

# Law and Order in Medieval Psalter\*

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## Abstract

The most conspicuous feature of the English language of law is its *Frenchness* in the area of lexis. The Psalter, as a text which aims at human spiritual elevation obtained by obeying divine precepts and respecting the order established by God, lends itself to an analysis of law-related terms amply represented there. Such an analysis is conducted here on the first fifty Psalms of four 14th-century Psalter renditions into Middle English, allowing one to determine the etymological make-up of the terms related to the area of law and order employed in these texts and juxtapose the findings of the study with the general etymological make-up of the nominal layer of the translations. The lexical choices made by the translators of these texts in favour of the non-native items testify to the well-established status of the analyzed borrowings in non-strictly-legal lexicon. Moreover, the expected oppositions, both inter- and intratextual, between native and foreign items employed as renderings of the law-related terms appear to be meaningful in the context of semantic and lexical changes in the English lexicon.

**Keywords:** borrowing, etymology, legal English, Psalter, Psalter translation

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## Abstrakt

Najbardziej charakterystyczną cechą angielskiego języka prawniczego jest francuskość jego leksyki. Psalterz jako tekst, który ma prowadzić człowieka do duchowej wzniosłości osiągananej przez przestrzeganie Boskich przykazań i szanowanie ustalonego przez Boga porządku, jest dobrym materiałem do analizy pojawiających się tam dość często terminów natury prawniczej. Badanie takie przeprowadzone na czterech czternastowiecznych przekładach Psalterza na średnioangielski pozwoliło określić etymologię użytych w tekstach rzeczownikowych terminów prawniczych i zestawić te wyniki z danymi dotyczącymi etymologii wszystkich rzeczowników w pierwszych pięćdziesięciu Psalmach tych tłumaczeń. Dobory leksykalne dokonane przez tłumaczy, z których znaczna liczba to słowa nierodzime, dużo mówią o dobrze ugruntowanej pozycji analizowanych zapożyczeń w angielskim leksykonie prawniczym sensu largo. Co więcej, różnice w doborach, zarówno te inter- jak i te intratekstualne, pomiędzy zapożyczeniami a słowami rodzimymi użytymi jako ekwiwalenty terminów powiązanych z prawem wydają się być znaczące z punktu widzenia zmian semantycznych i leksykalnych w leksykonie języka angielskiego.

**Słowa kluczowe:** zapożyczenia, etymologia, angielski prawniczy, Psalterz, tłumaczenie Psalterza

## 1. Introduction

The moralizing function is not usually the first thing that springs to mind when one thinks of the Psalter. Nor was it so in the Middle Ages. The central place of Psalms in medieval Western Christian devotion is unquestioned but the reason for that is different. The popularity of the Psalms stems from their not only being an account of David's inner joy and sadness but also "a vast collection of poetic texts that could become one's own personal words of prayer in all seasons and conditions of the human pilgrimage through this life" (Zinn 1999, xii). And yet, apart from being texts about human experience and thus so close to heart, they still are, at the same time, texts of moral instruction whose reading and subsequent application should lead to moral advancement. The metaphorical language employed in the Psalms is explicit in frequently bringing to the fore the image of God as a Judge, Lord who chastises His people in order to make them follow the path of the righteous:

(1) 7.7–7.10<sup>1</sup>

Et exurge domine deus meus in precepto <præ[ae]cepto> quod man|dasti: & synagoga populorum circumdabit te.

“Rise up Lord my God, in the precept which You commanded! 8. The peoples’ assembly will surround You”,

Et propter hanc in altum regredere: dominus iudicat populos.

“and return on high because of this. The Lord judges peoples”.

Iudica me domine secundum iusticiam <[iustitiam]> meam: & secundum innocenciam <[innocentiam]> meam super me.

“Judge me, Lord, according to my fairness, and according to my innocence over me!”

Consumetur [consumetur] nequicia <[nequitia]> peccatorum: & diriges iustum, [+et] scrutans corda & renes deus.

“May sinners’ worthless ways be consumed! Yet You will guide the fair. God is scrutinizing hearts and guts”.

The Psalter is abundant in such imagery invoked by means of law and order related terminology. This kindled my interest in investigating how the widespread presence of such terms influences the etymological make-up of ME translations of the Psalms. The correlation between the presence of legal terminology in the Psalter and the idea of it affecting the etymological shape of the ME renditions of the text might not be immediately transparent but is in fact well grounded in the very character of the ME legal lexicon discussed in Section 2.

For the purposes of the research the following 14th-century ME Psalters have been studied from the angle of their use of nominal “legal terms”: Richard Rolle’s Psalter, *Middle English Glossed Prose Psalter*, the Psalters of the Early and Late Wycliffite Bibles, each of which is briefly presented in Section 3. The details concerning the methodology applied in the analysis are discussed in Section 4, whereas the study itself constitutes the focus of Section 5. Since the exceptional character of law and order related vocabulary in etymological terms can only be established in relation to the etymological make-up of the vocabulary employed in ME Psalters in general, a cursory presentation of the data obtained in the course of the study (Section 5.1) is followed by a brief account of the research conducted on all the nouns of the first 50 Psalms in each of the Psalters in Lis

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<sup>1</sup> The quotations from the Latin Gallican Psalter are provided after Charzyńska-Wójcik (2013), as are the Present-day English renderings adopted there after Cunyus (2009).

(2016) (Section 5.2).<sup>2</sup> This is followed by a more detailed discussion (Section 5.3) concerning the etymological oppositions in word-choices between the different renditions. The aim of Section 6 is to provide a brief account of the findings and place them against the general backdrop of the ME legal lexicon.

