Old French borrowings in "The Owl and the Nightingale"

Kari J Smith-Boyer
University of Nevada, Las Vegas
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OLD FRENCH BORROWINGS IN "THE OWL AND THE NIGHTINGALE"

by

Kari J. Smith-Boyer

A thesis submitted in partial fulfillment of the requirements for the degree of Master of Arts in English

Department of English
University of Nevada, Las Vegas
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The Thesis of Kari J. Smith-Boyer for the degree of Master of Arts in English is approved.

Chairperson, Norma J. Engberg, Ph.D.

Examine Committee Member, Thomas L. Clark, Ph.D.

Examine Committee Member, J. Michael Stitt, Ph.D.

Graduate Faculty Representative, Margaret Harp, Ph.D.

Interim Dean of the Graduate College, Cheryl Bowles, Ed.D.

University of Nevada, Las Vegas
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ABSTRACT

*Old French Borrowings in "The Owl and the Nightingale"* ascertains the quantity and nature of Old French words present in this thirteenth-century Middle English poem. Patterns of borrowing, whether source-based or subject-based, are identified and problematic words, such as cognates, are investigated for probable language of origin. These patterns are then examined for what they may reveal about the author and audience of "The Owl and the Nightingale." Included is an appendix listing each borrowed term and cognate in alphabetical order with definitions and parts of speech.
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"The Owl and the Nightingale" (hereafter referred to as O&N) is a rarity in several ways. First, only two manuscripts of the poem survive (Bennett and Smithers 1). Second, as James J. Murphy points out, while the poem is "a delight" and "a true product of the enlightened environment of discourse of the twelfth century," nothing approaching its quality appears again "until the time of Chaucer" (230). Therefore, this debate poem is worthy of appreciation not only for its technical merit and entertainment value, but its status as a scarce if beautiful example of what thirteenth-century England could produce.

Despite the scarcity of manuscripts, both seasoned and new readers may choose from a variety of edited versions of "The Owl and the Nightingale." J. E. Wells broke critical ground with his 1907 edition of the poem, and W. Gadow proffered seminal theories, as well as a newly-edited text, with Das mittelenglische ...
Streitgedicht Eule und Nachtigall in 1909 (Stanley 41). In 1922, J. W. H. Atkins produced a detailed edition that not only gave faithful representation of the text, but also raised fresh issues about authorship, date, and structure. J. H. G. Grattan and G. F. H. Sykes published a version in 1935 for the Early English Text Society which was long considered the definitive edition. However, most critics now turn to the Eric Gerald Stanley 1960 version of the text, which includes a comprehensive introduction, fully-annotated text, and complete glossary.² A facsimile edition also became available from the Early English Text Society in 1963 with a valuable introduction by N. R. Ker. Still other versions are available, wholly or partially, in various anthologies of Middle English literature. In 1993 Shoichi Oguro and Tetsuo Kimura published a concordance to "The Owl and the Nightingale" of vast assistance to the language scholar.³

The only fact scholars unanimously accept is that "The Owl and the Nightingale" is a poem of tremendous charm and amazing quality. Despite the general approbation, nearly every other "fact" about the work has undergone intense scrutiny and often, attack as well. Discussion about the poem has focused on several specific problems, including: date of composition, identity of author, type of

² I will be using and quoting from the 1960 Stanley text.
³ Particularly useful are the alphabetical listings, both with quotes and without, which count and chronicle the appearance of each word in the poem.
structure, representation of birds, and questions about language.

Of these issues, the date of composition has provoked the most dissension and confusion. First of all, there has been disagreement as to when the existing manuscripts were written. Kathryn Hume suggests a range spanning the entire thirteenth century in her 1975 work, _The Owl and the Nightingale: The Poem and Its Critics_ (4). Secondly, there has been much debate over when the poem itself was composed; any year from 1189 to 1250 has been advanced as a possibility (Hume 6). However, the _Oxford English Dictionary_ assigns O&N the date of 1250, establishing the standard that I will follow on that issue.

Another unresolved critical issue concerns the identity of the poem's author. One possibility is the "Maister Nichole of Guildford" mentioned in the poem, who may have written for his own amusement or preferment (Hume 5).4 Another possibility is "Iohan of Guldeuorde," whose name appeared in a prayer on a now-lost flyleaf of the J manuscript (Hume 5). Still another possibility, of course, is that the author was neither of these people, although he probably knew of "Maister Nichole" by reputation, if not in person. Nor does speculation stop with the mere name of the author. Various theories have been advanced as to what the author knew, or had to know, in order to write the poem, and consequently what kind of person he was. In his 1978 book James J. Murphy

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4 Since the issue remains unsolved, I have not specified Nicholas of Guildford as the author of the poem. However, other critics I quote (particularly Laurel Boone) have chosen to do so.
attempts to establish "a dialectical-rhetorical biography of the author," while Bertil Sundby and others try to pin down his dialect itself. Many, including Murphy and Sundby, believe the author "may well have been trilingual" (Murphy 210; Sundby 203). Others, including seminal critic J. W. H. Atkins, have explored sources in other languages which he may have used, including Marie de France's Yonec, Fables, Ysopet, and Laustic, Neckam's De Naturis Rerum, and Nicole Bozon's Contes Moralisés (lxiii, lxiv). In any case, there has been no more agreement on the author and his characteristics than on the date of the poem's composition.

Debate on the structure of the poem, another area of critical dissension, has inspired many different interpretations, but no universally accepted conclusions. As Kathryn Hume notes in her thorough overview of the poem's possible structures, "Not only are the readings radically contradictory, but the extrinsic critical approaches have so far proved incapable of encompassing the entire poem. . ." (85). Most critics, including Gadow, Atkins, Stanley, Witt, and Potkay, agree that O&N can be classified as a debate, but there they part company (Witt 282). Atkins maintains that secular "law court procedure" is the source while Stanley argues that the poem's debate form was "based upon the legal procedure of ecclesiastical courts" (Witt 282). Witt disagrees completely with both the preceding individuals; he believes that the legal vocabulary indicates "the poet, while certainly familiar with court procedure and legal terminology, did not intentionally model the
debate on court procedure, whether secular or ecclesiastical" (289).
And Murphy differs from all three in stating that scholarly disputatio, as practiced in grammar schools and universities, underlies the structure of the poem (229). In no wise are these questions of structure fully resolved as present (and no doubt, future) critics continue to align themselves on opposing sides of the structure issue.

Another key issue to interpretation of the poem concerns the nature of the Owl and the Nightingale. What do they represent? Which bird wins the debate, if either, or does the contest end in a draw? J. W. H. Atkins, in his 1922 edition of the poem, makes the case that the Owl is a symbol for "the religious didactic poetry characteristic of the Middle Ages," while the Nightingale represents "the new poetry with its love-motive" (lvi-ii). "The Nightingale [is] triumphant," he says, since she can "convict the Owl of a stultiloquium... and claim that the defendant has lost the case through boasting of her own disgrace" (Atkins lv). However, Kathryn Hume takes a much broader view, stating in 1975 that "Clearly there is good cause to think of the Nightingale as interested in pleasure, gaiety, art, joy, aesthetics, sex, and perhaps in the sort of 'new' religion based on love and joy that was popularized by the Franciscans" (55). The Owl, on the contrary, "represents all that is conservative, ascetic, and solemn, and may readily be labelled priest, philosopher, or monk" (Hume 55).
Critics have also speculated that the birds may correspond to certain historical figures. For instance, Kathryn Hume indicates that the Owl may represent Louis VII, Thomas a Becket, Bernard, or other "Popes and Emperors" (79-80). In contrast, the Nightingale may personify Henry II, Eleanor of Aquitaine, or Abelard (Hume 79-80). However, the wide range of possibilities and slim textual evidence lead Hume to conclude eventually, "it is easy to propose new contexts... but ultimately such endeavours are likely to be fruitless" (81).

Nor does Hume agree that the Nightingale wins the debate; "logically," she asserts, "there is only one approach left: rating them approximately equal" (46-7). Suffice it to say that, as in most other critical issues of this poem, no one seems to agree what precise roles the two birds play or whether either emerges victorious from the debate.

Thus, although critical attention to "The Owl and the Nightingale" has been nothing short of voluminous, few issues about the poem have truly been resolved. Yet one area of the poem, one which has perhaps the potential to resolve some of these debates, has been largely overlooked: vocabulary study.

E. G. Stanley, in the introduction to his 1960 edition of the poem, went so far as to state, "Of the poet's choice of vocabulary little need be said. As is to be expected of an author capable of variations in style, the poet has a wide vocabulary, on which he draws to give fitting expression to his variety of matter" (35).
Nevertheless, Stanley found it necessary to include comprehensive line notations in his edition of O&N, explaining (among other concerns) confusing or controversial Old French vocabulary present in the poem.

Bertil Sundby examines vocabulary in an attempt to determine the poet's precise dialect in his 1950 study, *The Dialect and Provenance of "The Owl and the Nightingale."* As a side note to his conclusion that the poet's dialect seems primarily West Surrey, Sundby makes several interesting statements about the Old French borrowings in the poem. First, he maintains that "Most of the French words in the poem were no doubt drawn from everyday speech, having probably crept into the spoken language by the time of O&N" (Sundby 162). A telling sign of the poet's comfort with Old French loanwords, asserts Sundby, was that "the author was even free to use hybrids, e. g. ouerquatie 353, spusbruche 1368, spusing-bendes 1472" (162). Second, Sundby notes that "possible external influences upon [the poet's] language came through his ears rather than through his eyes," meaning that Old French loanwords are familiar to the poet through oral rather than written sources and thus indicate they had begun to be assimilated into the language to a high degree (although Sundby does not specify why he believes this) (203). Both statements make provocative assumptions about the nature of Old French borrowings in O&N; despite these

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5 Hybrids are here defined as words based upon Old French roots with the addition of an English prefix, suffix, or base.
assumptions, Sundby devotes no more than half a page to the study of the borrowings themselves.

Irene Moran, in her 1978 "Two Notes on 'The Owl and the Nightingale,'" asserts that "it is unusual to find a direct loan from French in what is undoubtedly a ME work;" in reality, 46 Old French terms appear throughout the poem (500). In his 1982 study of whether the poem is based on English law court procedure, Michael A. Witt states that the legal terminology of O&N is based on "Old English legal terms" without realizing that at least two of the "Old English" terms he cited actually derive from Old French.

All the more interesting, then, is how critics respond when they actually examine the Old French borrowings. They disagree completely about the meanings of several of the Old French words. In the case of one particular borrowing, foliot, Andrew Breeze asserts that the word signifies "the treacherous alluring whistle of a fowler using such a [bird] decoy" (440). Irene Moran, on the other hand, interprets foliot as an allusion to Bishop Gilbert Foliot, meaning that "It is legitimate to infer from this that the Nightingale's 'foliot' is a type of rhetoric which may have been associated (at least in the mind of the Owl and of what she represents) with Bishop Foliot" (501). Bennet and Smithers, in their edition of the poem, dismiss that idea: "[the] suggestion that this is an allusion to the learned (and austere) Gilbert Foliot, Bishop of London, is implausible and supererogatory" (272). Stanley makes the case that "in OFr. . . the word occurs as. . . some sort of foolish trick to
catch foolish larks," perhaps a sort of decoy, although "the word is sufficiently rare for such a pun [on Bishop Foliot's name] to be not unlikely" (125). Foliot is assuredly the most extreme case. Nevertheless, when critics examine Old French borrowings, a variety of critical definitions and responses arise.

