

CONFLICTING CODES OF CONDUCT :
EQUITY IN MARIE DE FRANCE'S *EQUITAN*

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The "Lai" "*Equitan*" proposes a many faceted view of justice or equity that often seems confusing. I believe Marie de France exposes the complexity of this concept so that we must consider the merit or weakness of various points of view; that we appreciate the difficulty of meeting the often contradicting demands of justice at this period in time; and that we draw our own conclusions, if we can feel so "justified". She, as other "troubadours extended to their audience an intuition of equality and freedom that was unheard of in the Middle Ages" (Bogin 56). The influences she brings to our attention, with which we must deal, are 1) "le Code Féodal", 2) "le Code Courtois,"¹ 3) "l'Ancienne Loi" or Old Testament teachings, and 4) "la Nouvelle Loi", the Gospel of the New Testament. It would seem to be a period of transition, of blending, of shifting of emphasis, that she shows us. As J. Huizinga agrees, "for a complicated civilization like that of the closing Middle Ages could not but be heir to a crowd of conceptions, motives, erotic forms, which now collided and now blended" (110). I will examine how the text brings forth each of these codes for behavior and thought, and we will see how they are intertwined and overlapped. The point of reference is justice or equity, as announced by the title.

Michelle A. Freeman suggests the use of the title for interpreting themes in the Lais of Marie de France in her article, "Marie de France's Poetics of Silence" (877). "The titles stand for that kernel or essence of what first was silent, is then explained and named, and remains as a constant throughout the various stages. That word-title names the symbolic object" (877). *Equitan* names the king, the man who should have all power, and begins as symbolizing *equity* or justice, which, by extension, should also have all power. We will see that neither the man nor the ideal enjoys this privilege in our story. The title, *Equitan*, derives its meaning of *equalling in justice* from an infinitive, *equiter*, no longer existing in modern French, but whose past participle, *équité*, is defined as "la disposition à respecter les droits de chacun; caractère de

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¹. The impact of the code of courtly love, whether literary or literal in origin, is undeniably significant, "The conception of life to which the *gestes* gave expression was, in many aspects, only the reflexion of that of their public: in every literature a society contemplates its own image" (Bloch 102). See also Huizinga 78.

ce qui est conforme à la justice" (Auge 389). "Juger en équité" means "trancher un différend en s'appuyant plus sur *la conviction intime de la justice naturelle que sur la lettre de la loi*" (Auge 389). Translating *équité* to English, *equity*, gives us "justice according to natural law or right; a body of legal doctrines and rules developed to *enlarge, supplement, or override a narrow, rigid system of laws*" (Gove 281). We explore the "lai" "Equitan" with the possibility of enlarging, supplementing, or overriding narrow, rigid systems of laws. To return to our title: *Equitan(t)*² would be the present participle of *équiter*, meaning equalling in justice. Another view of the title word shows *Equit*, a representation of the present tense, or simply a prefix meaning equal, coupled with *tant* = so much, giving us *equals so much*. Hence, the stated subject of our discussion: natural justice equalling or equals so much ___? "Marie's poem is therefore a gloss of the title (*une glose de la lettre*)." As we outline the polysemy of the title, "It explicates the multiple layers of meaning the word holds as it evokes the transformations of the story" (Freeman 877), which we also see as follows.

Equitan, where found in the text, further links the character Equitan, the king, with the idea of justice and value.

Un ent firent, k'oi cunter,
Ki ne fet mie a ublier,

"They made one of them (a lai) that
I heard told, that we should not forget," ³ (line 9)

D'Equitan, ki mut fu curteis,
Sire des Nauns, jostise e reis.

"of Equitan, who was very courtly, Sire of Nauns,
judge (or sovereign) and king." (line 13)

The text here cites the worth of Equitan: very courtly. *Jostise* can mean judge, introducing the idea of balance of values, or sovereign, which would reinforce the title *king*, having all power in his domain.

Equitan fu mut de grant pris
Et mut amez en sun païs.

"Equitan was of very great price (value)
and very loved in his country." (line 13)

². The lack of the printed final "t" is no problem, as its pronunciation in either case is questionable.