## 2. The Middle English Legal Lexicon

The Present-day English legal lexicon “can hardly be called English” (Woodbine 1943, 395) as at its core lies French, and to be more precise a medieval variety of French spoken in the British Isles, i.e. Anglo-Norman. As argued in Rothwell (1983, 265) and Ormrod (2009, 35), the use of Anglo-Norman as a formal spoken language in royal courts, starting during the reign of Henry II, led with time to its development into a specialized language known as law French, “intelligible only to denizens of the law-courts and [...] hermetic to all outside this charmed circle, however materially or intellectually gifted they might be” (Rothwell 1979, 293).

Several factors contributed to the establishment of *French* as the legal language. The broadest in its scope was the “development of uniform nation-wide legal system” (Kibbee 1991, 15) under the direct control of the king’s court, which at this highest level was French-speaking, initiated in the 12th century. Given the fact that under the law of “*Novel Disseisin*” (1166) all freemen had the right to appeal to a royal court, the position of French was inevitably strengthened (Kibbee 1991, 15 after Pollock and Maitland 1905, 84). Thus, already in the 13th century, which witnessed “the emergence not just of professional lawyers” (Brand 2010, 94), but the creation of a legal profession as such, the language spoken in courts was French (Brand 2000, 63–69 and 2010, 95),<sup>3</sup> although Latin was still the vehicle of formal record. The only exception was the manorial court where the language used for legal proceedings in the 13th and 14th centuries was English (Brand 2000, 69). It needs to be added that the choice of Anglo-Norman, which in any case was the language of the highest social stratum of England at that time, had the additional benefit of having “a linguistic medium intelligible over the whole country and

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<sup>2</sup> The database used for the purposes of the present study constitutes a subset of the data analyzed in Lis (2016).

<sup>3</sup> It is worth noticing that in royal courts French was in use perhaps from the reign of Henry II (Brand 2000, 66).

largely free from dialectal variation” (Rothwell 1979, 292–293). That the language with time developed into a parlance incomprehensible to anyone outside the trained legal practitioners helped to secure their professional status (Kibbee 1991, 31).

The emergence of the “legal profession” is closely connected with the general shift “from clerics to lay persons in the field of legal representation” (Kibbee 1991, 28) as a result of the Church banning priests from acting in the capacity of legal representatives before lay courts in the middle of the 13th century. The shift also accelerated the slowly growing preference for French in the legal context since the language of Canon law, in which priests were educated, was Latin, whereas lay lawyers were trained in French customary law (Kibbee 1991, 28). As noted in Kibbee (1991, 30), the rise of a professional class of pleaders in the 13th century was also a reflection of a conscious decision “to distance English legal practice from the influence of Roman and Canon law”, which were, naturally, couched in Latin as opposed to French favored in England.

Another reason contributing to the establishment of French as the language of law in England was the development, in the 13th century, of the system of petitioning. The petitions were written substitutes for the oral stages of proceedings, i.e. pleadings, which were otherwise conducted in French, and were to be read out before king and council. For this reason, as argued by Ormrod (2009, 36–41), the petitions themselves were in French so that no ambiguity as to their status as authored outside royal chancery could arise as well as to ensure that no alternations in their text were made in the course of translation. The petitions continued to be written predominantly in French till the 1430s (Ormrod 2009, 38), i.e. long after the implementation of the Statute of Pleading, 1362, which required for the oral proceeding to take place in English. The retention of French in this function can, according to Ormrod be accounted for by the resistance to change in language reflecting “wider conservatism in royal government driven both by institutional inertia and by contemporary concerns over the subversive nature of vernacular literacy and texts” (2009, 38).

All of the above factors combined to secure the future of French as the language of English law.<sup>4</sup> Despite the fact that the language itself was impenetrable to those who lacked legal training, it did not prevent it from affecting everyday speech and thus, inevitably, the general terminology related to this area of lexicon as used by the speakers of English came to be enriched by loanwords from French. Whether the tendency can

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<sup>4</sup> For a much broader account, see Kibbee (1991), who lists also some other reasons for the use of French as the language of law.

be glimpsed through the lenses of the contemporary Psalter renditions remains to be determined.

### 3. The Texts<sup>5</sup>

The four Psalters on which the study is based are all prose ME translations from the Latin Gallican Psalter into English executed in the 14th century. Richard Rolle's Psalter and the *Middle English Glossed Prose Psalter* (henceforth RRP and MEGPP respectively) are usually regarded as approximately contemporaneous and dated to the first half of the 14th century. The Early and Late Wycliffite Psalters (hereafter EV and LV), on the other hand, are both dated to the second half of the century, with EV preceding LV by approximately a decade. Apart from RRP, which exhibits a northern variety of English (Bramley 1884, xvi; Everett 1922), the remaining texts are all of southern origin: MEGPP represents the greater London dialect with minor admixtures (Hanna 2003, 141–147; Smith 2012, xxxiv–xxxix),<sup>6</sup> the majority of extant manuscripts of EV and LV are written, as established by Samuels (1963 [1989]), in Central Midland Standard. This view is also accepted by Peikola (2003), albeit with some reservations.

All four Psalters are, as mentioned, translations, but they differ in the manner in which they render their source texts. Both RRP and EV are usually viewed critically due to their strict adherence to Latin,<sup>7</sup> which they endeavor to follow in a word-for-word manner, leading to, among others, opaque syntactic structures. The opinions concerning the remaining two texts, however, are not as disapproving. LV, which is now considered a revision of EV and not an independent translation (cf. e.g. Bruce 1984), is usually held to exhibit some improvements with respect to EV, even though these are not striking:<sup>8</sup> “Whereas the earlier version, in keeping with its purpose, was a painfully literal

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<sup>5</sup> All texts are discussed in detail in Charzyńska-Wójcik (2013) and Lis (2016), where references to other sources can also be found. The present section aims only at providing basic information about the analyzed sources.

<sup>6</sup> The history of the investigation into the dialect represented by MEGPP is not straightforward; for an account see Lis (2016).