Since critics tend to either ignore or disagree about the Old French vocabulary in 'The Owl and the Nightingale,' it seems to me that it would be useful to catalogue Old French borrowings in the poem and note the circumstances of their appearance. Such a process should contribute to a fuller understanding of the poem's language and author.

Of the approximately 46 Old French borrowings in O&N, some are used repeatedly, others only once, as will be noted on a case-by-case basis. I use "approximately" since several of these words are cognates in Old English and Old French; their etymology will be assessed according to meaning and usage. The term "usage" refers to whether the word stands alone or appears with others in cohesive vocabulary, a group or set of semantically-related borrowings. In addition, I will designate the earliest date each borrowing can be found in English according to the Oxford English Dictionary unless "The Owl and the Nightingale" consists of the earliest instance. Most of the 46 borrowings occur in one of five areas, which can be further differentiated as either source-based or subject-based. Proverb reference and fable use appear to be source-based, while love/marriage discussions, class/preferment
distinctions, and legal terminology are subject-based. Lastly, since there are several borrowings which fit nowhere easily, they have been categorized as miscellanea.
Several Old French borrowings in "The Owl and the Nightingale" occur within proverbs or pieces of proverbial wisdom. E. G. Stanley states, "A saying is a proverb when it enshrines in pithy form a truth known to all" (159). To that definition, I add the corollary that in order to be here classified as a proverb, a saying must be identified as such or credited to a specific source, such as King Alfred. Proverbial wisdom can be defined as pithy sayings phrased in the form of a proverb and used in the same fashion without being acknowledged as such or credited with a specific source. Old French borrowings appear in three of the former and two of the latter.

The first proverb with borrowings occurs early in the poem in lines 98-100. The Nightingale says to the Owl, "Parbi men segget a uorbisne: / Dahet habbe ñat ilke best / ñat fuleþ his owenest" (Stanley 52). This can be classified as proverb since the Nightingale identifies it as such (uorbisne). There are two borrowings in this proverb, dahet and best. Dahet, the first borrowing, comes from the Old French noun de[s]hait, dahait,
meaning 'grief, misfortune;' it occurs specifically in Anglo-Norman with the variants dehe, dehait, dehet, dahait in the similar sense of '[a] curse' (Kurath et al. 841; Rothwell and Stone 151). In line 99, considering the verb habbe ('has'), dahet can be best translated as 'misfortune,' as in "Misfortune has that same animal / That fouls its own nest." Later in the poem, however, the word takes on the Anglo-Norman meaning; first the Nightingale, then the Owl use it to pronounce a curse on people. The Nightingale says in lines 1169-1172: "Dahet euer such budel in tune / Bat euer bodep unwreste rune . . ." (Stanley 82). However, the meaning here obviously falls closer to '[a] curse,' as in "A curse ever to such a crier in town / That always bears bad news." The omission of habbe in that phrase completely changes the expression. The Owl curses similarly in lines 1561-1562: "Dahet ɒat to swupe hit bispeke, / Pah swucche wiues hi awrekel!" (Stanley 94). In this case, rather than heaping ill luck on the town crier, the Owl impugns those who accuse abused wives of adultery: "A curse to [those] who speak much about it, / Though such wives take vengeance!" The first instance of dahet occurs in a proverb about a creature fouling its nest. In the second and third instances, rhetorical usage has changed the meaning of the term to 'curse.'

The second borrowing, best, comes from the Old French noun best, meaning 'One of the lower animals, any member of the animal kingdom other than man. . .' (Kurath et al. 765). Anglo-Norman also contains the variants beste, bei(s)te with the same definition,
which fits the sense of line 99 (Rothwell and Stone 67). (As with most of the borrowings in the poem, it would be difficult to say if the words entered English specifically from Old French or Anglo-Norman; suffice it to say that both ultimately derive from an Old French source and should be considered as such). However, it is important to note that whichever specific language provided best, its first recorded appearance in written English occurred in 1220. Thus the poet may well have "inherited" the word from previous assimilation into the language, rather than borrowing it himself (Murray et al. 27). Translated as a whole, the proverb says "Misfortune has that same animal / That fouls his own nest." E. G. Stanley notes that this is "a proverb common in Latin, English, French, and many other languages;" however, the existence of two Old French borrowings within one line of the proverb suggest that perhaps the author was familiar with a French version of the saying (107).

Lines 99-100 contain the only example of a proverb with more than one borrowing. However, two other proverbs each contain a single Old French borrowing. In lines 942-944, the author advises the Nightingale's next course of action with, "For hit seide þe King Alfred: / 'Sel[d]e e[re]nded wel þe lope, / An selde plaideð wel þe wroþe;''" (Stanley 76). The sole borrowing comes in line 944, plaideð, from the Old French verb plaidier, pledier, pleidier, meaning 'To contend legally, debate, argue (a case), present a defence, dispute, quarrel' (Kurath et al. 1019). Anglo-Norman had
the word in the sense of 'to plead,' with variant spellings *plaider*, *pleider/-dier/-dre/-ter*, etc. (Rothwell and Stone 528). This word exists, in several other variations, throughout "The Owl and the Nightingale," but nowhere else in a proverb (See Chapter Six). The lines can be translated: "For King Alfred said it: Seldom ends well the hateful / And seldom pleads well the angry." The most intriguing element about this example is that, Old French borrowing and all, the author attributes it to King Alfred. However, such an improbability can be rather easily explained; as Stanley states in his introduction, "only a very few of the proverbs quoted in O&N, and not always those referred to by the birds as his, correspond with any in The Proverbs of Alfred, and the chief reason for ascribing them to him seems to be that his name will lend authority to what the birds assert" (or, as in this case, to what the author himself proclaims) (34).

This apparent anachronism -- attributing proverbs with Old French phrasing to King Alfred -- occurs in another instance as well. In lines 1269-1280, the Owl repeats an entire series of proverbs for which she credits King Alfred: "Forti seide Alfred swipe wel..." ("Therefore said Alfred very well") (Stanley 85). The second proverb of the series (in l. 1276) contains an Old French borrowing, *solep*, in "Ne no3t so hwit þat hit ne solep..." (Stanley 86). *Solep* comes from the Old French verb *soillier, souillier, soullier, suillier*, meaning 'to make dirty, soil, defile' (Kurath et al. 118). The Anglo-Norman variants were *soiller, soler, suller*, etc. with
essentially the same definition (Rothwell and Stone 718). Obviously the ending, -eþ, comes not from Old French but Old English, rendering this word a hybrid in its present form. Nevertheless it does retain the meaning of the original Old French word; the proverb may be translated as, "There is nothing so white that it does not soil," which can be interpreted both literally and figuratively in context with the Owl's meaning.

Proverbial wisdom also exists in O&N. One example of a borrowing in such wisdom is stalle. The case of stalle is problematic since it is a cognate, a word similar in orthography and meaning to another word in a different language for which pair a common ancestor is assumed. How can the etymology of a cognate be determined? In this case, if a cognate in the poem is in the vicinity of other Old French borrowings or fits part of a specific pattern of borrowings, likelihood increases that such a word comes from Old French. Such is the case with stalle in line 629: "Vor hors a stable & oxe a stalle / Döp al þat hom wule bar falle. . ." (Stanley 67). Although the names of the animals in that line derive from Old English, the names of their dwelling places come from Old French. Stable, for example, undergoes only a slight spelling change from Old French and Anglo-Norman estable, and the meaning of the word remains the same: 'A building for the keeping of animals, especially horses; a stable' (Kurath et al. 550; Rothwell and Stone 273). Thus the line becomes, "For horse in the stable and ox in the stall / Them[elves] do all that will there fall;" i.e.,
they too foul their "nests." While *stal(le)* is cognate in Old English and Old French, several factors argue for its origin in the latter. First, the spelling of *stalle* is closer to the Old French and Anglo-Norman variants of *stalle, estal(e)* than the Old English *steall* and *stael* (Kurath et al. 550). Orthographic proofs, however, must be considered weak at best since, in the early Middle English period, spelling did not yet take fixed forms, and a series of scribes with different systems of spelling (and often urges to "correct" their texts) have considerably muddied matters (Stanley 9-13). Second, the confirmed borrowing *stable* occurs within the same line in a parallel position and sets a precedent for usage of another Old French word. Against this case is the fact that the *Oxford English Dictionary* records the first written use of *stalle* (although with spelling *steall*) in AD 725 (Murray et al. 471). While the derivation of *stalle* in O&N cannot be solved absolutely, the confluence of those two factors make an Old French origin more likely than an Old English one.

Yet another example of an Old French borrowing occurs in lines 669-670. Once again the author advises the Nightingale in arguing by means of proverbial wisdom: "He mot gon to al mid ginne, / Wan þe horte boþ on winne;" (Stanley 68). The borrowed word is *ginne* from Old French *gin*, meaning 'clever policy, strategy; trickery, treachery' (Kurath et al. 124). The *Oxford English Dictionary* records the first use of the word in 1200, indicating that the poet may have inherited it rather than borrowing it himself (Murray et al.
516). _Ginne_ best translates as 'trickery' in this line for two reasons: First, because in the preceding lines, the author classes the Nightingale as fighting against truth and right; the dishonest connotations of trickery are more appropriate to such a fight. Secondly, in line 765-766 when the borrowing appears again, 'trickery' seems once more the best translation: "Mid lutle strengbe burʒ ginne / Castel & burʒ me mai iwinne" (Stanley 71). In other words, "With little strength through trickery / Castle and citadel I may win." The connotations are once more of guile rather than simple strategy or clever policy, since strength alone (whether of argument or armor) will not win the day. Therefore the sense of lines 669-670 is: "He must go ahead with trickery / When the heart is in strife." This saying lends further credence to the hypothesis that Old French borrowings exhibit an established pattern of occurrence in proverbs and proverbial wisdom.

In all, Old French borrowings appear in at least five different proverbs or pieces of proverbial wisdom out of the 22 proverbs that E. G. Stanley records throughout O&N (160-161). While not a large proportion, the tendency is nonetheless significant because it indicates a small pattern, an area in which the poet felt comfortable using Old French expressions and perhaps even, as Sundby theorizes, drew on Old French sources. Yet this small pattern is not the only one to wind through the larger framework of the poem.
A second "source-based" pattern of borrowing appears in the fable. There are two primary fables in O&N: 1) The falcon and owl (ll. 101-124) and 2) The cat and fox (ll. 809-834). Both have received much critical attention in hopes of pinpointing an authorial source. J. W. H. Atkins and Laurel Boone, among others, have attempted to catalogue the thematic similarities between these fables in O&N and corresponding ones in Marie de France's Fables. While thematically the fables in both works share some material, a close investigation of the borrowings or lack thereof in O&N's versions demonstrates why a direct source relationship between the two works is unlikely.

