculinity. Their negotiations in court defined the lines that delineated honour, indicating that a woman's sexual behaviour was placed at the centre of her integrity. Less attention has been given to the place of sexual behaviour in male integrity. The dialogue between men and women and the divergent understandings of their sexual relationship, indicate that something may have been at stake for the man as well. More generally, cases like these demonstrate the interaction between representations of gender and sexual practices, between gender ideals and the way in which men and women identified themselves and their actions in relation to such ideals.

Honour and the Positions of Masculinity and Femininity

Breach of promise raises questions about the scope of agency of individuals within the judicial and social discourses and set of institutions in this particular cultural and historical context. A basic premise of post-structuralist thinking on the subject is that individuals take up a variety of subject positions within a range of different, maybe contradictory, discourses and social practises. The possibility of taking up subject positions will, however, depend on the external context within which a person is situated, such as position in respect of others or historical and social conditions generally. Individuals will be situated in contexts that include a network of elements involving others, economic conditions and cultural and political institutions and ideologies (Alcoff 1988). The anthropologist Henrietta Moore has pointed out that individuals may take up certain subject positions because of the way in which those positions provide pleasure, satisfaction or reward on the individual or personal level, but to be positioned is always to be positioned in relation to others, and interrelations with others will also determine what positions to take up. There is also the question of the institutional power of dominant or hegemonic discourses, where there are very tangible benefits to be gained from constructing oneself as a particular sort of person and interacting with others

in specific ways (Moore 1994: 65).

In the 18th century the way individuals constructed themselves and interacted with others was to a large extent guided by the rules of honour. In a society where honour and shame are dominant values, honour provides a nexus between the ideals of a society and their reproduction in individual men and women in their aspirations to personify these ideals. As such, honour does not merely imply a habitual preference for a given mode of conduct, but also the entitlement to a certain treatment in return (Peristiany 1965, Pitt-Rivers 1965). Honourable conduct was to be aware of and maintain one's position in a hierarchical society, to act decently and comply with social expectations which in turn depended on social standing by birth, on belonging to the male or female sex and on marital status. Essentially honour has to do with how men and women tried to comply with social ideals and how they all the time were evaluated according to these ideals.

The ideal demands of honour had decisive influence on the self-representations and the actions of a person, and on the social esteem he or she enjoyed. Everyone knew what proper conduct was and what kinds of conduct applied to the group to which he or she belonged (Heller 1985). The codes, norms and rituals of behaviour not only prescribed how members of the community should act in order to behave in a honourable way, but also how to put things right if they failed to comply. Transgression of norms implied sanctions such as condemnation and loss of social reputation, even isolation and expulsion from the community (*ibid.*).

When a breach of promise became an issue in court, it was a last attempt to put things right. Although the conduct of a love affair, the settlement of a conflict and even how to conduct oneself in court to a great extent were governed by prescribed rules with reference to a culturally and historically specific set of categories, discourses and practises, it does not follow that individuals were left with no scope of agency. Rather women and men had to choose the strategies necessary to sustain their investment in positively sanctioned subject positions of gender. The notion of investment, here borrowed from Henrietta Moore, is helpful in order to

understand why it would be rewarding or satisfactory to invest in positively sanctioned positions of femininity or masculinity. The investment made was not just of personal or emotional satisfaction, but of very real, material, social and economic benefits (Moore 1994: 63ff). The trial could be seen as a time when the self-representation of a man or a woman was likely to be thwarted. Thwarting is the inability to sustain or properly take up a gendered subject position, resulting in a crisis of self-representation and social evaluation (*ibid.*).

In order to defend the investment they had made, men and women would tend to stress their ideas about the kind of person they would like to be and the sort of person they would like to be seen to be by others. In this respect, the court-room became a location where meaning was constructed, in the sense that the categories of 'woman' and 'man' and the discourses which employed those categories, participated in the production and reproduction of engendered subjects who in turn used them to generate both representations and self-representations, as part of the process of constructing themselves as persons and agents (Moore 1994: 51).