<sup>7</sup> For critical views on RRP, see e.g. Hargreaves (1965, 126); Norton (2000, 5); Paues (1902, xl–xli); and Wells (1916, 402); for those on EV, Bruce (1984); Hargreaves (1969, 399); Lambert (2002, 263); Norton (2000, 7); and Slater (1911, 233).

<sup>8</sup> For a negative opinion on LV, see e.g. Bobrick (2001, 47).

rendering of the Latin Bible, the revised version was composed in idiomatic English” (Bruce 1984). A similar view is presented by Hargreaves (1969, 399) who states that: “[T]hough still reflecting to some extent the form of its original, [it] is considerably more intelligible and idiomatic”.

As regards MEGPP, on the whole, it is considered a “faithful and literal” rendition, as stated in Forshall and Madden (1850, iv) and reiterated in Condit (1882, 48), Paues (1902, lx) and Heaton (1913, 230). However, there is one peculiar feature which sets it apart from the remaining three translations. The text of the Latin source Psalter was interspersed with glosses which in the course of the translation were in many cases substituted for the original readings of the Psalms. This heterodox characteristic of the text has been perceived as an attempt at bringing to the fore the “specifically Christian relevance” (Sutherland 2015, 133) and an insistence on “the psalms’ applicability to the devotional interiority of the penitent reader” (Sutherland 2015, 135). Such an approach licensed the incorporation of the glosses into the body of the text otherwise considered, in accordance with Jeromian attitude to scriptural translation (Jerome 395), inviolable. Another feature of MEGPP which differentiates it from RRP and the Wycliffite translations is its *modernity*, regarded by St-Jacques (1989, 138) as stemming from less strict adherence to the Latin word order due to the dependence on the French glossed Psalter,<sup>9</sup> evidenced by stylistic, semantic and lexical choices common for the French text and MEGPP.

## 4. The Methodology

All four ME texts analyzed in this study are renditions of the Latin Gallican Psalter, which made the Latin source text the obvious starting point. The Gallicanum employed for the

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<sup>9</sup> The text is preserved in MS fonds français 6260, Bibliothèque nationale de France, Paris, and in Additional MS 44949 (Tywardreath Psalter), British Library, London. The French Psalter was derived, as postulated by Black and St-Jacques (2012: lv–lvi, part I), from the Latin source text, common for the ME and French translations, at a date preceding the initial ME rendition, even though the extant copies, may be further away from the Latin archetype than MEGPP (Black and St-Jacques 2012: lv, part I). It has not been established so far whether MEGPP was translated from French or directly from Latin but the French source did, beyond any doubt, exert great influence upon its shape.

purposes of the research is a collation of the texts, one of them being the Latin text underlying RRP, gathered in Charzyńska-Wójcik (2013).<sup>10</sup>

As mentioned in the Introduction, findings obtained for law and order related terms in the course of the present study will be juxtaposed with the etymological data concerning all the nominal items in the first 50 Psalms for each of the texts as obtained in Lis (2016). The items used in this study were in fact extracted from the broad database prepared for the purposes of the research discussed in Lis (2016) but due to the different angles of analyses the final databases for each of the studies were narrowed down in divergent ways. The initial stages of their preparation were, however, the same.

First, nominal items<sup>11</sup> were sought in the Latin text and sorted alphabetically, which allowed occurrences of the same lemmata to be grouped under common headwords. Then, each of the Latin nominal occurrences was supplied with its English rendering as found in the relevant translations,<sup>12</sup> together with the information from the *Middle Eng-*

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<sup>10</sup>The source text of the Wycliffite renditions has never been found, whereas the underlying Latin text of MEGPP, despite being available in all four manuscript copies of the text, has not been edited as yet and there is no direct access to it. The situation is bound to improve with the appearance of the edition of the Latin and its English translation which is now being prepared by Charzyńska-Wójcik (*in prep.*).

<sup>11</sup>These are nouns as defined in Whitaker's dictionary.

<sup>12</sup>The present study analyzes the texts of the Psalters as presented in Charzyńska-Wójcik (2013), who gathered them together from the following editions: Bramley (1884) for RRP, Bülbring (1891) for MEGPP, and Forshall and Madden (1850) for both EV and LV. It might be objected, therefore, that the study examines the texts resulting from a collation of different manuscript copies as prepared by their respective editors and not the original medieval Psalters. In this context it is important to notice that the editors did in fact take care to stay faithful to the selected manuscripts and not to produce an amalgam of the available text copies. Thus, as regards the English translations in question, in RRP, the text follows that of MS 64, Library of University College, Oxford which, along with MS Hatton 12 and Eton Coll. 10, best preserves the Northern dialect of the original rendition and is free from later interpolations (Everett 1922: 222); for MEGPP, Bülbring (1891) used only two manuscript copies and with painstaking attention presented divergences between them and marked changes introduced by him into the original body of the text; in the case of EV the edition was based on four manuscript copies, whereas LV was taken, predominantly, from only one of the available manuscripts – the manuscript “marked 1 C. 8, in the Old Royal collection” (Forshall and Madden 1850: xxxiv). Furthermore, it is my belief, based on the consultation of the Dublin manuscript of MEGPP (MS 69, Trinity College, Dublin), that although the editions might stray from the manuscripts to some extent, especially in terms of spelling, in principle the original wording of the text is preserved to the extent allowing one to conduct an analysis of the kind proposed here.

lish Dictionary (hereafter MED) and the *Oxford English Dictionary* (henceforth OED) as regards their etymology.

The stages of the database preparation which followed differ between the present study and Lis (2016). In the course of the research described in detail in Lis (2016), the database gathered in the manner discussed above was subsequently reduced in the case of each of the texts to only those items whose English renderings were also nouns in the light of the information provided by the two dictionaries mentioned above, i.e. all gerunds, adjectives and complex phrases were excluded. Therefore, the number of the items analyzed in Lis (2016) is different for each Psalter.