The Nightingale uses the fable of the falcon and owl to demonstrate why her opponent is an unwi3t or 'monster' (Stanley 52). Briefly summarized, the fable tells of a falcon raising an owlet that outrages its foster-parent by soiling the nest. After reflecting that even owls raised with falcons must retain their owl characteristics, the falcon pronounces a curse on the dirty owlet and kicks her out of the nest to be torn apart by magpie and crow.
Laurel Boone, in her extended thematic comparison of the O&N and *Fables* versions, notes that "after slightly different beginnings, these two stories run parallel almost line for line" until the owlet's violent end (172). Furthermore, despite slightly different placements, "the morals and illustrations are exactly alike in meaning" in both versions (Boone 172). Based on this comparison, Boone asserts that "the similarities point definitely to a special relationship" between the fables of Marie de France and O&N. Whatever this special relationship may be, however, a study of borrowed words reveals that the author probably did not draw on Marie de France's *Fables* as a direct source.

If the poet had drawn upon her *Fables*, it stands to reason that the language of the O&N version would reflect its French origins. And indeed, there are French borrowings in the English fable of the falcon and owl. The first borrowing, *fauxon* (also spelled *faucun*) appears in ll. 101, 111, and 123 as the designation of the foster-parent (Stanley 52). Taken from Old French *fauxon*, the word means 'the peregrine falcon, especially the female of the species as used in falconry,' as well as 'any of various other hawks so used' (Kurath et al. 424). The word also existed in Anglo-Norman with the variant spellings *faucune/facun/facon* and the same denotation (Rothwell and Stone 295). Thus *fauxon* can be translated as 'falcon.'

Yet while the author uses an Old French borrowing for one of the principal characters, he does not employ the same term as
Marie de France. She calls the foster-parent *ostur*, which Laurel Boone translates as 'goshawk' (172). Although the meaning of the two terms is quite similar and both originate in Old French, it seems peculiar that the author of O&N would borrow a different word than his source, particularly if he had it before him physically or mentally.

The second borrowing in the fable, *pie*, casts further doubt on a "source" relationship between the *Fables* and O&N. *Pie* appears in l. 126 as the fate of the owlet becomes clear: "Par pie and crowe hit todrowe" (Stanley 53). The word comes from either Old French or Anglo-Norman *pie*, both of which mean 'magpie' (Kurath et al. 906; Rothwell and Stone 524). The line reads, "Where magpie and crow pull it apart."¹ Not only is *pie* omitted from Marie de France's version, but she uses the term nowhere in her entire collection of fables. Furthermore, the death by magpie and crow does not appear in the French version. These differences of endings and borrowings combine to make it improbable that the author drew upon the *Fables* as a direct source.

If there was no direct source correspondence, what was the nature of the "special relationship" between the two versions? It is more likely, as Laurel Boone later says, that both O&N and *Fables* "draw on a similar fund of stories and sayings" (173). This theory

¹The other instance of *pie* occurs in 1. 1613: "Par ich ascheweale pie and crowe..." (Stanley 96). As in the previous case, *pie* can be translated "magpie," so that "There I scare away magpie and crow."
helps explain the case of the cat and fox, the second fable to show parallels between the two works. As Boone points out, "although the stories are dramatized and used differently, they are alike in outline" (172). In both a cat and fox compare tricks; the cat knows only one, but the fox uses many to escape pursuing hounds (Stanley 72). However, the cat's one trick eventually serves her better than the fox's bagful aids him (Stanley 73). Besides these thematic similarities, however, little corresponds between the English and French versions. No Old French borrowings appear in the O&N fable, despite the fact that "three remarks from O&N are almost exactly like the one from 'De catto and vulpe' [Marie's 'The cat and fox'] in syntax as well as meaning" ("Though I know only one trick") (173). While not conclusive, the lack of borrowings in the O&N version further decreases the probability of a source correspondence. More likely, as Boone asserts, is that the likeness in translations springs from a saying common to both languages (174). While the O&N author and Marie de France may have "developed . . . the same source," no direct source relationship can be shown to exist between them (Boone 174).

Even if a direct source relationship does not illuminate the fables, some conclusions can still be drawn from the borrowings the author used. In fact, their very scarcity is suggestive. It seems possible that, if the poet used a source, he knew it in English since so few French words are transferred. Or he may be demonstrating with his fables not only their use as evidence in debates, but his
own potent powers of translation as well, perhaps from a yet-undiscovered source.
Undoubtedly love is one of the major topics debated by the Owl and the Nightingale. Early in the poem, the Owl reflects on Judge Nicholas' past love for small creatures. The Nightingale defends her intentions in singing by retelling the story of a knight jealous of his lady's love. She goes on to repudiate forbidden love (adultery); the Owl then counters her views in a lengthy monologue on the evils of marriage, which lead unhappy wives to adultery. It is obvious that the nature and conventions of love interested both the poet and audience of O&N.

Less obvious, however, is the large amount of Old French borrowings in the poem centering on love. Each of the above-named passages contains no fewer than two borrowed words; the Owl's discourse on matrimony, for example, features eight. From the textual evidence, it is clear that the O&N author depends upon French for his knowledge and use of love-vocabulary.

The first lines (202-206) with love-centered borrowings come as the Owl ponders the judge's former preferences. She says:
In the past, then, Judge Nicholas was 'wild' (breme), and in the course of that wildness he loved nightingales and other beings gente and small. The first borrowing of that passage is gente, which comes from Old French and Anglo-Norman gent(e), meaning 'of persons, the body, limbs, etc. beautiful, graceful' and 'fair' (Kurath et al. 70; Rothwell and Stone 333). The Oxford English Dictionary lists its first appearance in English as 1225, so the author probably inherited gente (Murray et al. 447). The surface meaning of the line is clear; Nicholas loved nightingales and other small, beautiful beings. Although these beings may have been birds, the poet’s careful choice of wi te hints that birds were not all that Nicholas loved in his wild past. As stated in the definition, gente was frequently applied to humans and seems especially fitting about women. Therefore the love-centered vocabulary slyly implies a love for ladies as well as nightingales.

The second borrowing of the passage lends some strength to that interpretation. The Owl decides to accept Nicholas as judge because "I know that he is now very cooled down / He is with thee not at all afoled." The term afoled derives from Old French afole, meaning 'infatuated' (Kurath et al. 128). Anglo-Norman also features the word as the verb afoler, yet the denotation becomes the more extreme 'driven mad, deceived, led astray' (Rothwell and
Stone 14-5). Within the context of the judge's love, the best definition seems to be 'infatuated,' since those previous emotions have much cooled. Thus the Owl deems Nicholas fit; he can now be impartial since he is no longer blinded by wildness and passion, whether for animals or humans. The total impression of love in this passage, with its overt message and sly implications, come about in good part as a result of the Old French borrowings the poet has chosen to use.

The author again chooses two borrowings for another tale of passion later in the poem. Answering the charge that she leads ladies astray, the Nightingale tells her version of the tale of a knight so jealous of his wife's affections that he breaks the neck of the nightingale come ostensibly to console her. As Laurel Boone points out, "Scholars sometimes compare the story of the pandering nightingale in O&N with Marie [de France's] Laustic, taking the correspondences to mean that Nicholas knew Marie's work" or perhaps even used it as a source (171). However, the vocabulary used by each once again casts doubt on a theory of source correspondence. The first borrowing in the O&N tale, gelus, is key because it expresses the knight's motivation: "He was so gelus of his wiue. . ." (l. 1077) (Stanley 80). Gelus probably comes from Old French jalos, gelos with the specific definition of 'sexually jealous' (Kurath et al. 377). Another possibility is the Anglo-Norman gelus/-ous/-uz, meaning simply 'jealous,' but 'sexually jealous' better describes the emotion of a man afraid his wife will be unfaithful
(Rothwell and Stone 332). In Laustic, the knight "s'en curuça" ("grew angry") because his wife kept getting up to look out of the window; when she tells him she goes to hear the nightingale, he feels "ire e [de] maltalent" ("anger and spite") toward the bird (Ewert 99). However, Marie de France never states that the knight was jealous, and nowhere in Laustic is the word even mentioned. Evidently, then, the O&N poet himself specified jealousy as the motivation or borrowed the idea, as well as the word, from someone other than Marie de France.

Another borrowing unique to the O&N version is *merci*. In l. 1092, the Nightingale blesses King Henry for redressing the wrong of the murdered nightingale: "Iesus his soule do merci!" (Stanley 80). The word means 'mercy,' as in 'to have mercy on someone's soul' (Kurath et al. 331). In this case, the bird wishes "Jesus to do mercy on [King Henry's] soul." Predictably, Marie de France does not include similar wishes for King Henry in her Laustic, but *merci* in fact appears nowhere in the entire lay. However the O&N poet learned the word, he did not do so from Marie's work; the likelihood is that he inherited the word, since it is first recorded in English in 1175 (Murray et al. 626). While the linguistic evidence gleaned from this textual comparison is admittedly slight, it does tally with Boone's assertion that "although the stories were superficially alike, they differ in so many ways that this is the least important of [Nicholas and Marie's] shared tales" (171). And once again, the poet chooses cohesive Old French vocabulary to write about love.
Still more borrowings can be found in a third love-centered passage in O&N. Continually protesting that she does not encourage forbidden love, the Nightingale launches into a repudiation of adultery in ll. 1331-1510. Throughout that long passage she uses five borrowings, all of which are variations or hybrids of one Old French word: *spous(e)*. These hybrids/variations are unsurprising in light of the fact that the term first appears in English in 1200; thus, as Sundby theorized, it may have been adapted and modified before use by the O&N poet (Murray et al. 328). The *Middle English Dictionary* defines it as 'a wife, married woman; a bride' (503). The same definition holds for the Anglo-Norman variations of *espus/-ouse/-oux* (Rothwell and Stone 270). *Spous(e)* first appears in ll. 1334 of O&N as the Nightingale details the Owl's accusation that she "...teache wif breke spuse" (Stanley 87). Since *breke*, the infinitive form of the verb, can be defined 'to break,' clearly the actual meaning of *spuse* does not precisely match the dictionary definition (Rothwell and Stone 270). A smoother translation places *spuse* closer to 'wedlock' than 'married woman;' thus the Nightingale "teaches wive[s] to break wedlock" or commit adultery. Perhaps the author manipulated the word into a synonym for *spusing*.

This explanation makes particular sense due to the fact that *spusing* is actually used in ll. 1336, only two lines away from *spuse* in ll. 1334. The Nightingale proclaims, "P[urh] me nas neauer ischend spusing" (Stanley 87). As indicated by the addition of -ing,
spusing is a gerund derived ultimately from Old French espose or Anglo-Norman espuser, meaning 'to marry' (Kurath et al. 503; Rothwell and Stone 271). A gerund form, then, can naturally be translated as 'marrying' or 'wedlock' (Kurath et al. 508). The Nightingale's denial thus reads: "Through me wedlock was never harmed." Essentially she is repeating and denying the allegation used before; due to the similar use and placement of spuse and spusing, the synonym explanation makes perfect sense.