In court individuals presented themselves as women and as men, they made representations of each other, and tried to identify with social practices in such a way as to conform to dominant categories, discourses and practices of gender. Their performance in court can be seen as action, they told a particular story to a particular audience in a particular situation for a particular purpose (Phelan 1996). What they chose to say were aimed at convincing the judge and the court on the one hand and the audience present at the hearings on the other. The negotiations in court being public, secured that what went on would be known to a wider audience; that is public opinion in the local community who in due course would learn about it through hearsay, and therefore could make their own interpretations and evaluations.

The act of promising constituted an interpersonal relationship, and a moral – at this point of time also a judicial – obligation to keep the promise. A man who failed to keep his promise was therefore morally obliged to give an account of himself: to explain, excuse or justify his behav-

iour, or else accept the blame. Returning to the trial of Ole Tollefsen Myre, a breach of promise apparently was a critical situation for both parties, but at the outset attention was always turned to the woman. Paradoxically she was the one who was called to give an account of herself and had to explain and defend her behaviour.

Violated and Dishonoured

When he appeared in court in November 1715 the immediate task facing Ole Tollefsen Myre was to defend himself against the charges of seducing four women. According to the law the birth of an illegitimate child made men, as well as women, liable to large fines for fornication. Actually, Ole risked more than the fine. Seducing three maids or more of untainted reputation was punishable by death.² Lucky for him, it turned out that one of the women already was an unmarried mother, and therefore by definition notorious. This still left him with the seduction of three maids to account for, two of whom he had made pregnant within a year.

These two girls were daughters of local farmers. The court referred to one of them, Ragnhild Ellingsdatter Villand, as his "betrothed". She had given birth to a child a year earlier, while the other, Kari Olsdatter Medhus, expected her confinement at any time. Apparently, the serious charges had forced the great seducer to make a choice. To marry one of the girls would save him from a death sentence, but he was still liable to pay fines. In no position to deny the charges, he turned the attention of the court to the child that Kari Olsdatter Medhus was expecting. When asked by the bailiff about his relationship to her, he admitted sexual intercourse, but added that "he does not know whether he is the father of her child before she has given birth".

By uttering these words, Ole took up the position of the doubting alleged father. At one level his utterance must be understood with reference to pregnancy as a period of time stretching from intercourse to confinement. Men seem to have kept an accurate account of the dates on which they had slept with a girl, and were aware of the number of weeks that made up a pregnancy, often arguing that it had been too short or too long. At another level his utter-

ance was directed at casting doubt on the paternity of Kari's child. It was a covert way of bringing the representation of the loose, frivolous and faithless woman into play.

Kari was not present in court, and could not immediately refute his doubts. Although he did not deny paternity outright, he had made it a public question, with the judge, the bailiff and people in the neighbourhood present as in court. His words had the power to arouse doubt as to whether she actually expected *his* child, and thus had the effect of thwarting the investment Kari had made in a positively sanctioned subject position, and consequently from identifying with the representation of the honest girl. In a situation like this, what is crucial is the way in which doubt about paternity would thwart the self-representation and social evaluation of the girl. To Kari it evidently represented a crisis in the sense that her honour was at stake, as was apparent at the next court session three months later.

In most cases the disappointed girl sued the man for breach of promise. In this case Kari was summoned by the bailiff to give evidence about "what had happened between them". From his point of view, the intention was to establish whether Ole was in fact the father of Kari's child, and consequently liable to punishment. Kari willingly confirmed their sexual relationship, but she also made her honour a central point. She declared that the two of them had come to terms in respect of "the shame and dishonour he had inflicted on her", adding that they had reached an agreement "about the violation of her honour".

By giving priority to informing the court and the audience present about their compromise, Kari simultaneously suggested that her honour, her self-representation, and the social esteem she had enjoyed in the neighbourhood had been at stake. Her story shows that she, as soon as she got out of childbed, had taken action. She had negotiated with Ole, made him accept paternity and withdraw the doubt he had expressed prior to the birth of her child. To her his doubt implied that she all of a sudden had landed in a precarious position on the thin line between honour and shame. A breach of promise would invariably give rise to suspicions about her behaviour. She – and other people –

could understand his doubt in one way only: it was a way of accusing her of having slept with another man. Therefore, she had to prove that her conduct could stand the scrutiny of public opinion, or else be put to shame. Kari's focus on the violation of her honour was aimed at convincing the audience that she had nothing to hide, and consequently nothing to be ashamed of. Etymologically, the concept of shame was associated with loss of social value and with having something to hide. Coming to terms with Ole was significant in the sense that he had agreed to compensate her for loss of social value, thus acknowledging that she had not behaved in a covert manner.