In the case of the present study, the following step was to determine which of the Latin nouns could be regarded as pertaining to the semantic fields of law and order and analyze their ME renderings. The selected items were of three types: (1) they straightforwardly referred to law, e.g. *judicium*, *judici(i)* “trial, legal process”, *lex*, *legis* “law” and *praeceptum*, *praecepti* “precept, order”, (2) they referred to social order as contrasted with chaos and disorder, e.g. *justitia*, *justitiae* “justice, equality”, *aequitas*, *aequitatis* “justice, equality” and *disciplina*, *disciplinae* “instruction, discipline”, or to (3) social order as a set of social structures, institutions, patterns of relating, behaving etc., e.g. *hereditas*, *hereditatis* “inheritance, possession”, *rex*, *regis* “king” and *servus*, *servi* “slave, servant”.

The selected items were then analyzed from the methodological perspective. Since the primary focus of the present study is on legal terminology and not on nouns as such, both gerunds and adjectives employed to render Latin lemmata were taken into consideration here,<sup>13</sup> even though the instances in which the translators used whole phrases rather than individual words or compounds were excluded from the research. Such a decision was motivated by the fact that in the case of phrases and compounds their constituent parts may exhibit divergent etymologies and, therefore, pose a challenge to the study of the kind attempted here.<sup>14</sup> It was, however, important, to analyze only those Latin items

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<sup>13</sup> In other words, the data analyzed in the present study form but a subset of the general database in Lis (2016) but not all the items examined here were also eventually analyzed in Lis (2016), where, as stated above, the investigation concentrated on nouns to the exclusion of words from other grammatical categories.

<sup>14</sup> Admittedly, a study on legal terminology in the Psalter would benefit from extending the analysis over compounds and phrasal items as such formations were common in English legalese. Such an approach, however, was not adopted here due to the etymological character of the present paper whose primary aim is to determine and compare the extent to which each of the

which found renderings in all four Psalters so that the number of analyzed items is the same for all the texts discussed in the present study and the contexts in which the items are employed are the same allowing one to attempt to draw some conclusions as to their usage. Therefore, all cases where one of the translations lacks the rendering for a given item or employs a complex phrase were excluded as it would hinder a simultaneous analysis of all the renditions. One additional precaution which needed to be taken was the decision to discard also all instances where the Latin lemmata were glossed in MEGPP. In total, 37 different Latin headwords, represented by 189 nominal occurrences, underwent analysis in the course of the present study.

The final step was to divide the data from the perspective of the etymological information provided by the MED and the OED in order to establish the etymological make-up of the law and order related terms present in the ME Psalters and juxtapose it with the general findings obtained in Lis (2016).

## 5. The Study

### 5.1 General data on law and order terminology in medieval Psalter

As stated above, in the course of the study 37 different Latin lemmata, represented by 189 occurrences, were analyzed from the point of view of etymology. The numerical and percentage data concerning them are presented in Table 1 in the following manner. The column for each of the Psalters, i.e. RRP, EV, LV and two manuscripts of MEGPP: the London (British Library MS Additional 17376; henceforth MEGPP L) and the Dublin (Trinity College MS 69, hereafter MEGPP D) ones,<sup>15</sup> is divided in two, providing first the information concerning occurrences and then headwords. The data are given separately

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renditions makes use of borrowings from Romance languages while rendering the same Latin items related to law and order in exactly the same contexts.

<sup>15</sup> Only four manuscripts of the text are available, two of which were edited by Bülbring (1891), on whose work Charzyńska-Wójcik's (2013) collation of the Psalter texts is based. Footnotes provided by Bülbring (1891) make it possible to establish at which points the copies diverge and analyze them separately, which is not feasible with the texts whose editions are based on a far greater number of manuscripts, making it impossible for the editor(s) to take account of all the divergences, e.g. RRP and the Wycliffite translations.

for each etymological grouping, i.e. native items, items of mixed ON-OE origin, items of ON provenance and those with Romance<sup>16</sup> etymology. In each case the number of occurrences/headwords is given first and the information about their percentage participation in all the analyzed occurrences/headwords follows.

**Table 1.** Etymological make-up of law and order related vocabulary.

ETYMO- LOGY	RRP		MEGPP L		MEGPP D		EV		LV	
	occ.	headw.								
<b>native</b>	96 50,79%	17 40,48%	76 40,21%	17 37,78%	94 49,74%	19 41,30%	86 45,50%	11 28,95%	84 44,44%	11 28,21%
<b>mixed ON-OE</b>	21 11,11%	3 7,14%	10 5,29%	3 6,67%	12 6,35%	4 8,70%	11 5,82%	3 7,89%	10 5,29%	2 5,13%
<b>ON</b>	3 1,59%	2 4,76%	1 0,53%	1 2,22%	2 1,06%	1 2,17%	0 0,00%	0 0,00%	0 0,00%	0 0,00%
<b>Romance</b>	69 36,51%	20 47,62%	103 54,5%	24 53,33%	81 42,86%	22 47,83%	92 48,68%	24 63,16%	95 50,26%	26 66,66%
<b>all</b>	189	42	189	45	189	46	189	38	189	39

Easily discernible correspondences between the texts emerge. In all of them, approximately half of the analyzed items (i.e. occurrences), between 40% and 50%, are of native provenance, with the greatest number of such occurrences in RRP (50,79%) and MEGPP D (49,74%) and the lowest in MEGPP L (40,21%). It is worth noticing, however, that when it comes to the headwords, the percentage participation of native items drops for all the texts, to 41,30% in the case of MEGPP D and to as little as 28,21% for LV. Items of mixed ON-OE provenance constitute approximately 6% in all the texts, except