Spusing is repeated yet again in l. 1340. The Nightingale lectures, "For god wife mai i spusing, . . ." (Stanley 87). Just as the etymology remains the same between the last usage and this one, so does the meaning; once again spusing can be translated as 'wedlock.' Therefore the phrase becomes "for good wife may in wedlock. . .". The poet's continuing use of spuse and its variants indicates not only his interest in the topics of love and marriage, but his reliance upon borrowed terms to explain them.

The fourth borrowing of the passage further illustrates the author's tendency to use and adapt Old French marriage terms. In l. 1368 the Nightingale continues, "Spusbruche buggen & unrigt. . ." (Stanley 88). Here spuse is combined with English bruche, which forms both a compound and a hybrid. Bruche comes from Old English bruchle, meaning 'breaking' (Kurath et al. 506). Once again the slightly altered sense of spuse as 'wedlock' fits best in translation; therefore the entire word becomes literally "wedlock-breaking" or "adultery," for the sake of a smoother reading. The
whole phrase then is, "Adultery procure and wrongdoing...". The Oxford English Dictionary reveals that this hybrid is not unique to the O&N poet, however; the first recorded use of the word came in Ancrene Riwle in 1225 (Murray et al. 329). Thus it seems likely that the poet inherited this word, using it to vary his language and so keep his audience interested.

The last borrowing in the Nightingale's defense is another hybrid and an antonym to the previous one. The bird lectures in I. 1472: "bah spusingbendes þuncheþ sore" (Stanley 92). Bendes is an English word meaning 'bonds, ties;' spusing assumes the same definition as before, 'wedlock' (Kurath et al. 508). Conjoined, the hybrid becomes "wedlock-bonds," or "marriage-bonds." Clearly the poet uses this word as a complete opposite to spusbruche; the translated line reads, "Then marriage-bonds seem [to her] sore."

And this word appears unique to O&N; the Oxford English Dictionary records no other instances of its use (and, in fact, overlooks the O&N usage) (Murray et. al 329). Interesting possibilities are raised by the appearance of such hybrids as spusingbendes and spusbruche. Clearly Sundby was right in one matter; the O&N poet felt very comfortable with Old French loanwords (Sundby 162). And some, like spusebruche, were probably assimilated early as Sundby also implies (203). Yet other hybrids can be found nowhere else; either the author of O&N felt comfortable enough with both English and French to combine them and invent new words, or he procured them from some as-yet-undiscovered source. Whichever possibility
is correct, the poet obviously made full use of his linguistic resources with a multitude of love/marriage borrowings.

The fourth love/marriage passage increases the sum of borrowed terms even further. The Owl defends wives in l. 1526-27 by impugning men who "... siuep þare þat no riht naueþ / An haueþ attom his riʒte spuse" (Stanley 93). *Siueþ* comes from Old French *sivre, seure, siure* meaning 'to court [a woman];' its first known usage is in O&N, and even the *Oxford English Dictionary* does not record it, probably due to its rarity (Kurath et al. 549). If a man "courts her that no rights has," he is obviously seeing another woman. The next line worsens his offense, since he pursues other ladies with "his right wife at home." At this behavior the Owl shrieks in ll. 1543-44, "La, Godd hit wott! heo nah iweld, / Ḟa[h] heo hine makie kukeweld" (Stanley 94). *Kukeweld* comes from 'late OF *cucualt*, a derivative of OF *cocu* meaning 'the husband of an unfaithful wife, a cuckold' (Kurath et al. 376). The borrowing relays what the beleaguered wife has done: "La, God it knows! She cannot help / That she him made cuckold." Thus the Owl justifies a wife's unfaithfulness, arguing that women can hardly be blamed for adultery in light of a husband's misdeeds.

Later in the passage the Owl again blames men for injuring their wives. She criticizes in ll. 1554-55 and 1557-58, "He uened heo wule anon tobreke / Hure spusing. . . He hire bilþp mid keie & loke: / Ḟærþrh is spusing ofte tobroke" (Stanley 94). *Spusing* here retains its definition of "marriage." Thus the accusation reads,
"He expects that she will at once commit / adultery. . .  He locks her up with key and lock: / That is how adultery is often committed" as the wife yearns to escape the cruel and unfair treatment. With continued use of borrowings such as spusing, the author leads the reader to better consider the wife's plight while mitigating the Owl's shaky reasoning.

Reasoning soon evaporates in l. 1561-62 as the Owl gets angry enough to curse. She screeches, "Dahet þat to swuþe hit bispeke, / Þah swucche wiu(es) hi awreke!" As stated in Chapter Two, dahet comes from Old French or Anglo-Norman de(s)hait, dahait, etc. and can be translated in this sense as 'a curse.' Therefore the imprecation becomes, "A curse to [those] that speak much about it / Though such wiu(es) take vengeance!" Obviously the Owl feels that wronged wiu(es) have their right to happiness, but reason no longer governs her cursing tongue. Curses can hardly be considered love/marriage words per se, but placed in close proximity to other borrowings, dahet forms cohesive vocabulary with them since all are semantically related.

A second instance of cohesive vocabulary appears in l. 1574. Reason still absent, the Owl boasts to her opponent, "Al þi sputing schal aswinde" (Stanley 94). A gerund of the Old French verb desputer, despiter [which in turn evolved from Latin disputare], it means 'arguing, reasoning, contending in speech; also a mental conflict' (Kurath et al. 1161). Parallel forms of the word exist in the Anglo-Norman desputance/deputance and desputeisun/-eson/-esun/-
ison/-issoun/disputesun, with the meanings of 'dispute, argument' and 'disputation, discussion, disagreement/contradiction between two ideas' respectively (Rothwell and Stone 177). Simply translated, the Owl is claiming that "all thy arguing shall go astray." However, as highlighted by these borrowings, it is more likely that the Owl herself has "gone astray" due to her cursing and boasting.

The sixth love borrowing is seruep. Contrary to what the Nightingale has said, the Owl asserts that wives act virtuously to their husbands "an seruep him to bedde & to borde" (Stanley 95). Seruep derives from the Old French verb servir, servier and Anglo-Norman serveir/-ire, servier, cervir, meaning 'to serve, attend' (Kurath et al. 478; Rothwell and Stone 702). Context makes clear that the him in this line refers to husbands, so wives "serve their husbands at bed and table." Such faithful wifely action, the Owl argues, is rather abused than rewarded. Throughout this prolonged defense of wives, eight borrowings occur and often recur as the poet draws heavily upon French love/marriage vocabulary to phrase the marital sufferings of women.

Indeed, the repeated vocabulary lends credence to Sundby's theory that the author of O&N feels very comfortable with these borrowed words (126). He employs several hybrids and occasionally uses the same word to convey different meanings. Often words in close proximity seem to be synonyms for one another. Yet not all of these love-borrowings are inherited; in fact, over half (5 of 9) appear for the first time in O&N. Therefore the poet may have
used both his ears and his eyes in gathering Old French love terms, revealing the creative range of the poet's language. And he does exploit that range, using his linguistic resources to the fullest and ensuring that sly hints, passionate tales, and marital misfortunes come alive with equally precise and vivid imagery.

Surely if the author were comfortable enough to play with and upon a variety of Old French love/marriage vocabulary, he expected his audience to keep pace with him. Nowhere in O&N does the writer use an erudite tone; the majority of his language seems eminently accessible. Nor do these words come from Laustic or even, probably, Marie de France; they can be traced for certain to no written source as yet. Therefore the intended reader(s) of the poem probably knew these words as well as the poet did or could translate them with equal ease. The four passages also demonstrate that audience was surely intrigued by matters of love as well as reasoning, since so much space is devoted to them. As the Owl points out early in the poem, Nicholas was no stranger to love and its Old French vocabulary, and no doubt neither was his audience.
Another area of Old French vocabulary in O&N contains terms signifying class/preferment distinctions. These distinctions are not made between the Owl and the Nightingale; rather, they are human designations to which the birds refer primarily in two passages. In the first passage, the Owl details her supposed usefulness to the various classes gathering for mass. In the second, both birds concern themselves with the preferment of their judge, Nicholas of Guildford. The Owl and Nightingale also indicate class distinctions by the way they refer to that judge. Through the media of the birds, the author reveals his own awareness of both class/preferment distinctions and the Old French vocabulary which expresses them.

The first cluster of cohesive class-oriented vocabulary occurs in ll. 481-483. The Owl describes an ecclesiastical event uniting the classes: "& hure & hure to Cristes masse, / Þane riche & poure, more & lasse, / Singeþ cundut nîgt & dai, / Ich hem helpe what ich mai" (Stanley 63). *Riche*, the first class-oriented borrowing, comes from Old French *riche, rice* meaning 'powerful men, great men;
also, men of high birth, noblemen;' it is first recorded in English with this meaning in 1200 (Kurath et al. 655; Murray et al. 890). Anglo-Norman also featured the word with the variant spellings reches, rizes and the same denotation. In this context, riche can best be defined as "[the] rich," due to the meaning and position of the other Old French borrowing in the line.

The second borrowing, poure, appears in opposition to riche. Poure derives from Anglo-Norman povers, pore, povre with the sense of '[the] poor; needy or indigent people' (Kurath et al. 1178; Rothwell and Stone 545). The Oxford English Dictionary records the first instance of poure in 1225, so it likely that this term was inherited rather than borrowed by the poet (Murray et al. 109). Due to the proximity of riche and its meaning, it makes sense that poure signifies "[the] poor." Therefore the two borrowings become opposites, one illustrating the wealthy at the top of society, the other representing the bottommost social class. This interpretation is confirmed by "more & lasse;" these too are opposites with distinction made on the basis of some factor. Thus the line runs, "Then the rich and the poor, the greater and the lesser...". Clearly the poet is designating at least two separate classes here. There are those with money and those without, those with "more" of something and others with "less" of it. What is this unknown quality? Probably power or importance; it seems unlikely that the poet would immediately repeat himself. In any case, an important fact can be
gleaned from this line: not only does the author distinguish between classes, but in one case he uses Old French terms to do so.

The lines before and after l. 482 reveal some cohesive Old French vocabulary. While the term *cundut* is ecclesiastical rather than class-oriented, its importance comes from close proximity to the class terms, revealing the heavily borrowed nature of the passage. The word comes from the Old French noun *conduit*, meaning 'a kind of dance song or motet; Christmas carol' (Kurath et al. 497). Furthermore, *cundut* does not appear in the *Oxford English Dictionary*; its only known instance in English comes in O&N. It is at this point that the whole context created by ll. 481-483 must be carefully considered. Thus far the translation reads, "And especially and especially to Christ's mass / When rich and poor, more and less, / Sing *cundut* night and day. . ..". This safely rules out the first definition and leaves 'Christmas carol' (Kurath et al. 497). The meaning seems to fit in light of the situation. Despite their different stations in life, all people are gathering at the church. This may happen at a regular mass, but l. 483 goes on to specify that they will be there night and day singing in celebration of a particular mass: Christ's. The play on words of "Cristes masse," coupled with the use of the borrowing *cundut*, makes "Christmas carols" the most reasonable explanation. While terms like *cundut* and *masse* do not signify class, they are significant since they highlight the French nature of this passage.
These few lines reveal two significant facts: first, the author tends to use borrowed terms, both of church and class, in cohesive vocabulary. Second, the fact that he describes different classes at all indicates that he and his readers were aware of such distinctions.