³. All English translations of lines from "Equitan" are my own, and will immediately follow the old French quotations from Rychner.

So close to "pris" is "prise" which means "action d'estimer, reputation" (Greimas 512). We see Equitan again linked to value and here, esteemed by his countrymen for that value.

Equitan ot un seneschal
Bon chevalier, pruz e leal;

"Equitan had an officer of justice,
a good knight, valuable and loyal." (line 21)

Here we link Equitan with his officer of justice, whose merit is also noted. In all the rest of the text, Equitan is not named but called "reis", king, underlining his position of power or authority, and diminishing his role as symbol of justice. The first exception is in line 149 where the king contrasts, does not equate "le code courtois" with "le Code Féodal", which we will look at more closely later. The only other exception is at the end, where Equitan, the seneschal's wife, their love and their deserved demise are all tied up in a just equation:

Li bretun en firent un lai,
D'Equitan cument il fina,
E de la dame ki tant l'ama.

"The Bretons made a lai of it,
of Equitan, how he ended up and
of the woman who loved him so."⁴ (line 312)

We now move on to the seneschal, the character to embody justice.

Tute sa tere li *gardout* (kept, cared for, protected,
looked after)
Et *meInteneit* (maintained, conserved, sustained)
et *justisout* (governed, brought justice to, justified). (line 23)

These three words all suggest a strong sense of responsibility for the well-being and equity in "all his land". Justice must be stretched to care for and meet all demands. While his wife and king (line 185) "lung tens" enjoyed "Iur druërie",

Li seneschals la curt teneit
Les plaiz e les clamurs oieit.

"The justice held court, heard
plaints and claims." (line 195)

4. I must insert here the alternate meanings for lai, for the pleasure of the play on words: "vulgaiement" the king ended up vulgarly, in an unkingly, vulgar position; "lac" they were both drowned in scalding water; "sans engagement dans l'Eglise" (greimas 353) can we disengage the religious questions from this story?

Plaiz is a word rich in additional meanings suggested by the sound: *pleit* = knot - obviously most court cases involve complicated entanglements; as the noun that comes from *plaidier*, *plait* is a convention; *plaid* is a prayer or supplication; and *plaie* is a wound. How do these meanings contribute to our investigation of justice in this story? To return to the text,

Lung tens durat lur druërie...
Li senechals la curt teneit,
Les plaiz e les clamurs oieit.

"Their love affair lasted for a long time" (line 185)

Meanwhile the seneschal is struggling to untangle (the *pleits* = knots) and determine just what justice is, according to the many applicable conventions (*plaits*), not just for himself but for all his land. While he is striving to establish justice (*plaidier*), he receives the wounds (*plaies*) of being wronged by the two who have most explicitly sworn him their loyalty. When we read *clamurs* (line 196) and hear loud cries, demands for attention, and add to these the prayers and supplications of *plaid* (*plaiz*, line 196) we begin to suspect how extensive, diversified, various and far-reaching are the demands made of this single concept. This discussion serves as introduction for the four different systems of codifying justice listed above, which we will deal with now.

I. LE CODE FÉODAL

According to feudal law, rights derived from might. "Justice" was granted in descending order through oaths of loyalty and protection from king to knight, from knight to vassal and so on. A woman was always inferior to her sire (her husband or father), but could be considered superior through this connection, to a man inferior to her sire. Justice demanded loyalty from below and promised protection from above. The inequality of the feudal code appears to present a problem only when combined with courtly love. The opposing strains of loyalty are accentuated in this text by the reversal of the usual order of the courtly love triangle: it is the king here, who seeks to love beneath his social status, rather than the queen being seduced by an inferior, a knight, as is usually the case.

It is the woman who, for good reason, speaks against the introduction of conflicting loyalties into their relationship:

Ne sereit pas uël partie
Entre nus deus la druërie.

"It would not be equally shared
love between us two." (line 131)

Pur ceo que estes reis puissaunz
E mis sire est de vus tenaunz.

"Since you are a powerful king
and my lord is in your tenure:" (line 133)

I am already inferior to your inferior.