The conflict had been settled privately, but Kari nevertheless seized the opportunity to elaborate on the nature of her relationship to Ole. She stated that he had courted her for six years, and occasionally had asked her to marry him. A year ago a turning point had occurred, when one night he visited her in the cowshed where she had her bed. On this occasion he had been very angry, as he had learned that she had allowed another man to visit her. He had pulled her hair and hit her head, uttering: "I had thought I would live and die with you, and now you let others lie on your bed". After this rather violent outburst they were reconciled, and made up in a rather special way: "he immediately had carnal intercourse with her".

How could Kari understand this episode as a promise? Or, put another way, what distinguished the episode to make it recognisable to the audience present in court as a promise? To be sure, Ole had uttered that he would live and die with her, but was that sufficient? More decisive could be that the words were uttered within the context of night courting, accomplishing an enduring courtship. In this conventional context words and action acquired significance. Not only did his words refer to a future life together, but he also made it perfectly clear that he no longer would accept that she received other men in her bed. Night courting was not considered immoral if the rules of decency were strictly followed. A girl could receive a number of suitors, until she had made up her mind to accept one of them. Thus, it makes sense that Kari had understood Ole's words and actions,

and the anger he expressed, as a request to make up her mind to accept or refuse him.

Cases of breach of promise in the 17th and 18th century leave us with an impression that a secret promise exchanged during night courting and consummated by intercourse was a culturally accepted way of reaching an “understanding”: words and action, promise and intercourse, were merged and constituted a commitment. This makes exchange of promises a relationship of reciprocity: the man gave his word, while the woman consented to his proposal by giving him her body, thereby entrusting her honour in his care (Cavallo & Cerutti 1990). The lapse of time between what was given and what should be given in return, however, made the exchange a hazardous one from the point of view of the woman. If the man, at a later stage, refused to consummate his promise, her honour and social reputation was at stake, as was her self-representation and her understanding of their relationship.

The girl could not take up the position of violated, unless her reputation prior to the exchange of promises had been untainted. Moreover, she had to prove that she had consented to sexual intercourse within the conventional context of night courting. We may suspect that Ole had in fact applied a certain amount of force to get his will, but Kari presented their intercourse as a reconciliation and insisted that Ole had promised to marry her: “that is why she allowed him to have carnal intercourse with her”. Until the rules were changed in the 1730s girls seem to have had the capacity to consent to a sexual relation: “to give him her will”, as some of them occasionally put it (Telste 2000, Telste 1993). Thus, they did not construct sex as a submission to a man’s will, as Lyndal Roper found in the case of women charged with a sexual offence in Augsburg (Roper 1994: 53–78). Rather, their choice of words indicates that consenting to intercourse was a way of accepting a promise. How to explain this significant difference?

A girl who claimed to be violated by a breach of promise did not appear in court as accused of an offence, but as offended. Provided she had acted on the assumption that the promise would in fact be kept, she was in a position to define her conduct as honest and respectable. A prom-

ise made a sexual relationship legitimate, not only culturally, but also judicially. A girl in the position of the honest maid, who had trusted a promise, apparently had no need to represent herself as passively submitting to his will. Bearing in mind the contractual nature of a promise, the fact that she had willingly consented to intercourse, and voluntarily given herself away, may well have been a crucial point in order to constitute a mutually committing contract.

In support of her claim that Ole had promised to marry her, Kari assured the court that on accepting him, she had allowed no other suitor to visit her, and she had understood his subsequent visits as an affirmation of his promise. All of a sudden Ole’s visits came to an end, however, and she waited for him in vain. In the end she was left with no choice but to call on him to let him know that she was pregnant. On hearing this, according to her story, he had asked her to put the blame on somebody else and even suggested a man who had just died: offering her “money to do so”. Kari had refused: “she could not do that”.