A number of Old French class/preferment borrowings can be linked to the author’s presumable wish for advancement. Laurel Boone states that "It is... likely that Nicholas used this poem to advertise his qualifications as an itinerant judge" (161). One passage in particular supports that assumption: ll. 1751-1778. Therein the Wren and Owl praise Nicholas' judging abilities and urge that he be financially rewarded. In l. 1767 the Wren states, "An 3iue him rente a uale stude..." (Stanley 100). Rente comes from Old French rent, rente meaning 'Revenue from property, income' (Kurath et al. 460). The word also appears in Anglo-Norman with the additional spelling rend(e) and definition 'property producing rent, rented house' (Rothwell and Stone 630). This could well be an inherited word; the Oxford English Dictionary records its first appearance in 1154 (Murray et al. 619). At first either of these definitions, inherited or not, appears to fit. The rest of the line can be translated as, "Give him rente in many places. ..," and rente could refer either to "rented houses" (particularly if Nicholas is an "itinerant judge") or "income" in general. Given that the Wren gripes earlier in her speech that Nicholas has only one woning or "dwelling" far away from his bishops, whom he could well teach,
"rented houses" seems to fit better than simply "income;" perhaps the entire concept could be best expressed by "a living" (Stanley 100).

The second instance of the word in l. 1773 clarifies matters a little. The Owl complains that "riche men" "...3iuep rente wel misliche" to Nicholas (Stanley 100). *Misliche* means 'variously, indiscriminately, irregularly' (Stanley 189). Therefore "rich men give *rente* irregularly to the judge." This reinforces what the Wren said earlier; Nicholas lives far away from his bishops because his one dwelling was given irregularly and hence lies at an inconvenient distance.

The third use of *rente* makes this definition even more likely. "Riche men," grumble the Owl, "An 3euep rente little childre" (Stanley 100). Here the extremity of indiscriminate treatment is illustrated; those in power are more likely to give a rented house, or living, to children rather than Nicholas. Granted, "income" might fit neatly in this line, but it does not express the fully ridiculous and harsh treatment the judge has endured. Thus the Owl and Wren petition for more "rented houses" or, for ease of translation, "livings" for Nicholas throughout this passage. *Rente* refers to the judge's class since it helps reveal his social standing (as a man low-ranking enough to have only one living). The author, as well as the birds, evidently wish preferment for him.

A piece of cohesive vocabulary also occurs in this preferment passage, further indicating its heavily French character. When
asked to corroborate that Nicholas deserves more livings, the Owl replies in l. 1769, "'Certes,' cwał be Hule, 'þat is soð. . .'" (Stanley 100). *Certes* derives from Old French *certes*, meaning 'certainly. . . indeed' (Kurath et al. 130). The word was also present in Anglo-Norman as *certes*, *certis* with the same meaning. Therefore the Owl is affirming "Indeed . . . that is true." While not a class term per se, *certes* indicates the poet's continuing use of cohesive Old French vocabulary to express himself.

A second borrowing indicating the author's concern with class comes in the form of the title that the birds use for Nicholas: *maistre/-er*. The Owl complains in l. 1778 that even rich men's wit "tells them they are wrong" "þat euer abid Maistre Nichole" (Stanley 158; 100). According to the *Middle English Dictionary*, *maistre* is a cognate that either comes from 'OF maistre, mestre, mastre or OE magister, magester,' all of which mean 'As a title or holder of a master's degree, or of other learned men' (Kurath et al. 43). Anglo-Norman preserved the word as *mestre*, *maister*, *ma(i)stre*, etc., and denoted it as 'master' (Rothwell and Stone 424). There are three main reasons to attribute *maistre* to Old French rather than English. First, the orthography exactly matches the Old French version of "master." Second, *maistre* appears in cohesive vocabulary with three other borrowings; in close proximity to other Old French borrowings, the term is more likely to originate in that language. The fact that it indicates Nicholas' rank seems significant as well since the author is prone to use Old French vocabulary to
express rank and class. Confluence of the last two factors makes it likely that maistre in fact comes from Old French. The definition 'master' clearly fits; therefore the line can be translated, "That ever waits Master Nicholas," presumably "for preferment" (Stanley 158).

The birds refer to Nicholas as "Master" in two other places in the poem. After the Owl asks her who will make a suitable judge, the Nightingale replies in l. 191, "Maister Nichole of Guldeforde" since "He is wis and war of worde" (Stanley 55). Therefore the "master" "is wise and cautious of wording," making him ideal for deciding the debate. Later in l. 1746 the Nightingale again calls him "Master" and praises his wisdom: "Bat Maister Nichole, bat is wis," (Stanley 100). With his title of "Master," his poor living, and his oft-praised wisdom, Nicholas is an ideal candidate for preferment.

As demonstrated by the Old French borrowings, the author was well aware of class and the means to express it. And given the historical context, it is not surprising that the author of O&N chooses to use French vocabulary to phrase a plea for preferment. Writing only 120 to 170 years after the Conquest, he makes his appeal in these terms since French was still the language of power in England (Baugh 113). In the "Christmas" passage, the author reveals he understands and makes distinctions in rank. Some of the terms, such as riche, poure, and rente, may have been inherited, but others such as maistre/-er were clearly contemporary designations of title and class. However, in order to obtain
preferment for Nicholas, the author had to use the terms of rank and advancement current in England at the time. Thus his terminology must necessarily have been appropriate, up-to-date, and chiefly French.
CHAPTER 6

LEGAL TERMINOLOGY

The legal aspects of O&N have long intrigued scholars. Since Atkins' declaration in 1922 of a possible legal model for the poem, such as "a 13th century law-suit," critics have explored a variety of angles to determine the validity of that statement or to enlarge upon it further (liii). One such direction of study has explored the legal vocabulary in the poem. E. G. Stanley, in his comments on the debate, supplies a list of terms "taken... from OE law rather than from contemporary French legal terminology;" Michael A. Witt builds upon this list in his own article on the quasi-legal nature of the poem. However, neither critic examines the terms on that list, or other legal words appearing in the poem, for Old French origins. Such a study can be useful in two ways: first, to determine what legal jargon in the poem comes from Old French, as well as how and where the words are used; second, to correct persistent misconceptions about the nature of the legal terminology itself.

The first incidence of Old French legal terminology appears early in the poem. In l. 5, the narrator overhears the dispute
between the Owl and Nightingale and turns immediately to legalities to describe the sound and scene: "That plait was stif & starc & strong. . . ." (Stanley 49). Plait comes from the Old French noun plait, plet, plaia meaning 'Strife, contention' (Kurath et al. 1017). The word can be generally translated as "contention," rendering the whole line "That contention was stubborn, fierce, and strong." The next borrowing clarifies precisely what sort of dispute it was; the listener ends the stanza 7 lines later with, "Hi holde plaiding supe strong" (49). Plaiding is a gerund of the Old French verb plaidier, meaning 'legal dispute' or, for smoother translation, 'law-pleading' (Kurath et al. 1017). Therefore the line becomes, "They argue law-pleading very strongly." The type of argument in l. 5, then, was law-contention or "pleading." The close proximity of those lines cements the legal aspects of the argument in the readers' minds and also indicates interesting possibilities about the narrator, if not the writer himself. First of all, the narrator-character reveals with this cluster that he is not only familiar with legal vocabulary, but specific Old French law-jargon. Such specialized knowledge indicates a learned individual who is perhaps involved with the French or English courts himself. Secondly, since the writer uses French legal vocabulary twice in the beginning stanza, he is obviously familiar with such language and has an audience who understands it. These facts together suggest that either the writer and his audience could be expected to know specialized law-jargon
or were bilingual enough to employ and decipher the Old French words for themselves (perhaps both).

Lending further support to this theory is another cluster of borrowed jargon in lines 181-184. In this case, the Nightingale reveals her familiarity with law-court language and procedure also. She suggests to the Owl:

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Þe ne bo at one acorde
We muȝe bet mid fayre worde,
Witute cheste & bute fȝete,
Plaidi mid foȝte & mid riȝte. . . (Stanley 54).
["Though we not be of the same mind
We may better with civil word,
Without brawling and without fight,
Argue with propriety and with justice. . ."]
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Thus the Nightingale proposes not a physical contest but a legal one, doing so with the help of Old French borrowings *acorde* and *plaidi*. The first term, *acorde*, comes directly from the Old French noun *acorde*, meaning in this particular sense 'to be of one and the same opinion, be agreed or unanimous,' roughly equivalent to the 20th century law-concept of "a meeting of the minds" (Kurath et al. 64). The word was also present in Anglo-Norman with the variant spellings *acord(e)* and *a(l) cort* (Rothwell and Stone 6). The second borrowing, *plaidi*, is the infinitive form of the Old French verb *plaidier, pledier, pleidier*, meaning 'to litigate or plead' (Kurath et al. 1019). Parallel forms exist in the Anglo-Norman verbs *plaidier*, *pleidier*, etc. with the same definition (Rothwell and Stone 528). As discussed in Chapter Two, an inflected form of *plaidi* occurred in the proverb in l. 944: "Sel[d]e e[re]ndede wel þe Iope, I An selde
plaideð wel þe wroþe" (Stanley 76). Plaideð once again takes the definition "argue," making the proverb "Seldom ends well the hated man / And seldom argues well the angry man." These occurrences of plaideð are used to suggest a precise legal situation, that of arguing a law-case in which both disputants are likely to be angry. By using such specific Old French terminology, the Nightingale establishes the legal nature of her debate with the Owl and reveals that both birds could be expected to know not only legal terms but Old French ones. Surely for the audience, the idea of such jargon-spouting birds was humorous. Nevertheless, both writer and readers knew either the jargon or the language well enough to translate.