Quiderez a mun espeir
Le dangier de l'amur avoir.

"Believe in my opinion that
to have such a love is danger." (135)

Meg Bogin outlines the danger: "For women, adultery was more than sinful: it held the added risk of pregnancy. Besides the danger of child-birth, the woman pregnant through adultery faced possible repudiation, banishment (generally to a convent), or even death" (53). The seneschal's wife explains the consequences to the king:

Tost m'aviez entrelaissiee,
J'en sereie mut empeiriee.
Se issi fust que vus amasse,
E vostre requeste otreiasse,

"Soon you would abandon me;
I would be badly worse off
if it should be known that
I love you and agree to your request." (line 127)

She is in the awkward situation of defending a position where she has no power.

Our view of her as the relatively innocent party can perhaps be read between the lines in interpreting the word "chastel" as "chaste-elle; elle, la chaste":

El *chastel* u la dame esteit
Se herberjat li reis la nuit;

"To the castle where the lady was,
came the king to spend the night." (line 46)

The king is coming to invade the state of chastity of the woman.

Venez chacier en la foret
En la cuntree u jeo sujur.
Dedanz la *chastel* mun seignur
Sujurnez;

"Come to hunt in the forest
in the country where I live.
Within the castle
of my lord stay with us." (line 242)

Her chastity is linked to, belongs to her lord, justice. As she *invites* him into the castle of her master we still see an association of the woman with the idea of chastity or purity. Her invitation is even part of the plot to kill her husband, justice. How can this association be sustained? Can powerlessness in a society excuse willful destruction of justice? The text hints at only the questions, not answers.

We return to the reasonings of the woman:

Amur n'est pruz se n'est egal.

"Love is not valuable, useful⁵
if it is not equal." (line 137)

Since you already have "le droit du seigneur" over me, there is nothing to be gained for me to give myself to you. The last line of this quotation puts into question even the "acceptable" unequal love of knight for queen, the basis for all courtly love. An unequal balance of power, even in love triangles, is precarious and not a reasonable pursuit, it would seem. Can there be an equal balance of power, justice, in a love relationship at that time? It would seem unlikely.

The woman continues to argue against the entanglement:

Li riches hum requide bien
Que nuls ne li toille s'amie
Qu'il voelt amer par seignurie!

"The rich man believes well that
no one will take his lover,
whom he wants by right of seignurie." (line 146)

He has no need to exercise his "talent", to charm or woe or win her to the exclusion of all others, if he already has the right to her. "Seignurie" included the practice of "ius primae noctis", the lord's right to his serf's bride on her wedding night. Although the seneschal is part of the nobility, "even after later generations introduced more "courtly" conduct restricting men, at least in theory, to raping women of the lower classes - women of the Middle ages had no guarantee that they would not be raped in their own houses" (Bogin 25).⁶ This reference to "seignurie" definitely degrades the relationship and both parties involved. But, as we have seen, it is she, the unranked nonperson, who has the most to lose. Our king responds at last⁷ with exclamations of power, and assaults the woman's only value, her "courtoisie":

Equitan li respunt *après*:

5. *Pruz* is the catch-all word for any positive value in the feudal code.

6. And "only rarely were women permitted to appear in their own defense before a legal tribunal" (Bogin 24).

7. Or perhaps, in pursuit: *aler apres* = *poursuivre* (Greimas 37); we remember how he loves the hunt, lines 25 - 28!

"Dame, merci! Nel dites mes!

"Woman, have mercy!
Don't say any more about it!" (line 149)
Cil ne sunt mie fin curteis,
Ainz est bargaine de burgeis,

"This is not at all courtly fine,
such is bourgeois bargaining." (line 151)

He criticizes here the unseemliness or indelicacy of discussing the inequality of their social status. To speak so "laiment" (vulgarly) is bourgeois, middle class, beneath him, and destroys the noble nature of their interaction as well as the courtly value of the woman. He answers nevertheless with a solution:

Ne me tenez mie pur rei
Mes pur vostre humme e vostre ami.