<sup>16</sup>The category of Romance nouns encompasses those of both Latin and French, or mixed Latin-French, origin. The decision not to attempt to perform any further subdivision within this category does not stem from negligence on my part but rather from the conscious effort to abstain from subjective assignment of etymological labels. Due to the complex history of the relationship between Latin, French and English as well as because of the divergences in the information provided in the dictionaries all attempts at more precise subgrouping without in-depth research into semantic and lexical history of the analyzed items are doomed to failure. For a detailed account of the problems involved in the analysis of this type, see Lis (2014).

for RRP, where their percentage participation equals 11,11%.<sup>17</sup> And yet, with respect to headwords of this origin RRP does not really differ from MEGPP and the Wycliffite translations. The percentage participation of ON-derived items is inconspicuous in all the texts. A striking feature shared by all the renditions in the context of their use of law and order related terms is the plethora of Romance borrowings they employ. Both LV (50,26%) and MEGPP L (54,50%) make use of over 50% of items of Romance provenance in the field of legal terminology. The two texts that employ fewest items of this type are RRP (36,51%) and MEGPP D (42,86%). With respect to the headwords of this origin, the figures are even higher, as in both Wycliffite renditions over 60% of different law and order related terms, i.e. headwords, are rendered by Romance loanwords (63,16% in EV and 66,66% in LV). RRP (47,26%) and MEGPP D (47,83%) make again the scarcest use of such items, which still, however, constitutes approximately 50% of law and order vocabulary employed there.

The abundance of Romance-derived items among the legal terms used in the first fifty Psalms of all the analyzed texts is undeniable. This makes it even more necessary to juxtapose these data with the more general findings concerning the etymological make-up of the nominal layer of the first 50 Psalms in each of the texts in order to observe whether this is exceptional with respect to the data not limited to the field of law and order.

## **5.2 The data against the etymological make-up of the nominal layer of the Psalters**

Since the aspect of the etymological make-up of the texts which is of interest for this study is the percentage participation of Romance vs. non-Romance nouns, there is no need to present here a full account of the findings obtained in Lis (2016). Therefore, the data from Lis (2016) are presented in a simplified form, juxtaposing Romance with non-Romance nouns, and constitute a backdrop against which I set the findings from the present study.

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<sup>17</sup>The greater number of items with this etymology in RRP might be accounted for by the fact that it is the only rendition among those analyzed in this study which was executed in a northern variety of English, while Northern varieties are usually held to be richer in borrowings from ON. Yet, it needs to be emphasized that the divergences between the texts are not striking here.

**Table 2.** Romance vs. non-Romance nouns in the first 50 Psalms of the ME Psalters.<sup>18</sup>

ETYMO- LOGY	RRP		MEGPP L		MEGPP D		EV		LV	
	occ.	headw.								
<b>non-Romance</b>	1697 77,78%	302 70,23%	1407 72,41%	246 63,40%	1451 73,54%	250 63,13%	1538 70,88%	264 63,16%	1549 72,47%	259 64,59%
<b>Romance</b>	485 22,23%	128 29,77%	536 27,59%	142 36,60%	522 26,46%	146 36,87%	632 29,12%	154 36,84%	601 27,95%	142 35,41%
<b>all</b>	2182	430	1943	388	1973	396	2170	418	2150	401

A cursory glance at the data from Table 2 is sufficient to notice that the values presented there are almost by half lower than those pertaining to the law and order related terms analyzed in the study. Where with respect to legal terminology (cf. Table 1), approximately 50% of items were borrowings from Romance languages, apart from RRP (36,51%), in the research encompassing all nouns from the first 50 Psalms (Table 2) only ca. 27% of items are, except for RRP which makes use of 22,32% of Romance loanwords. The situation is analogous for the lemmata, as approximately 36% of headwords in Lis (2016) are loanwords from Latin and/or French in contrast to 50%–60%, as was the case in Table 1.

The data presented thus far indicate that there is an unquestioned preference in the ME Psalters for the Romance-derived vocabulary to be employed in the field of law and order. The phenomenon is undoubtedly a direct result of the socio-linguistic factors responsible for the legal terminology of English being predominantly of Romance provenance (Section 2) and as such testifies to the widespread influence of French on the English legal vocabulary but employed also in the not strictly legal contexts. The lexical items in question are subject to a more detailed analysis in the following section.

### 5.3 Etymological oppositions in word-choices between the renditions

For the purposes of the paper I distinguished, on the etymological grounds, three major groups among the analyzed data. The first of these consists of the Latin items which in

<sup>18</sup> As explained, the data analyzed in Lis (2016) and presented in Table 2 do include the majority of the data examined in the present study but not all of them due to the divergences in the methodology discussed in Section 4.

all four Psalters examined during the research are translated into English by means of non-Romance vocabulary. The choices may be diverse but their common feature in all the texts is the non-Romance provenance. The second category, by contrast, contains the Latin lemmata whose English renderings are always of Romance provenance in all the analyzed texts. All the remaining cases, i.e. those where some of the Psalter renditions opt for items with Romance and other with non-Romance provenance, are gathered in the third grouping.

To start with the first of the above categories, i.e. Latin nouns rendered by items with non-Romance etymology, there are 10 Latin lemmata assigned to it. In terms of occurrences (77), however, this is, as might be expected, the most numerous of all groups. The items in questions are presented in Table 3, where the middle column lists the Latin lemmata, with the number of occurrences provided in parentheses, and the right-hand column provides their ME equivalents as selected by the translators. The items listed in the latter column are of native origin unless information to the contrary is provided in parentheses, which also give information concerning the grammatical category of the items, if different than nouns. The square brackets, on the other hand, show the data pertaining to the number of occurrences of relevant items in each of the translations. If no such information is given, it should be assumed that all the Psalters agree in their use of the relevant word. The same conventions also obtain for the data presented in the following tables.