There is a double message hidden in the way Kari told about his reaction to her pregnancy. Pointing out that she had refused the money he offered, she conveyed that she, unlike him, had nothing to hide. Moreover, by refusing to become his accomplice in covering up paternity, she retained the upper hand, and was still in a position to expose his covert way of going about her pregnancy. In this way the representation of the dishonest and unreliable man who tried to evade taking responsibility was brought into play. On making his reaction to her pregnancy public, she also left the impression that he already at this time had acknowledged paternity, thus exposing his doubt as an initiative directed at putting her to shame and dishonour.

Apparently Ole did not question paternity after the birth of her child, thus indicating that he accepted that it was born in due time. Their subsequent agreement made clear that he had no evidence to put forward in support of his doubts. He was no longer in a position to deny paternity, without accusing her outright of having had a sexual relationship with another man. If accusations like these were to be exposed as unfounded lies, he had dishonoured

himself: judicially he had deserved the name of “inferior man”.³ Thus, Kari had so far acted in such a way as to refute any doubt about her conduct during courtship.

The Word of Honour

At the next court session Ole chose a different line of argument. At the bailiff’s request, he replied that “he had not promised to marry [Kari], but may well have had a promise in mind”. His answer appears to be both a denial and an affirmation, thus making the most of the ambiguity of a promise. Was it possible to break a promise that was not explicitly expressed?

A promise was a word of honour. The ideal demanded that a man of honour would keep his faith, and to break his word, would be the most dishonourable conduct. Yet in fact a man was permitted to deceive without forfeiting his honour, and even Don Juan was a man of honour. As the anthropologist Pitt-Rivers has pointed out the explanation of this anomaly lies in the ambiguity as to whether a man in fact had committed his honour by the word he had given (Pitt-Rivers 1965: 31–33). This could only be established by knowledge of his true intentions:

“A man commits his honour only through his sincere intentions. Giving his word of honour, he asserts sincerity, and stakes his honour upon the issue [...]. If his true will was not behind his promise, then he is not dishonoured if he fails to fulfil the promise”.

If it turned out that a man could not have had sincere intentions, but on the contrary wanted to dupe and deceive a woman, he would not be dishonoured by the revelation that he had no intention of keeping his promise. The condition was that he had behaved in such a way that it was reasonable to think that he could not have meant anything by his promise, or that he meant the opposite of what he said. If his intentions were misrepresented but not rescinded, then the person deceived, not the deceiver, was humiliated (*ibid.*).

Thus, there is a tension between intentions that are sincere and those that are distorted. In the centuries following the Reformation and

towards the end of the 18th century, promises exchanged in secret were considered problematic in judicial and theological thought on marriage. A promise was a speech act, and as such it would commit if it was a “wholly overt” and “essentially avowable” act of communication only (Skinner 1970). A promise exchanged in secret was only partly committing, and left the way open for dishonest men to “lure simple maidens” to bed “with sweet words and promises”, as the 16th century Danish theologian Niels Hemmingsen put it. A “lewd man with obscure promises”, could therefore easily “corrupt the deceived woman” (Hemmingsen (1572) 1987: 112).

Towards the end of the 18th century the Danish jurist Lauritz Nørregaard pointed out that distorted promises denoted speaking with reservation. To speak with reservation was equal to “ambiguous speech, that one wishes, that the person one speaks to, should understand in a different meaning, than what one later would attribute to the words used”. He distinguished between moral truth and untruth depending on “the accordance of speech with our thoughts”. Ambiguous speech bordered on moral untruth (Nørregaard 1776: 178–180). The jurist Ludvig Holberg – also known in Scandinavia as a writer of comedies – distinguished between a promise made by a solemn act and a secret promise. It was of no use to a man to make a promise by a solemn act, and then fail to keep it, arguing that he had actually “thought something else in his heart” (Holberg (1751) 1969: 150).