"Don't have me as your king,
but as your man (possession, vassal) and friend."
(line 170)

"Ami" originally suggested the intimacy of a familial relationship (Bloch 124), and was later to extend to mean lover.

Vus seiez dame e jeo servanz
Vus orguilluse e jeo preianz.

"You shall be the Lady and I your servant;
you the proud and I the begger."⁸ (line 175)

The king tries to solve the problem by reversing the inequality, but this does not eliminate it. He makes himself the servant who must be willing to do all she asks of him, even to participate in the murder of her husband. In rejecting the feudal relationship in favor of the love relationship, the woman shifts from a system where she really has no position, the feudal hierarchy, to one where she has not only position but power.

Ja cele rien ne li dirrat
Que il ne face a sun poeir.

"Never did that one (she) ask anything of him
that he did not do it with all his power." (line 238)

This is the inversion of the proper order of things, a woman in charge, "le monde à l'envers", which is acted out physically in the final scene

⁸. I will examine much more closely the lines 170 - 176 in terms of the ritual of homage of the feudal code in relating it to "le Code Courtois".

where the seneschal throws his wife into the caldron head first: justice trying to right itself?

The woman is not contented, even with the inversion:

Sire, jo plur pur nostre amur,
Ki mei revert a grant dolur.

"Sire, I cry over our love,
which brings back upon me great pain." (line 213)

The verb "revert" here is a clue to bring to our attention the foreshadowing nature of this couplet: this is precisely what literally happens in the end (great pain, boiling water, and evils, their unrepented sins, come back upon her and her lover, the king) as the seneschal acts to "revert" the "monde à l'envers". This act of justice is echoed in the lines suggesting a "moral" to the tale.

Sur lui (le roi) est li mals *revertiz* (line 299)

Tels purcace le mal d'autri
Dunt tuz li mals *revert* sur lui. (line 309)

This word serves to focus the dynamic at work in Equitan, where each code of morality seems to "revertir" upon the other.

Returning to her fears that bring her present pain:

Femme prendrez, fille a un rei,
E si vus partirez de mei;

"You will take for wife the daughter of a king (an equal),
and thereby take your leave of me." line 215)

She cannot share his power or position (or protection?) since she cannot be his wife. This inequality continues to bring her great pain (and fear). For this the king has a solution as well:

Si vostre sire fust finez,
Reine e dame vus fereie.

"If your husband-owner, were dead,
I would make you Queen and Lady" (my equal). (line 226)

To undertake, himself, the murder of his vassal would be treacherous villainy to the feudal code. Stating a simple hypothesis, "If he were dead..." serves his purpose without overt compromise. The king also would like to equalize this relationship, to whatever extent traditionally possible, in order to enjoy its benefits more fully. As king, however, he must respect and represent the strength of the feudal system.

"Le Code Féodal" provided vassalage, the stongest and most intimate (as I will discuss later) social relationship of the Middle Ages: the vassal, sworn to service and loyalty through "homage" and "foi" to his

lord leige who, in return, granted him protection and an "investiture" of goods or property. I will examine more closely the rituals and symbolism of vassalage as I now consider "le Code Courtois" which must go hand in hand with the feudal code, but seems to defy it at the very heart.

II. LE CODE COURTOIS

We must establish an understanding of "le Code Courtois" before exploring its implications in our story. It was, at the same time, simple in principle (adoration in humble service to the Lady, love as a means of spiritual improvement through endless suffering, chastity as the highest expression of true love, the exclusive focus on married women of superior rank, (Bogin 15)), and nebulous in specific practice. It contradicted the major structures of medieval life (Church, kinship and marriage, the loyalties of the feudal code), and then contradicted itself (the chaste "amour de loin" gave place whenever convenient to carnal indulgence). It was evasive in terms of origin (a purely literary concoction (Bloch 309), an outgrowth of Arab contact through the Crusades and the "Reconquista" of Spain, a natural outcome of the Crusades which left, at least temporarily, women in new positions of power (Bogin 35,44-46)), and yet pervasive in its influence on all of feudal Europe.