A third incidence of legal jargon comes toward the end of the poem in lines 1730-1737, indicating that yet another character, the Wren, speaks and understands Old French terminology. She says, "Hwat! wulle e þis pes tobreke. . . / An lateþ dom þis plaid tobreke" (Stanley 99). The first line communicates her outrage over the breakdown of the debate, meaning literally "What! Will you break this peace. . .". The borrowing pes has been misidentified several times as an English word. E. G. Stanley includes it among a list of Old English law terms, explaining that "'þis pes' refers to the king's peace. . . starting with Henry II, the king's peace began to become a form of protection for all, a right to trial which could easily be obtained by simply alleging a breach of the king's peace, for this forced the case to come into a royal court" (156). The term was probably inherited by the poet; the Oxford English
Dictionary lists its earliest appearance in written English in 1154 (Murray et al. 383). However, the term comes originally from Old French; Kurath et al. define it as 'the internal peace of a nation, a state of law-abidingness within a country. . .' with the spellings pes, pais, paix, etc. (868). Anglo-Norman also featured the word with several variant spellings such as peas, pees, and the additional denotation 'jurisdiction' (Rothwell and Stone 520). Therefore pes may well have entered at the time of the Conquest, as Stanley implies; still there is a strong possibility, based on the Anglo-Norman definition, that the word already carried legal overtones at the time of its original borrowing. In such a case, even if pes came to embody more specific legalities in the hundred-plus years between the Conquest and the poem's composition, the term's original definitions prohibit classification as a solely English law term. Worse yet, later critics have compounded this etymological error. Michael A. Witt, for example, includes pes among a list of Old English legal vocabulary present in the poem, basing his exploration of terminology on Stanley's work and using it to make repeated points about the nature of vocabulary in the poem (285). Such an unfortunate, if seemingly small, mistake thus leads to future scholarship problems.

Problems also exist with the Wren's second Old French borrowing, plaid, which Witt mistakenly classifies as an Old English law term (Stanley 99). He notes that "especially numerous are variations of the two general terms, dom ('judgment') and plait
('lawsuit') (285). He does not specifically mention the etymology of *plait/plaid* but classes the terms later under the umbrella designation of "Old English law terms" (Witt 286). As with *pes, plaid*, a variant spelling of *plait*, actually comes from Old French. In this usage in l. 1737, the Wren is urging the Owl and Nightingale to stop their pleading and go to judgment: "An latep dom pis plaid tobreke. . ." (Stanley 99). Once again, the sense of *plait/plaid* can best be translated as "law-action," with the result "And allow judgment to break this law-action." Therefore, *plaid* here is clearly a legal term, specifically used in order to move the complainants on to another stage of the legal process, judgment.

In l. 472, another variant of *plait* occurs with legal overtones. The narrator states that "Vor he mot hine ful wel bipenche I Þat is aferd of plaîtes wrenche" (Stanley 63). For a smooth translation, the meaning of *plaîtes* must be slightly altered from "law-action;" instead, "pleading" fits better in the expression *plaîtes wrenche*, or "pleading tricks." Therefore the entire piece of wisdom reads, "For he must himself well consider I That is afraid of pleading tricks." In the case of *plaid*, then, another etymological mistake has been made.

Cohesive vocabulary also emerges in the poem as law-jargon appears with other, non-legal borrowings. An excellent example of this comes from lines 201-206 in which a legal term, *granti*, appears in conjunction with two courtly/love terms, *gente* and *afoled* (Stanley 55). Evaluating Nicholas of Guildford as a potential judge for the
debate, the Owl concedes, "Ich granti wel þat he us deme. . . &
lof him were niȝtingale / & oper wiȝte gente & smale. . .Nis he vor
þe noȝt afoled" (Stanley 55). The first borrowing, *granti*, is the
legal term, meaning "to resolve upon formally, to agree to
something;" in this case, the Owl is indicating that she "agrees that
Nicholas of Guildford should judge [them]." The rest of the phrases
can be translated, "[although in the past] he loved nightingales /
and other beings beautiful and small. . . / He is [no longer] infatuated
with thee." The *Middle English Dictionary* reveals that *granti*
comes from the Old French verb *'granter, a variation of creanter,'* the word
also appeared in Anglo-Norman with the variant spellings *grantir, graunter, grauntier* and the definition of 'to agree, consent' (308;
Rothwell and Stone 340). In fact, one of those variant spellings of
*granti* crops up later in the poem when the Nightingale asserts in l. 745, "Ich graunti þat we go to dome / Tefore þe sulve þe Pope of
Rome" (Stanley 71). *Graunti* in this instance means "to resolve
upon formally." Since the Owl has not in fact proposed going to
the Pope; therefore, the Nightingale cannot "agree" to it, but rather
resolves upon it herself. Thus the line reads "I formally resolve
that we go to judgment / Before himself the Pope of Rome."
Context reveals, however, that the Nightingale is speaking wildly and
in anger here; the suggestion to go to the Pope hardly seems
serious. Yet "to formally resolve" still fits best as the meaning,
since such a definition heightens the hyperbole of what the
Nightingale is saying and reveals how angry and irrational she has become in her arguments.

The second legal borrowing that occurs in cohesive vocabulary is *sputing*, l. 1574, as the Owl defends wronged wives. Accordingly the other Old French terms in the passage -- *sivep, spuse, kukeweld, spusing*, and *servep* -- concern love and marriage (see Chapter 4). She rebuts the Nightingale, saying, "...Al þi sputing schal aswinde..." (Stanley 94). *Sputing* is an abbreviated form of *disputinge* ([Kurath et al. 538](https://example.com)). As stated in Chapter Four, *disputinge* comes from the Old French verb *desputer, despiter* [adapted from Latin *disputare*], meaning 'arguing, reasoning, contending in speech; also a mental conflict' ([Kurath et al. 1161](https://example.com)).

According to the [Oxford English Dictionary](https://example.com), the word first appeared in written English in 1225, making it possible that the poet inherited the word rather than borrowing it directly ([Murray et al. 828](https://example.com)). Parallel forms of the word exist in the Anglo-Norman *desputance/deputaunce* and *desputeisun/-eson/-esun/-ison/-issoun/disputesun*, in the respective senses of 'dispute, argument' and 'disputation, discussion, disagreement/contradiction between two ideas' ([Rothwell and Stone 177](https://example.com)). Therefore in the Owl's rebuttal, she is proclaiming that "All thy disputation shall go astray." In the earlier instance of l. 875, the meaning of *disputinge* is similar as the Owl boasts, "if þu gest herof to disputinge, / Ich wepe bet pan þu singe" (Stanley 74). In other words, "If you go about this to legal contention, / I weep better than you sing." The Owl argues here
that in a judgment, presumably by Judge Nicholas of Guildford, she will be victorious over the Nightingale in the arena of service to man, since her weeping is more effective than her foe's song. The terms *sputing* and *disputinge*, in both passages, induce the poet's audience to remember that surrounding the discussions of marriage and singing is the superstructure of legal debate, which not only governs the shape of those discussions but impels them along to judgment as well.

Close examination of the legal vocabulary in O&N yields definite results in opposition to some critical opinions hitherto expressed. First of all, although critics such as E. G. Stanley and Michael Witt have acknowledged that the Owl and the Nightingale employ a legal vocabulary, mistakes have been made in determining the origin and type of that vocabulary. While some terms may have been early assimilated into English, they came originally from Old French (Stanley 156). The author's familiarity with these legal words strengthens the case that both author and audience knew Old French and were aware of its law jargon. This in turn suggests further interesting possibilities.

The author knew enough about legal procedure, either in theory or in practice, to phrase his "plea for preferment" in legal terms. Surely he would not have done so if his potential benefactor were unfamiliar with his terminology or uninterested in law-court proceedings. He uses not only Middle English vocabulary, but Old French legal terms as well, placed to establish the work as
a "formal" debate and to advance its internal disputes about various subjects. This precise usage of legal terms helps rebut Michael Witt's assumption that the author "us[es] legal terminology and allusions loosely," for the Old French legal jargon is used in specific parts of the poem for specific reasons. This specificity dictates that an understanding of the origin and usage of borrowed law vocabulary is key to understanding the text of O&N as well as possibilities about the poem's author, audience, and benefactor.
CHAPTER 7

MISCELLANEA

The last category of Old French borrowing in O&N is scarcely a category at all, but rather a collection of miscellanea. Nevertheless the terms in this section share certain common tendencies. For example, they do not, with the exceptions of kanunes, clerkes, and castel, appear in clusters. Surprisingly, however, most of these words tend to form subject subgroups of their own, such as ecclesiastical, martial, or nature terms. The final small subgroup of borrowings does not possess a common subject; instead, each word shows pronounced Anglicization of form. A last single borrowing is about employment. While few of these words truly fit established borrowing patterns in the poem, they do raise some interesting possibilities about the author and his audience.

The first subgroup of borrowings, ecclesiastical words, appears chiefly in a single line (729): "Clerkes, munekes, & kanunes. . ." (Stanley 70). Of these three terms, kanunes and clerkes are borrowed. Kanunes comes from Anglo-Norman canun and Central French chanoine, denoting 'a clergyman living under canon rule; also, a clergyman serving in a church or cathedral but not living
under canon rule; a canon' (Kurath et al. 39; Rothwell and Stone 81). The simplest of these definitions, "canons," translates best considering the list format of the line; however, the word most likely came to the author by linguistic inheritance rather than direct borrowing, since the Oxford English Dictionary records its first written appearance in 1205 (Murray et al. 839).

The second borrowing, clerkes, came into English much earlier and resists precise definition a little more stubbornly. The Middle English Dictionary denotes it as 'a member of the clergy (as distinguished from the laity); an ecclesiastic, cleric' and 'one of the secular clergy (as distinguished from monastics), a person in lower orders. . . lower in rank than a priest' (Kurath et al. 316). The word also existed in Anglo-Norman with the added meaning of 'scholar, learned man' and the alternate spellings cleark, klerk, clierz, yet it can be found in written English as early as 1050 (Rothwell and Stone 101; Murray et al. 313). Thus it would be unwise to immediately assign an Anglo-Norman definition to the word, and grouped with kanunes and monekes, clerkes requires an ecclesiastical definition. Moreover, the order of the three terms suggests a hierarchy in ascending order, with clerkes at the bottom and kanunes at the top. Kurath's second definition fits these requirements neatly. It specifies that clerkes fall below monastics in hierarchy, and both of these naturally come under canons in rank. Therefore l. 729 can be translated as "clerks, monks, and canons"
with the understanding that *clerkes* are secular clergy, less than priests and monastics in responsibility.

Each time that *clerkes* reappears in O&N, however, more information is added to the definition of the word. The term actually first appears in l. 722 of the poem with: "An clerkes ginnenp songes wirche. . ." (Stanley 70). Thus clerks are revealed as composers of songs. The Anglo-Norman definition of 'learned man, scholar' begins to apply to clerks, although the original definition of 'secular ecclesiastic' is by no means invalidated.

The last appearance of *clerkes* in O&N contributes still more to this portrait of a medieval ecclesiastic. The Nightingale proclaims in l. 1326, "Ah he ne con þe bet þaruore / Of clerkes lore, top ne more!" (Stanley 87). Her words can be translated: "But he not knows it better therefore / Of clerk's lore from beginning to end!"

Here the bird ascribes to clerks a specific lore or knowledge which is contained in "a boc" or 'book' (Stanley 87). If this store of knowledge is contained in books, the clerks can surely read them, and thus their literacy is confirmed. The Anglo-Norman definition of 'learned man, scholar' truly fits, since clerks can compose songs and read lore from books; yet the original definition still applies, since they are still connected to the church as '[people] in lower orders.' In this way the repeated effect of borrowing builds not only a specific definition of the borrowing *clerkes*, but also a description of what clerks must have been like at the time of O&N. Clearly the author knew at least a little about ecclesiastical figures, since
he is able to place them in a hierarchy and fully describe at least one of them. So, perhaps, did his audience; at the very least, they were acquainted with or could translate the Old French terms the author used.