**Table 3.** Latin lemmata rendered exclusively by non-Romance vocabulary.

Nº	Latin lemma	ME lemma(ta)
1	captio, captionis (1)	trappe [RRP], tåking(e (ger.; m. ON-OE) [MEGPP L and D, EV, LV]
2	injustitia, injustitiae (4)	unrightfulness(se [4 LV, 3 MEGPP L and D <sup>2</sup> ], unrightwisnes(se [4 RRP, 4 EV], wrong (m. ON-OE) [1 MEGPP L and D]

<sup>19</sup> Although it happens to be the case here, this manner of presenting the information concerning the number of occurrences of a given lemma in the text is not paramount to stating that they are attested in the same verses in both manuscript copies. For instance, in the case of *justitia, justitiae* “justice, equality” (3), the two manuscript copies concur in the majority of instances and each of them employs *rightfulness*(se “rightfulness” in the same number of cases but these are not always the same contexts. Thus in verse 16.1, MEGPP D opts for *rightfulness*(se whereas it is the word *right* “that which is morally right; justice” that appears in MEGPP L. The reverse can be observed in 44.9 where *rightfulness*(se is attested in MEGPP L and *right* in MEGPP D.

Nº	Latin lemma	ME lemma(ta)
3	justitia, justitiae (31)	rightfulnes(se [30 LV, 24 MEGPP L and D <sup>19</sup> ], right-wīnes(se [31 RRP, 31 EV, 2 MEGPP D, 1 LV, 1 MEGPP L], right [5 MEGPP L, 4 MEGPP D], right (adj.) [1 MEGPP L and D])
4	lator, latoris/<[legislator, legislatoris ]> (1)	bērer(e [MEGPP L and D], bringer [RRP], māker(e [LV], yēver(e (m. ON-OE) [EV])
5	lex, legis (9)	laue (m. ON-OE)
6	regina, reginae (1)	quēn(e)
7	rex, regis (24)	king
8	testimonium, testimoni(i) (2)	witnessing(e (ger.) [2 RRP, 2 LV, 1 EV, 1 MEGPP L], witness(se [1 EV, 1 MEGPP L, 2 MEGPP D])
9	testis, testis (2)	witnes(se)
10	virga, virgae (2)	yērd [MEGPP L and D, EV, LV], wōnd(e (ON) [RRP])

It is noticeable that names for at least some of the notions listed in the above table, e.g. “king”, “queen” or “rightfulness”/“righteousness” are not those one would expect to be easily borrowable as these are basic concepts, indispensable in the medieval context. That they, however, could be borrowed is evidenced by the mixed provenance of *laue* “law” for that matter. With respect to both inter- and intra-textual divergences in the renderings of particular Latin lemmata, these cannot be accounted for as either the number of occurrences is not sufficient to draw any conclusions (for items listed under 1, 4, 6, 8, 9, 10) or there appears to be nothing in the context that could trigger the diversity in word-choices.

The second of the categories distinguished in the study groups those Latin nouns whose renderings are of Romance origin. There are more Latin lemmata (11) of this type than there are of those listed in Table 3 but with respect to occurrences (36) the items presented here are less numerous by almost a half.

**Table 4.** Latin lemmata rendered exclusively by Romance borrowings.

Nº	Latin lemma	ME lemma(ta)
1	bellum, belli (2)	batail(le)
2	corona, coronae (1)	corōune
3	defensio, defensionis (1)	dēfens(e [RRP, LV], dēfending (ger.) [MEGPP L and D, EV])
4	hereditas, hereditatis (9)	heritāḡe

N°	Latin lemma	ME lemma(ta)
5	liberator, liberatoris (2)	dēliverer
6	pax, pacis (6)	pēs
7	princeps, principis (6)	prince
8	servus, servi (5)	servaunt
9	thesaurus, thesauri (1)	trēsōur
10	thronus, throni (2)	trōne
11	vindicta, vindictae (1)	venġeaunce

Similarly to what could be said about the items from Table 3, the borrowings listed here are in the majority of cases names for what could be termed *basic concepts*, e.g. *batail(le)* “battle”, *corōune* “crown”, *pēs* “peace”, *prince* “prince”, *servaunt* “servant”, *trōne* “throne”. Therefore, their presence in the renditions testifies to their well-established status in the language and to the intensity of Romance influence as all of these, unsurprisingly, had their equivalents in OE. This conclusion receives additional support from the fact that *all* Psalters, with striking consistence, concur in their use of these loanwords as the renderings for the Latin lemmata listed above and thus one cannot postulate any intra- or intertextual factors conditioning their use.

The final, and most complex, grouping of the items to be discussed here are the Latin lemmata whose renderings differ between the translations and represent etymological divergences. In total, there are 16 Latin lemmata which were assigned to this group but they will be presented in three separate tables, due to the observations that can be drawn with respect to the ME data and more precisely the motivation behind the divergences in equivalent selection: (i) no motivation, (ii) intratextual motivation, and (iii) reasons related to the status of relevant loanwords.

To begin with (i), Table 5 given beneath lists those Latin headwords (8) whose English renderings diverge in a manner for which I cannot account, i.e. there appears to be no contextual motivation that could induce the translator to opt for a borrowing instead of a native item in the relevant 40 cases. It is telling from the point of view of the status of the borrowings in the language, as despite the presence of the native synonymous items in ME, the translators predominantly opted for Romance loanwords. Therefore, the borrowings must have been assumed to be part of the ME lexicon and to be understandable/familiar for the target readers whose acquaintance with Latin cannot be presumed.<sup>20</sup>

<sup>20</sup> Cf. Lis (2016).