Why should such a code for regulating personal love relationships develop, either in literature or real life?⁹ The brutality of life in the Middle Ages required it:

"To formalize love is, moreover, a social necessity, a need that is the more imperious as life is more ferocious. Love has to be elevated to the height of a rite. The overflowing violence of passion demands it. Only by constructing a system of forms and rules for the vehement emotions can barbarity be escaped" (Huizinga 108).

"In courtly society where large numbers of unmarried men lived under one roof with a small number of mostly married women, and where marriage was an economic and political arrangement, there must have been enormous sexual tension" (Bogin 53).

The image created by Denys Hay, of the baron living "in promiscuous intimacy with his household and retainers, rather like the captain of a small and overloaded ship on an uneasy sea", shows us well the mounting pressures swelling in Medieval society (Hay 41).

What was this courtly love, established by such formality? Let me first eliminate what it was not.

"It had nothing to do with marriage (a business transaction surrounded by bastards), or rather it was directly opposed to the le-

⁹. The experts agree to disagree that, "if life borrows motifs and forms from literature, literature after all is only copying life" (Huizinga 78).

gal state of marriage, since the beloved was as a rule a married woman and the lover was never her husband...Still less was this code dependent on religious ideas...even when it renounced physical satisfaction, it sublimated - to the point of making it the be-all and end-all of existence - an emotional impulse derived essentially from those carnal appetites whose legitimacy Christianity only admits in order to curb them by marriage, in order to justify them by the propagation of the species...(moreover) "it owed little to the ancient arts of love" (Bloch 309,10).

By opposing so many institutions in a traditional society (one that looks almost exclusively to precedent for resolution of present conflict), which the Middle Ages certainly was, "l'amour courtois a été, au douzième siècle, un phénomène contestataire, scandaleux, une manifestation de monde à l'envers" (LeGoff 382). The ambiguity and power of courtly love seemed single-handedly to bring all the conflicting demands of society together into a boiling cauldron of passion.

Courtly love was, in fact, a reincarnation of vassalage. C.S. Lewis explains:

"Before the coming of courtly love the relation of vassal and lord, in all its intensity and warmth, already existed; it was a mold into which romantic passion would almost certainly be poured. And if the beloved were also the feudal superior, the thing becomes entirely natural and inevitable" (Lewis 12).

Vassalage had reinforced the ties of kinship, (proven to be inadequate to the task of maintaining peace and order in this quasi-barbaric time), as *the* social bond of import in the Middle Ages.¹⁰ The ritual that binds a vassal to his lord and vice versa has several stages, which I will eventually correlate to the binding of the courtly lover to his Lady. The first phase, 1) *Hommage*, consisted of three elements: a) "*la déclaration*, l'engagement du vassal, exprimant sa volonté de devenir l'homme du seigneur"; b) "*l'immixtio manuum*" —le vassal place les *mains jointes* entre celles de son seigneur qui renferme les siennes sur elles" (LeGoff 354); et c) "*l'osculum*"—"Then chief and subordinate kiss each other on the mouth, symbolizing accord and friendship" (Bloch 145). The vassal has now become the "homme de bouche et mains" of the lord.

Before going on, let me first explain the underlying significance of these gestures, "very simple ones, eminently fitted to make an impression on minds so sensitive to visible things" (Bloch 146). 1a) *The declaration* was unilateral, a request from the *inferior* party to join his *superior* in a contract. 1b) *the "immixtio manuum"* was "a plain symbol of

¹⁰ "Yet to the individual, threatened by numerous dangers bred by an atmosphere of violence, the kinship group did not seem to offer adequate protection, even in the first feudal age. That is why men were obligated to seek or accept other ties. The tie of kinship was one of the essential elements of feudal society; its relative weakness explains why there was feudalism at all" (Bloch 142).

submission, sometimes emphasized by a kneeling posture" (Bloch 145), which, nonetheless required a response by the hands of the lord (LeGoff 355). It represented a statement of reciprocal binding of *inferior to superior*. 1c) The "*osculum*", regardless of who initiated it, was "un baiser rituel mutuel" qui "*rend égaux*" "les deux actants l'un par rapport a l'autre d'égalité" (LeGoff 357,373). The vassal has been raised from his kneeling position of inferior supplication to a stature of equality to his lord: a kiss, "bouche à bouche", can only impart equality, as the giver and receiver participate equally. It is not exactly equality of status (not the "potestas" of earlier times) that has been rendered, (the vassal owes obedience and service whereas the lord owes leadership and gifts of maintenance), but equality of the power of the bond they have created.