Secret promises exchanged in the course of night courting had a potential of misrepresentation. A woman who had given herself away, trusting expressions understood as a promise, ran the risk that the man had thought something else in his heart, as Holberg put it. His intentions may not have been sincere, and he may even deliberately have aimed at creating mistake or delusion. The nature of the communication performed during night courting was distinguished by silence: signs and gestures, gifts that were given and accepted, or maybe rejected, had significance and created a tacit agreement. To the woman, however, the potential of misrepresentation, involved the risk of falling into the trap of seduction. In this context

it is important to note that it is the intention evident in his actions, rather than that expressed in his words that would disclose what a man has in mind (Pitt-Rivers 1965: 32). Accordingly, if Ole had indeed intended to dupe and deceive Kari, his conduct ought to have left a trace of doubt as to whether he actually had a promise in mind.

Although Kari gave the impression that she had believed that Ole by his words and actions expressed sincere intentions, the question still remains whether she ought to have understood that his true intentions were not behind his promise. When Ole denied having made an explicit promise, he suggested that his conduct could not be regarded as an expression of his intentions. On the contrary, courting and seducing two women simultaneously left a doubt as to whether he could have committed himself to *both of them* or perhaps even none of them.

Kari must have been aware that Ole had courted the other girl, Ragnhild, and that this girl had given birth to his child at about the same time as he proposed to her. Moreover, considering his renown as a conqueror of women, she must have understood that she gave herself away on uncertain terms. Why did she still accept his promise? Her trust seems strange to us. Ole was no stranger she had received in her bed in the dark of night. On the contrary, both belonged to the same social and geographic environment. She must have been fully aware of his reputation, as were people in the neighbourhood. Everyone knew whatever there was to know about his seductions, including those that had happened on his travels. Gossip made sure that his exploits were known and continually recounted. Rumours followed in his wake, giving him little scope to hide who he was and what he represented (Connerton 1989: 17).

As stories of his conquests were diffused, his renown as a seducer could in fact serve to make him even *more* attractive and seductive. In an analysis of libertinism, Anne Deneys has pointed out that stories of conquests are valuable in proportion to the amount of renown they bring to the seducer (Deneys 1991). Their diffusion allows the generation of an increase in value; a 'reputation' for the man. In fact it is never the man who seduces by means of his own qualities

and talents, it is his reputation. As a sort of enormous fund of phallic values, the renown acquired through conquests is both the end and the means of seduction (*ibid.*). The legendary Ole Tollefsen Myre or "Glitter Ola" as a virile conqueror passed on a positive masculinity, even though ambiguous. There was a kind of dreadful fascination attached to his reputation, probably accentuated by the fact that he also was an attractive bachelor in other respects. His nickname "Glitter Ola" referred to the fact that he decorated himself with more silver than was usual. Silver buckles in his shoes, silver buttons in his jacket and trousers, and a magnificent and shiny brooch in his hat, not only underlined the wealth he had acquired as a tradesman, but also his substantial family background (Reinton 1939: 12). Perhaps his attractive force was linked to these exaggerations?

The seduction of the two girls demonstrates that wealth; marriage, sexuality and social esteem were interwoven. At the outset Ole must have desired their bodies, but something else could also have attracted him, such as making alliances and gaining social standing. In any case, his promises had the magical power of persuasion and delusion. In exercising this power Ole Tollefsen Myre implemented various kinds of institutionally sustained or endowed resources of an economic, symbolic, cultural and personal nature (Thompson 1990: 67–69). In his conquests of women he implemented the spectacular economic resources collected in his trade. His family background made up economic and symbolic resources that endowed him with authority, prestige and respect. Even his "bad" reputation as a seducer was a cultural resource, constituting an ambivalent and legendary fascination, making him both attractive and repulsive. Although no mention is made of love, he may have employed personal and emotional resources, and used the affection of the girls – even their fascination and dread – as a resource in pursuit of his aims.