**Table 5.** Latin lemmata with divergent renderings into ME – no contextual motivation.

Latin lemma	Romance ME lemma(ta)	non-Romance ME lemma(ta)
captivitas, captivitatis (1)	caitīfnes(se [MEGPP L], caitiftē [EV, LV], caitīf [RRP])	thraldōm (m. ON-OE) [MEGPP D]
consilium, consili(i) (13)	cōunseil [13 MEGPP L and D, 13 EV, 13 LV, 11 RRP]	gaderinge (ger.) [1 RRP], rēd [1 RRP]
praeceptum, praecepti (3)	commaundement [3 MEGPP L, 3 LV, 2 RRP, 1 MEGPP D]	hēst(e [3 EV, 2 MEGPP D], biddinge (ger.) [1 RRP])
praelium, praeli(i)/ [proelium, proeli(i)] (3)	batail(le [3 RRP, 3 EV, 3 LV, 2 MEGPP L and D])	fight [1 MEGPP L and D]
protectio, protectionis (1)	cōveringe (ger.) [LV], dēfens(e [MEGPP L and D], prōtecciōun [EV])	hiling(e (ger.; m. ON-OE) [RRP])
protector, protectoris (11)	dēfendōur [MEGPP L and D, EV, LV]	hilere (m. ON-OE) [RRP]
refugium, refugi(i) (6)	refūt(e [MEGPP L and D, EV, LV])	flēing (ger.) [RRP]
votum, voti (2)	avōu(e [1 LV], vōu(e [2 MEGPP L, 2 RRP, 2 EV, 1 LV])	wōn(e (ON) [MEGPP D])

Another three nouns from within the group of the 16 Latin lemmata with divergent renderings mentioned above are the cases where the equivalent choices in ME translations *might* be context-dependent but only intratextually. This scenario concerns 13 occurrences of the three Latin nouns listed in Table 6.

**Table 6.** Latin lemmata with divergent renderings into ME – possible intratextual motivation.

Latin lemma	Romance ME lemma(ta)	non-Romance ME lemma(ta)
disciplina, disciplinae (4)	disciplīne [4 MEGPP L, 4 RRP, 4 EV, 2 MEGPP D], chastīsinge (ger.) [2 LV]	lōr(e [2 MEGPP D, 2 LV])
innocentia, innocentiae (4)	innocence [5 EV, 5 LV, 2 MEGPP L and D]	unnoiandnes [3 RRP] / innoiandnes [1 RRP], clēnnesse [1 MEGPP L and D], unlōthfulnes [1 MEGPP L and D]
testamentum, testamenti (5)	testāment [5 MEGPP L and D, 5 EV, 5 LV, 4 RRP]	wit-word [1 RRP]

Beginning with the most tenuous of the three cases listed above, it needs to be stated at the outset that no contextual motivation whatsoever can be offered for RRP with respect to the renderings of *innocentia*, *innocentiae* “innocence”. As regards MEGPP, no influence of the French source (cf. Section 3) can be postulated as this employs *innocence* “innocence” throughout and the differentiation between the two native items does not appear to have had any grounds in the semantics. The decision to employ *innocence* “innocence”, on the other hand, might stem from their being attested in two identical contexts (verses 25.1 and 25.11), incorporated into the following phrase “ego (autem)<sup>21</sup> in *innocentia* mea ingressus sum” (I have walked in my innocence) and thus the choice made once might have triggered the decision concerning the manner of rendering the other attestation of the noun in question.

As far as *disciplina*, *disciplinae* “discipline, teaching, instruction” is concerned, the motivation for the alternation in word choices in MEGPP D and LV appears to be more straightforward. In the case of two of the occurrences discussed (verse 2.12 and 49.18, see (2) and (3) below) both LV and MEGPP D opt for *lōr(e)* “teaching, instruction”:

(2) 2.12

Apprehendite [Adprehendite] **disciplinam** ne quando <[\*nequando]> irascatur domi|nus: & pereatis de via iusta.

“Take hold of the **discipline**, so the Lord does not get angry, and you perish from fairness’s way[.]”

(3) 49.18

Tu vero odisti **disciplinam**: & proiecisti sermones meos retrorsum.

“You, truly, have hated **discipline**, and thrown My words behind”.

In both verses, the agent of the action is, or should be, human, which differentiates them from the verse 17.39, where the remaining two occurrences of the Latin noun appear and where it is *disciplina*, *disciplinae* that is the agent, thus gaining a more concrete shape than that of general moral instruction:

(4) 17.39

Et **disciplina** tua correxit me in finem: et disciplina tua ipsa me docebit.

“[...] Your **discipline** corrects me to the end. Your discipline – this will teach me”.

For this reason, it appears, LV employs *chastisinge* (ger.) “disciplinary action”. MEGPP D, on the other hand, opts here for the word used in the remaining translations,

<sup>21</sup> The word *autem* “but, however” is present only in verse 25.11.

i.e. *discipline*, which has “[c]hastisement for moral correction of another; moral teaching or discipline; punishment” (MED) as one of its meanings. This sense is absent from among those listed in the MED for *lōr(e)* and thus the change in equivalent selection disambiguates the context.

The reason for the sudden alteration in the choice of equivalent for *testamentum*, *testamenti* “will, testament, covenant” in RRP is completely different and one could say, more down to earth: the change was most probably motivated by stylistic rather than semantic considerations. The default translation for *testamentum*, *testamenti* in RRP is the ME noun *testāment* “testament, covenant”. However, in verse 24.11, where another Latin noun that should be rendered with a word created on the same stem appears, Rolle opted for a different, synonymous, item, i.e. *wit-word* “will, testament, covenant”, to avoid repetition:

(5) 24.11

Vniurse <[Universæ[ae]]> vie <viæ[ae]> domini miserecordia <[misericordia]> & veritas: requiren|tibus **testamentum** eius & **testimonia** eius.

“All the Lord’s ways are mercy and truth to those seeking His **covenant** and His **testimony**”.