This power elicited by the rite of homage is born out of the extremely intimate nature of the *physical* contact of the unequal participants. "Le corps est non seulement le révélateur de l'âme mais il est le lieu symbolique où s'accomplit - sous toutes ses formes la condition humaine" (LeGoff 359).¹¹ Joined hands is the picture of powerlessness, of vulnerability, itself an intimate admission.¹² The enclosing of those hands into one's own is almost an incorporation of that other into oneself: the absorbing of vulnerability into protection. The sense of touch, around which homage is centered, is the most sensitive form of personal communication. Beyond the kiss of peace St. Paul offers to all who enter the brotherhood of Christianity, the "*osculum*", which is even more physically intimate, evokes such powerful images as "the breath of the Almighty hath given me life" (*Holy Bible* Job 33:4), or the giving of life's nurture to the young by a parent who has already seized and made digestible the necessary sustenance for life. (As the lord has seized and subdued the threatening powers that surround them and gives his man protection and equal dominion over them.) What a profound and rich symbolism this ritual imparts to a mentality conditioned to receive it, even on a subconscious or primitive level (Bloch 83, LeGoff 391).

The second phase in the ritual, 2) *fealty* or "*foi*", was only superimposed on the first as the society "came to regard a promise as scarcely valid unless God were guarantor: a) laying his hand on the Gospels or on relics, b) the new vassal swore to be faithful to his master" (Bloch 146). This was a later addition, practiced only optionally and of less import than the rest of the ritual.

11. "The body is not only the revealer of the soul but it is the symbolic site where, in all its forms, the human condition fulfills itself."

12. As in today's society, a man is hand-cuffed in order to eliminate any power to attack; the knight, through the offering of the "*immixtio manuum*", yields not only his ability to attack or harm, but to possess anything that cannot be held between palms pressed together, and the ability even to maintain his own balance, were he to be bumped or shoved in his kneeling position. To display publicly this profession of such encompassing vulnerability is to strip the male ego to the soul.

The last phase was the 3) "*investiture*": a) "To the vassal the lord handed an object which symbolized b) the (transfer of real) property" (Bloch 173). The object, usually a twig, represented payment to the vassal for services, as "chaser", to house himself, as a "Lehn", from *lehen* (Ger)= to loan, or as "beneficium" which became "fief"(Bloch 163,5,7). The ceremony always preceded the actual transfer of the land. This was the lord's "contre-don" of the "don" of service given by the vassal, and completed the contract.

We cannot leave the discussion of this ritual without mentioning the means by which either party could terminate the bond, otherwise held for life: 4) "*l'exfestucatio*". "La symbolique d'un rituel destiné à créer un lien social n'est complètement saisie que si on la considère à la fois dans la constitution et la destruction du lien" (LeGoff 363). "*L'exfestucatio*" is the act of breaking the personal tie but not necessarily renouncing the fief. It is done by throwing down the "festuca" (twig) or some other significant object,¹³ and stating something like, "Homme! Je vous retire ma foi. Ne dites pas que je vous ai trahi" (Meyer lines 2314-2318)! Hommage, fealty, investiture and "*exfestucatio*": these, then, are the parts of the ritual that, as a whole, became the driving, binding, and eventually unravelling or unwinding force in the society of the Middle Ages through feudalism and courtly love.

Each of these features of the ritual plays an important role in our interpretation of the lai, "Equitan". They do not, however, occur in the proper sequence in the story. Since we are exploring, after all, a "monde à l'envers", I will proceed to analyze each element as it occurs, in this and the following sections of the discussion. We return, at last, to the text.

The developing courtly tradition seemed to require that, for a woman to achieve greatness, true nobility, "courtoisie", she must be the recipient of the love attentions of a noble knight.