When Ole finally chose to marry Ragnhild, Kari was the one to be fooled. His choice may have been no coincidence, after all Ragnhild had given birth to her child first. The first promise may have been more committing than the last, thus making it difficult to argue that

his intentions had been less sincere in case of the first girl than the second. Besides, choosing Ragnhild, on one hand gave the impression that Kari had misunderstood his intentions, and on the other that he proved to be steadfast in his intentions towards Ragnhild. In respect of her, he demonstrated an essential truth about the honour of a man: "it is lack of steadfastness in intentions which is dishonouring, not misrepresentation of them" (Pitt-Rivers 1965: 32). Getting involved with two women simultaneously Ole nevertheless balanced on the thin line between honour and shame. Everything he said and did in public must therefore be understood as an attempt to manoeuvre along this line.

This manoeuvre could only succeed if he conducted himself in such a way that he neither dishonoured himself nor the two girls. As long as there was no evidence to support that they had been of ill repute or faithless to him, he had to be careful to avoid directing unfounded accusations against either girl. The only solution left to him was to redeem the honour of Ragnhild by marrying her, and to compromise with Kari by agreeing to give her economic satisfaction. The sum was determined publicly with her father⁴:

"Ole Tollefsen has here in court made an agreement with Ole Meehuus that he shall give his daughter Karj Meehuus 30 Rixdaler in satisfaction for the violation of her honour and for the upbringing of the child they have begotten".

Finally the renowned seducer was caught up by his actions, and forced to settle at least some of the debts his promises had made. This conflict illustrates the difficult balancing act between keeping faith and arousing doubt, between truth and lies, between honour and dishonour.

Representations of Femininity and Masculinity

In conflicts about breach of promise both parties accused each other of acting contrary to ideals of gender, and consequently of breaking cultural expectations and conventions. The negotiations carried out in court indicate that individuals had to define themselves and their social practices in terms of a competing and

contradictory set of discourses about what it was to be a woman or a man (Moore 1994: 56). When Kari took up the position of the honest maid, who had been violated, she communicated that she distanced herself from accusations of indecent sexual conduct and from the representation of the loose woman. Correspondingly, when taking up the position of the doubting alleged father, Ole distanced himself from the representation of the insincere and unreliable man, a man unwilling to do his duty and take responsibility for his actions.

These positions indicate that both had invested in positively sanctioned subject positions and identified with dominant ideals of masculinity and of femininity, which in this particular cultural and historical context were investments in the rewards of the honest and faithful girl and the reliable and responsible man. This suggests that men and women and their social actions were evaluated in terms of two opposite and contradictory positions within the category man or woman: the man was either seen as sincere and reliable or dishonest and irresponsible, and the woman either as honest and decent or loose and faithless. Social reputation was therefore of crucial importance.

The concept of reputation is connected to self-representation and social evaluations, but also to the potential for power and agency that a good reputation proffers (Moore 1994: 66). In the 18th century the notion "name and reputation" – a recurrent theme in defamation cases – must be understood as fundamental to the concept of honour. The notion of "name" pointed to gender and family background, and laid down the ideal virtues and duties that were associated with social standing and marital status. The notion of "reputation" was inextricably attached to the social evaluations of the actions of individuals, and consequently to the social esteem he or she enjoyed in the community. The name points to relatively stable and fixed identities and role-expectations, while reputation points to changing and contested identities, due to the fact that the actions of individuals were constantly subject to evaluations.

Exchange of promises was embedded in a network of social relations, and a girl posing as violated put forward her demands from the

social position determined by her family background, but first and foremost from the position of a maid whose reputation was formerly untainted. As we have seen, in answer to these demands, Ole Tollefsen Myre could choose between alternative courses of action: either to deny the promise, or to question paternity. In most similar cases the first alternative was of little use, precisely because the promise was expressed through meaningful words and actions, which within this particular historical and cultural context had the power to constitute a commitment. Most men consequently chose the second alternative: they refused to accept paternity, and the representation of the faithless woman was thus brought into play. This alternative suggested that he suspected her of indecent conduct with former suitors. If his suspicion turned out to be of any substance, she would immediately lose credibility, and he had effectively thwarted her from identifying with the honest and violated maid. At a stroke, she was turned into a loose woman.