Another subgroup of Old French borrowings contains martial terms. The Owl states, "ef men habbe\(b\) bataile inume. . ." (Stanley 83). *Bataile* comes from Old French *bataile*, meaning 'battle;' the *Oxford English Dictionary* records its first appearance in written English in 1297 (Kurath et al. 665; Murray et al. 1008). In Anglo-Norman, the word preserved the same meaning and spelling as well (Rothwell and Stone 63). Therefore the line reads, "If men have battle enough. . .". Considering that *bataile* appears only once and is general in meaning, the author clearly does not rely heavily on Old French fighting terms or battle-episodes to make his points in the debate.

Another martial term, *worre*, reinforces this conclusion. *Worre* is used exclusively in l. 385 with "b\(a\)r a\(3\)te men bob in worre. . ." (Stanley 60). The *Oxford English Dictionary* traces the word to Old North French *werre* and translates it simply as 'war,' listing its first appearance in written English in 1154 (Murray et al. 898). The word also existed in Anglo-Norman with variant spellings *wurre*, *guere*, *gwere* and the same meaning (Rothwell and Stone 345). The line then reads, "Where courageous men are in war. . .". Once again, the poet uses a general, if Old French, fighting word;
yet unlike *bataile*, *worre* was probably inherited, rather than directly
borrowed, by the poet.

Another martial borrowing is *castel*. Like *worre*, it was perhaps
inherited rather than taken from a contemporary Old French source;
the *Oxford English Dictionary* records its first appearance in written
English in 1075 (Murray et al. 956). A cognate, *castel* derives from
'OE and A[N] *castel,*' meaning 'a castle; also, a fortress similar to a
medieval castle; (b) a fortified place, a stronghold' (Kurath et al. 81).
It is equally likely that the source for the word may be either Old
English or Anglo-Norman, considering that the term appears in
cohesive vocabulary in l. 765-66. As stated in Chapter Two, the
Nightingale boasts, "Mid lutle strengpe purʒginne / Castel & burʒ me
mai iwinne" (Stanley 71). The other borrowing is *ginne*, meaning
'trickery;' thus the first line becomes, "With little strength through
trickery. . .". *Castel* may be translated simply "castle," so that the
second line reads, "Castle and citadel I may win."

This definition is confirmed by the second appearance of
*castel*. In l. 175 the Nightingale boasts that her nest is "Castel god
on mine rise" (Stanley 54). "Fortified place" might be substituted in
this instance, but the hyperbole (as well as amusement value) of
this boast increases if this bird claims to have "A good castle on
my bough." *Castel*, like the other martial borrowings, demonstrates
the general nature of the poet's Old French fighting terms and gives
strength to the idea that they may be inherited rather than taken
from an external, perhaps written, source.
The author's use of nature borrowings inspires further conclusions. Only two of the nature terms in O&N are borrowed, a remarkably small number considering the poet's obvious preoccupation with the natural world and its workings. After all, he uses two birds as his debaters, places them in a pastoral "sumere dale" setting, and centers the arguments around their true-to-life characteristics of singing, nest-building, etc. (Stanley 49). The low number of borrowings, then, can perhaps be attributed to the poet's familiarity with native (English) vocabulary in this area; he needed to borrow little from French books or society to describe what lay around him. The first Old French term, *flores*, illustrates this theory. The Owl says in ll. 1046, "Dar lev es bop & faire flores. . ." (Stanley 79). *Flores* comes from Old French and Anglo-Norman *flour*, *flor*, *flur* and means simply 'flower[s], bloom[s]' (Kurath et al. 656-57; Rothwell and Stone 308). Translated, ll. 1046 means "Where leaves be and fair flowers. . .". At first glance the presence of *flores* seems to disprove the "native vocabulary" hypothesis. Yet even this word may have come to the poet through his "native vocabulary," since it was first recorded in written English in 1225; closer examination of the entire O&N text also reveals that the author was indeed acquainted with the native ME word for flower, *blos(t)me*, since he uses it in ll. 16 and 437 (Murray et al. 1092). If he undoubtedly had a native word to express his meaning, why would the author turn to a borrowing as well? Once again, the variety of the poet's linguistic resources comes into play. As he did earlier
with *spuse* and *spusing*, he evidently uses *flores* as a synonym for *blos(t)me*, thus avoiding dull repetition. However, the preponderance of the native vocabulary and possibly, the early date of the borrowing illustrate the theory that the poet's knowledge of nature terms came chiefly from his own language and experience, not from external French sources.

The second borrowing, *gengbp/genchp*, seems more problematic. First, as J. A. Burrow points out, "the commonly accepted [C] text reads... 'he gengb wel swipe awaiwart.' But the Jesus manuscript has a different version of line 376: 'He genchp swipe aweyward'" (427). Most editors, including Stanley, record "J's genchp as an otherwise unrecoreded form of gengep 'goes'" (Stanley 180; Burrow 472). Yet Burrow posits that "genchp is better taken as a borrowing from the Old French verb guenchiir," meaning 'to avoid, dodge' (Burrow 472; Rothwell and Stone 345). This explanation makes more sense than the simple "goes," as the "he" of the line is a hare chased by hounds. The more precise imagery of "he dodges strongly away" fits the poet's propensity for exact detail (discussed particularly in Chapter Four) and sharpens the picture for his audience. While *genchp* is not a native term, its use can be explained in the light of the more accurate nature scene it creates. With his use of Old French nature vocabulary, the poet once again demonstrates his linguistic resources.

Still more of those resources become clear in light of the fourth subgroup of borrowed terms. Most of these words can be
classified as hybrids; each of the four examples shows distinctive changes from adaptation into English yet preserves its French roots.

The first word, cwesse, appears to be an Old English term due to its Germanic cw- orthography. Yet the spelling of a word can deceive; originally cwesse was quesse or quasse from the Old French verb quesser, quasser, quaissier, meaning 'to suppress, overcome, abate' (Kurath et al. 31). Anglo-Norman preserved the same spelling as well with the additional sense 'to quash' (Rothwell and Stone 579). The Nightingale proclaims, "An flesches lustes is strong to cwesse" (Stanley 89). Context indicates that either "quash" or "suppress" expresses the meaning of l. 1388 adequately, since "fleshly lust is difficult to suppress." Cwesse is not a true hybrid, but its orthography has been heavily Anglicized.

The second borrowing, grucching, features an Anglicization common to four of the O&N borrowings: addition of -ing to an Old French verb root. In the case of grucching, the root was Old French gro(u)chier, grucier or Anglo-Norman grucier, grucher meaning 'to grouse, grumble, complain' (Kurath et al. 410; Rothwell and Stone 344). The -ing addition makes grucching a gerund best defined as 'grumbling, grousing, complaining;' probably this borrowing was inherited rather than borrowed by the poet, since its first appearance in English came in 1225 (Murray et al. 908). In l. 423 the Nightingale describes the response of an evil man to joy: "Grucching & luring him boþ rade. . ." (Stanley 61). It makes sense that "growling and scowling come readily to him" since
happiness is what he hates. Beyond the translation, however, *grucching* also provokes interest for what it may indicate. To undergo such adaptation, the root verb for words like *grucching* may have entered English some time before the composition of O&N. As to the date the root verbs were borrowed, Albert C. Baugh asserts that "Hybrid forms (French root with English prefix or suffix) like . . . overpraising, forscald occur quite early (mostly before 1250)" (179). Therefore some of these words probably did come into the language before the poet's time. Alternatively, the poet may simply have been familiar enough with both French root verbs and English language conventions to create a hybrid for his own uses.

The second hybrid, *ouerquatie*, sheds further light on these possibilities. In l. 353 the Owl proclaims, "Mid este þu þe miȝt ouerquatie. . ." (Stanley 59). *Over-* is an English prefix here added to the Old French verb *qua(t)tir, catir* meaning 'to satiate oneself' (Kurath et al. 507). The prefix further intensifies the term and renders the sense "to overindulge oneself in." Thus the line becomes, "With delight you may overindulge yourself." In each case like *grucching* and *ouerquatie*, the hybridization achieves a specific end, whether to convert part of speech or intensify meaning. Contrary to the previous hybrid, however, *ouerquatie* first appears in written English in O&N (Murray et al. 1110). Albert C. Baugh also says that "It is clear that the new French words were quickly assimilated, and entered into an easy and natural fusion with the
native element in English" (179). Therefore it also seems possible that the poet adapted some of the hybrids himself.

Iпеint, the fourth borrowed word, reveals the "easy and natural fusion" of which Baugh spoke. The Nightingale says in I. 76, "Riȝt swo ho weren iпеint mid wode" (Stanley 51). Iпеint is the past participle of ME peinten, which derives from Old French peintier/pointier (Kurath et al. 744). Both peintier and Anglo-Norman peinter mean simply 'to paint;' the past participle of iпеint can logically be translated 'painted' (Rothwell and Stone 509). The line then reads, "Just as [if] they had been painted with wode. . . ."

The extent of modification and degrees of separation between hybrids such as iпеint and their French roots lessen the chances that they were created recently. The Oxford English Dictionary does record the first appearance of iпеint as the one in O&N, but it still seems more than likely that the author of O&N inherited, rather than invented, this group of hybrid borrowings.

The last miscellaneous borrowing, meoster, is truly anomalous. It appears only in I. 924 as the Owl asserts, "I do wel faire mi meoster" (Stanley 76). Meoster comes from Old French mestier, mester, mister signifying 'A duty, task, or function; also, the function or purpose of a thing' (Kurath et al. 591). As it first appears in English in 1225, the poet may have learned the word through English rather than borrowing it directly (Murray et al. 897). Anglo-Norman also contained the word with variant spellings mester/-eer/-eir/-ere/-i(e)r/-re, etc. and the definitions 'service, office, business,
etc.' (Rothwell and Stone 423). "Duty" fits the line admirably; thus the Owl claims "I do my duty well." The chief mystery about *meoster* is not what it means, but why it was borrowed. Close examination of context, however, reveals a probable explanation; l. 923 ends with *neor*. It seems possible that the author chose *meoster* simply because it rhymed well with the preceding word; this explains not only why the word was borrowed but also why it is the only one on that particular topic. *Meoster* illustrates a case in which, once again, the poet's range of language comes to the forefront.

If this miscellaneous category of borrowings reveals anything conclusive, surely it shows the linguistic resources and brilliance of the poem's author. He certainly knew the current terminology, both English and French, for at least some of the members of the ecclesiastical hierarchy. His use of martial borrowings reveals that he knew at least the general Old French words for war and battle. Close study of nature borrowings indicates that the author knew enough Old French to provide apparent synonyms and vary his language as well as create precise imagery for his audience. While he may not have invented the hybrids, he shows no hesitation in using them to fit his linguistic needs. To perfectly rhyme a line about employment, he borrows a word for duty. Taken together, these miscellaneous words show the range of the poet's linguistic resources as he draws upon Old French in several subjects to expand O&N.
CHAPTER 8

CONCLUSION

An intensive study of the Old French vocabulary present in O&N reveals much not only about the poem itself, but its author and intended audience as well. A host of definite facts have been gathered about the exact extent of Old French borrowing in the language of the poem. Moreover, many tantalizing possibilities have been raised about the author and audience as well.