RRP: All the wayes of lord mercy and sothfastnes; til the sekand his **witword** and the **witnesyngis** of him.

Having discussed the possible cases of the contextually motivated intratextual divergences, I will now focus on the variation in the renderings of the occurrences of five Latin lemmata (23 occurrences) which might stem from the fact that some of the renditions employ “fresh” borrowings which for some translators might not have been the most obvious choices. The relevant items are presented in Table 7.

**Table 7.** Latin lemmata with divergent renderings into ME – choices motivated by the status of the borrowings.

Latin lemma	Romance ME lemma(ta)	non-Romance ME lemma(ta)
aequitas, aequitatis (2)	equitē [2 EV, 2 LV]	ēvennesse [2 MEGPP L and D, 1 RRP], ēvenhēde [1 RRP]
judex, iudicis (2)	jūḡe [2 MEGPP L, 2 RRP, 2 LV, 1 MEGPP D]	dēmere [1 EV], dōmes-man [1 MEGPP D, 1 EV]
iudicium, iudici(i) (15)	jūḡement [MEGPP L]	dōm [MEGPP D, RRP, EV, LV]
regnum, regni (3)	rēaume [3 LV, 2 EV], regne [1 EV]	kingdōm [3 MEGPP L and D, 3 RRP]
usura, usurae (1)	ūsūre [MEGPP D, EV, LV]	oker [RRP, MEGPP L]

As indicated above, the feature that the Romance-derived ME lemmata presented here have in common is their status in the English language at the time. Their presence in some of the renditions testifies to their being already well established in the lexicon but the preference accorded to native items by other translators indicates that they, still, *were not* the most immediate choices for them and thus the preference for the well-known native items. This is instantly apparent when one looks at the following oppositions: *jūġe* “judge” – *dēmere* “deemer” / *dōmes-man* “doomsman”, *jūġement* “judgment” – *dōm* “doom”, or *rēaume* “realm” / *regne* “regnee” – *kingdōm* “kingdom”. A less obvious case might be the one represented by the competition between *ūsūre* “usure”<sup>22</sup> and *oker* “ocker”<sup>23</sup> but the lack of transparency from the present-day perspective stems only from the fact that the latter word is no longer used in the English language, the last attestation provided in the OED coming from the middle of the 17th century (1651). As regards the *equitē* “equity” – *ēvennesse* “evenness” / *ēvenhēde* “evenhead” opposition, the situation is slightly more complex but only as far as the native lemmata are concerned. The word *equitē* was a fresh borrowing at the time, the two dictionaries employed in the study concurring in dating it to the middle of the 14th century,<sup>24</sup> and thus, most probably, was not opted for in the translations dated to the first half of the century. However, it is interesting to notice that the two items employed in its place in these renditions were also recent coinages in the language, presumed by the MED to be first attested in MEGPP. Yet, the fact could not inhibit their appearance in the translations, as both their morphological structure and the meaning carried by the root were transparent to the English speakers.

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<sup>22</sup> According to the MED, the first dated attestation of this word is supposed to be around the year 1387, whereas, as evidenced by the data presented above, it was already in use in the first half of the century since it is present in MEGPP. The OED, on the other hand, dates the first recorded use of the word to 1325.

<sup>23</sup> According to the information provided by the OED and the MED, the first dated use of the word can be traced back to the early 13th-century monastic rule for anchoresses known as *Ancrene Wisse* / *Ancrene Riwe*.

<sup>24</sup> Interestingly, the word is first attested in the poems by William of Shoreham which are bound together with the London copy of MEGPP. For this reason, Shoreham was for a long time wrongly credited with being the translator of the Psalter, see e.g. Moulton (1878, 15) and Heaton (1913, 230–231).

## 5. Conclusions

As established in the course of the study presented above, the percentage participation of borrowings from Romance languages among the terms related to law and order attested in the four ME Psalters is strikingly high. They constitute approximately 50% of the analyzed data when the data from RRP are excluded. Their abundance in the area of the legal terms cannot be due to chance as the percentage participation of Romance loanwords among all the nouns in these texts is twice lower. Therefore, the findings corroborate the idea which led to the investigation presented in the body of the paper. The very nature of the ME legal lexicon exerted influence upon the shape of the terminology related to law and order also in everyday circulation, leading to their higher percentage participation in this area of vocabulary.<sup>25</sup>

Moreover, the type of borrowings attested in the texts and the fact that they were chosen over items of longer history in the language jointly testify to their being not only well incorporated into the lexicon but also suggests that these were the terms that the translators found most suitable and natural choices in the given contexts. Bearing in mind that the people responsible for the renditions took pains to convey the Latin text faithfully but addressed their works at those not conversant in Latin, it seems reasonable to assume that they considered the lexical choices they made as best expressing the given concepts. That such an assumption was possible testifies to the intensity of interlinguistic contact. As phrased by Rothwell, the borrowings from French, especially of the type discussed here, “show the thorough blending of two cultures, a blending that took generations to achieve and, even then, was far from uniform over the whole range of the lexis” (1979, 294).

Nor was it uniform geographically, as argued in Rothwell (1983). This may be a way of accounting for fewer occurrences of items with Romance etymology in RRP – the only northern translation among those analyzed here – since “distance from the centre of government and culture (using that phrase in its broadest sense) must also have been a determining factor in the diffusion of French and Latin at all periods” (Rothwell 1983, 258). Thus the two languages, being used predominantly by those “for whom they constituted a professional qualification, not a vernacular” (Rothwell 1983, 259), were

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<sup>25</sup> As was suggested to me, the findings presented in the present study would benefit from being juxtaposed with the data obtained from contemporaneous legal texts, where, however, the concentration of borrowed French terminology is bound to be much higher.

employed primarily in the places where the governmental business was conducted and the loanwords adopted from them spread initially to the local varieties of English, gaining wider acceptance as the time passed on.

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