In that case, public opinion would immediately judge that the man obviously could have had no intention of committing himself by a promise. On the contrary, if it turned out, that his implicit accusations were unfounded, he risked dishonouring himself. This demonstrates that his honour was also at stake, but in a different way. While the honour of a woman was attached to her body, and to be sexually faithful, the honour of a man was tied to keeping his word, to be socially reliable. The representation of the faithless woman nevertheless mirrors man's fear of being cheated.

From the point of view of the girl, the important thing was publicly to refute any doubt that might have arisen as to her conduct in the courtship situation. Kari's complaint of being violated, of the shame and dishonour Ole had inflicted on her, must be understood very concretely. He had kept back the "reward" that his promise had made her expect, that is marriage. However, more than anything else, she understood his way of questioning paternity as an attack on her honour. This involved losses of very real material, social and economic benefits. If proved true, she risked damage to her reputation, and the loss of the social place she had

formerly occupied. The implication was a considerable decrease in her social value, the risk of forfeiting the rights of a maid of untainted reputation to demand economic satisfaction, as well as the possibility of forfeiting a future marriage.

Breach of promise, when tried in court was a rule-governed performance, enacted in public. The overall aim was not necessarily to triumph over an opponent, but to dissolve the conflict without loss of honour on either side. As mentioned above, in most cases the court decided in favour of the woman. This may seem a paradox, considering that she apparently was in a weaker position than her former suitor, both as an unmarried mother and as a woman. However, social reputation had decisive influence on the positions possible to take up in court, and thereby on the decision of the court. To be rehabilitated in the eyes of public opinion, both parties had to act convincingly to demonstrate that they had complied with conventional modes of honourable conduct. Failure to do so involved the risk of losing face and to be exposed to sanctions from the community (Heller 1985). To the girl, a formerly untainted reputation constituted a potential for power and agency, while a man with no evidence to sustain his doubt would end up in an unfavourable position. To remain a man of honour and do his duty, he either had to marry the girl, or come to terms with her, giving her a symbolic amount of money to restore her honour.

Although a seduced girl had her honour restored by the award of satisfaction, the social consequences of a breach of promise were not the same for her as her former suitor. A man could once again take up his former social position, while a woman could not regain the honour and social reputation she had enjoyed as an honest maid. As we have seen, Ole was still an attractive bachelor, notwithstanding his sexual conduct and reputation, and his prospect of marrying the daughter of a rich farmer was in no way affected. Instead of celebrating her wedding, Kari on the other hand, all at once found herself in the uncertain social role of the unmarried mother.

In the hierarchical structure of society two social positions only were available to women: that of a maid or a wife. As an unmarried mother, Kari found herself in neither. Initially, getting

pregnant as a result of a promise of marriage made it possible to take up the position of the violated maid. The sexual experience had nevertheless made her ambivalent. The courtship, the exchange of promises, her pregnancy, the breach of promise and doubts cast on the paternity of her child, implied that her conduct already was gossiped about, and by definition gossip signified that she had become notorious. Once and for all, she had lost her former place in the social hierarchy. If she were to be seduced a second time, even by trusting a promise, she no longer would be in a position to identify with the representation of the honest maid, and to claim compensation for violation of honour.

Notes

1. The particulars of the case are to be found in the court records (tingbok) of the stipendiary magistrate's court (sorenskriveri) of the county district of Ringerike og Hallingdal at the public records office in Oslo (SAO): tingbok 27: 75, 86 (Ål, November 15, 1715, and February 20, 1716), and tingbok 28: 2b (Ål, July 15, 1716). All quotations from the court records are in third person.
2. Punishment for fornication was introduced by a royal decree in 1617. The various regulations of this offence as well as the seduction of maids are to be found in the Norwegian Law of 1687 (Kong Christian den femtes Norske Lov), Book 6 Chapter 13.
3. This judicial concept can be found in the Norwegian Law of 1687, Book 6, Chapter 21, Article 1, 2 and 7.
4. Usually the father of the girl played a withdrawn role, although seduction and breach of promise according to medieval law was considered a dishonour of the family. The reason why a father seldom actively defended the honour of a daughter, probably was that a girl who had exchanged a promise in secret and on her own initiative, also had to defend her honour on her own (Telste 2000: 182–188).

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