The first of the definite facts is that there is French presence in the language of this Middle English poem. A total of 46 Old French borrowings crop up 69 times in the poem in 64 different lines, meaning that approximately 4 percent of the poem's lines contain an Old French borrowing. The numbers seem small, and yet the total effect of these borrowings demonstrates important facts about the poem itself.

This effect is created by the distribution pattern of Old French words. They tend to cluster in groups of cohesive vocabulary based either on source or subject. Source-based categories include both proverb reference and fable use; subject-based categories consist of love/marriage discussions, class/preferment distinctions, and
legal terminology. As detailed in Chapter Seven, a number of
subject-based subgroups also emerge, such as ecclesiastical
vocabulary, martial terms, nature words, and hybrid constructions.
These facts reveal definite Old French presence previously ignored
in this English poem; overlooking and underestimating this presence
leads to mistaken assumptions and faulty conclusions about the
nature of "The Owl and the Nightingale." Contrary to what Irene
Moran says, then, it is not "unusual to find a direct loan from
French in what is undoubtedly a ME work" as demonstrated by the
numbers and patterns of Old French borrowing evident within it
(500).

Besides establishing definite facts, the Old French borrowings
within O&N raise some interesting possibilities about the knowledge
and skills of both author and audience. Bertil Sundby first raised
the primary questions: Did the author get the Old French he
borrowed directly from written sources, or did he receive it as a
kind of linguistic inheritance, meaning that the words had been
borrowed into English before his time? And as others have asked,
why did the author choose to write his "plea for preferment" in
English at all?

The Old French borrowings in "The Owl and the Nightingale"
help answer some of those questions. In Chapter Two (Proverb
References), there are at least three proverbs and two pieces of
proverbial wisdom with borrowed words, and in one case, a proverb
contains two Old French terms. This use of borrowings suggests
that the poet may well have been acquainted with certain proverbs in that language. No direct written source, however, can be identified. Perhaps these examples embody the true sense of "a saying current among the folk," and the poet learned the proverbs from such a source (Taylor 3).

Close examination of the borrowings in fables reveals other information. As detailed in Chapter Three, the two primary fables in "The Owl and the Nightingale" are the stories of the falcon and owl and the fox and cat. Previous scholars have suggested a link between the O&N versions and the Fables of Marie de France, perhaps even a source relationship (Boone 172). However, detailed investigation of the English fables reveals very little French vocabulary; the two borrowings do not correspond to the terms used by Marie de France. Thus it seems highly unlikely that the poet used Marie's Fables as a direct source; he may have instead been familiar with the stories through an English source (or even a different Old French one). The two borrowings may instead have come to him through verbal transmission of Old French as Sundby suggests; both terms certainly fall under the category of "everyday terms," and the author need not have consulted a specialized source to learn them (203).

High concentration of love/marriage borrowings in O&N suggests further theories. Chapter Four shows that the author inserts four passages dwelling on love and marriage, and each is full of Old French vocabulary. Some terms, such as gente, spuse,
and spusebruche, may well have come through English; the Oxford English Dictionary indicates that these terms had already been assimilated by the projected date of O&N [1250]. Others, like spusingbendes and siuep, appear nowhere else in English and may have been specifically borrowed or invented by the poet. In sum, the borrowings from the love/marriage section demonstrate the linguistic resourcefulness of the poet; he inherits, modifies, and borrows words to suit his language needs.

The use of class and preferment terms in the poem evokes similar conclusions. As investigated in Chapter Five, the author uses class borrowings in two primary ways: 1) To indicate distinctions of class; 2) To make a case for Nicholas of Guildford's preferment. Whether the O&N poet was Nicholas of Guildford or not, he certainly was aware of rank distinctions, as was only natural in someone who lived in the early 1200s. And due to the time period, his predilection for expressing class in Old French vocabulary is easily explained. The language of power in England was still French; accordingly, the proper terms to indicate rank or appeal for preferment would have been in that language. Due to their early date in written English, most of these class terms were probably inherited by the poet and thus came to him "by ear" rather than "by eye," just as Sundby proposes (203).

However, the legal terminology in "The Owl and the Nightingale" disproves, rather than affirms, some previous scholarly propositions. Michael A. Witt theorized that the poet "us[ed] legal
terminology and allusions loosely," and that furthermore the poem contained principally "Old English legal terms" (287; 286). Nothing could be further from the truth. As demonstrated in Chapter Six, the poet employs legal jargon from the outset of the debate, specifically tailoring it in places to advance the action; the usage of these terms is in no wise "loose." In addition, at least eight of the legal words come from Old French, not Old English. E. G. Stanley may be correct in believing that some of these words came in with the Conquest, but others such as acorde, granti, and plaiding make their first written appearance in English in "The Owl and the Nightingale." While the Old French law borrowings do not indicate what type of legal model the poet took for his debate, they do reveal his extensive and specific knowledge of this type of jargon. This in turn strengthens the possibility that the author may indeed have been Judge Nicholas of Guildford.

Further interesting possibilities arise from an investigation of the miscellaneous borrowings in Chapter Seven. The type and nature of Old French ecclesiastical terms suggest that the poet was certainly familiar with church hierarchy and churchmen themselves. On the other hand, the low number, early date, and general nature of the martial vocabulary imply that the poet probably inherited those terms, perhaps at the time of the Conquest; at any rate, his principal interest or knowledge certainly did not lie in combat as a subject, at least in "The Owl and the Nightingale." Old French nature terms in the poem may also have been inherited rather than
borrowed; the poet draws principally upon them to vary his language or sharpen his imagery. The heavily-Anglicized hybrids in this chapter reveal assimilation in the language to a high degree, much as Sundby predicted, and the use of them also confirms that the poet was comfortable with such loanwords (162; 203).

Taken as a whole, the borrowings demonstrate that the poet was very comfortable with Old French words indeed. After all, he uses 46 of them in a variety of subjects, some no doubt inherited but others possibly taken from a contemporary source or transmitted to him orally. This leads back to the second major question of "The Owl and the Nightingale:" why was it written in English at all? The answer is implied by both author and audience. From a historical context, the 1250 dating of the poem places its composition after King John lost Normandy in 1204; thus the poet may have used the native tongue to express the new English nationalism arising at the time. The Old French vocabulary in the poem shows that the author certainly knew French; by extension, his audience probably did also, since he would scarcely use words that he/they could not understand or translate. Yet the poet's continuing dexterity with vocabulary and use of linguistic resources, coupled with the fact that he did write O&N in English, indicates that this may have been his native language. And if his intended audience were native speakers of English, he could well address even a potential benefactor in that tongue, providing he used the
correct vocabulary to appeal for preferment. This seems to be what he did.

Thus, a close study of the Old French vocabulary in "The Owl and the Nightingale" is critical to an accurate and perceptive understanding of the work as a whole. Examination of borrowed terms not only heightens knowledge about the poem itself but also provides information about the author and his audience. Most significantly, intense scrutiny of the poem and its language reveals what a brilliant and rare piece of art it is.
APPENDIX

ALPHABETICAL CLASSIFICATION OF OLD FRENCH
BORROWINGS AND COGNATES

Acorde (sg. n., dat.) - I. 181. Mutual agreement between parties in the legal sense of "meeting of the minds."


Bataile (sg. n., acc.) - I. 1197. Battle, fighting.


Castel* (sg. n., acc.) - II. 175, 766. Fortress, keep.

Certes (adv. used as interj.) - I. 1769. Surely, certainly.

Clerkes* (pl. n., nom.) - II. 722, 729, 1328. Learned ecclesiastics who could read, write, and compose songs and lore.


Cwesse (v. inf.) - I. 1388. To suppress, quash (sthg).

Dahet (sg. n., acc.) - II. 99, 1169, 1561. Misfortune, curse.

Disputinge (sg. n., dat.) - I. 875. Legal contention, in the sense of charges and formal responses to same.

Faukun (sg. n., nom.) - II. 101, 111, 123. Falcon.

Flores (pl. n., nom.) - I. 1046. Flowers, blossoms.
Foliot (sg. n., acc.) - l. 868. A decoy, in the sense of something that intentionally misleads but does not appear to do so. Possible allusion to Gilbert Foliot, Bishop of London.

Gelus (sg. adj., acc.) - l. 1077. Jealous.

(Genchep)** (v., 3rd per. pres.) - l. 376. Dodges, darts.

Gente (adj., acc.) - l. 204. Beautiful, delicate.


Gra(u)nti (v., 1st pers. pres.) - ll. 201, 745. Formally resolve (upon something.).

Grucching (sg. n., nom. gerund) - l. 423. Grumbling, complaining.


Kukeweld (sg. n., acc.) - l. 1544. Cuckold.

Maister* (adj., nom.) - ll. 191, 1746, 1778. Master; a formal title signifying status.

Meoster (sg. n., acc.) - l. 924. Chosen task or employment.

Merci (sg. n., acc.) - l. 1092. Mercy.

Overquatie (v., inf.) - l. 353. To overindulge oneself in. Hybrid construction with ME over.

Ipeint (ppart. of v.) - l. 76. Painted.

Pes (sg. n., acc.) - l. 1730. Formal peace, apparently as decreed by king.

Pie (sg. n., nom. & acc.) - ll. 126, 1613. Magpie.

Plaidi (v., inf.) - ll. 184, 944 (-ep, 3 pers. pl.), 1639. To argue, in a legal sense; to plead (a case).

Plaiding (sg. n., acc.; gerund of plaidi) - ll. 12, 1737. Pleading; legalistic contention.


Poure (pl. n., nom.) - l. 482. Poor (people).
Rente (sg. n., acc.) - ll. 1767, 1773, 1776. Living, employment, possibly involving somewhere to live as well as pay.

Riche (pl. n., nom.) - ll. 482. Rich (people).

Serueþ (v., 3rd pers. pres.) - ll. 1579. Serves, attends to.

Siueþ (v., 3rd pers. pres.) - ll. 1526. Follows.


Spuse (sg. n., acc.) - ll. 1334, 1527. ¹Marriage-bond, ²Wife.

Spuse-bruche (sg. n., acc.) - ll. 1368. Adultery; the breaking of the marriage-bond. Hybrid construction with ME *bruche*.


Spusing-bendes (pl. n., acc.) - ll. 1472. Marriage-bonds. Hybrid construction with ME *bendes*.

Sputing (sg. n., nom.) - ll. 1574. Pleading, disputation.

Stable (sg. n., dat.) - ll. 629. Stable, as in structure where horses are housed.

Stalle* (sg. n., dat.) - ll. 629. Stall, as in box where horses, oxen, etc. are housed.

Worre (sg. n., dat.) - ll. 385. War.

*Cognate  
**A corrected spelling based on the J manuscript. See also Burrow, J. A. "A Note on The Owl and the Nightingale, Line 376."
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