Si bele dame tant mar fust,
S'ele n'amast e dru n'eüst!
Que devendreit sa curteisie.

"It would be such a pity if such a beautiful
woman didn't love nor had love's pleasures.
What would become of her courtliness?" (line 79)

This affair seemed, at least to the perception of the king, to be a necessity for her social enhancement. The statement of Chastellain would give him further encouragement: "Honour urges every nature to love all that is noble in being" (Huizinga 69).

The king obviously had a natural inclination for such pursuits:

Deduit amout e druërie,
Pur ceo maintint chevalerie.

13. LeCang has catalogued 99 different objects used in either the investiture or "*exfestucatio*" (LeGoff 415).

"He loved pleasure and love pleasures;
for this he maintained his prowess." (line 15)

No doubt the belief that a man could die from being denied "comfort", sexual satisfaction, encouraged the man to pursue his satisfaction, and the object of his desires to yield to his needs.

Saveir li fet qu'il *meort* pur li.
Del tut li peot faire *confort*
E bien li peot doner la *mort*.

"He made her know that he could die for her.
(He told her) of all that she could do either to comfort him,
or that she could well give him death." line 114)

This idea is paralleled in the expression of Guilhem de Poitou, the first troubadour, "The joy of her can make the sick man well again, her wrath (and denial) can make a well man die" (Bogin 38). Is it possible that knightly manhood considered itself so frail that it believed sexual frustration could be fatal? Or is this simply an exaggeration, used to play on the compassion of womankind, to eliminate a discomfort no king ought to have to endure?

Ne me laissez pur vus murir!
"Don't let me die for (desire of) you!" (line 174)

The king's passion begins "to express itself in terms borrowed from the vocabulary of vassal homage" (Bloch 309). First comes 1a) *the déclaration*:

Ma chiere dame, a vus m'ustrei:
"My dear Lady, I give myself to you:" (line 169)

Ne me tenez mie pur rei,
Mes pur vostre humme e vostre ami.

"Don't have me as your king,
but as your man and your friend." (line 170)

He has here declared his will to become her "homme", and adds to that the intensifying element of "ami", a family bond or, hopefully, that of lover.

The next couplet suggests the phase of 1b) *fealty* in the ritual:

Seurement vus jur e di
Que jeo ferai vostre plaisir.

"Surely I swear to you and say that
I will do your pleasure, bidding." (line 172)

There are no relics or Bible here upon which he swears, but *seürance*, meaning "assurance, alliance avec *serment*" (Greimas 594), gives us at least an oath. I reiterate the relative insignificance of the oath of fealty; hence its weakness here does nothing to weaken the parallel being drawn to the total ritual.

After another plea for pity on his mortally frustrated state, "Ne me laissez pur vus murir!", he attempts to strengthen his oath by restating his declaration:

Vus seiez dame e jeo servanz,
Vus orguilluse e jeo preianz. (line 175)

These terms come directly from the vocabulary of the feudal hierarchy where the king obviously has the clearest advantage.

The text next skips several phases of the ritual and moves to 3) *the investiture*:

Tant ad li reis parlé od li
E tant li ad crie merci

So much had the king spoken with her
and had cried mercy to her," (line 177)

Que de s'amur l'aseüra

"That she assured him of her love," (line 179)

She accepted him as her "homme".

E el sun cors li otria.

"and accorded to him her body." (line 180)

Par lur anels s'entresaisirent,

"By their rings they took possession
of one another." (line 181)

3a) The transfer of the symbolic object was the exchange of the rings.

3b) The gift of real property was the according to him of her body.

Lur fiances s'entreplevirent;

"They mutually engaged to each other their faith." (line 182)

This declaration can represent either a reinforcement of the act of "foi" (*entreplevir* = "s'engager mutuellement la *foi*" (Rychner 302)), or merely a verbalisation of the contract they have entered into. The precise order of these events in the text is unclear but I have determined not to be overly concerned with a topsy-turvy representation of the ritual.

A further important aspect of the investiture for us to consider: if her body represents the "contre-don" given by the lord, in this case the Lady, in exchange for the "don" of services (to be or already) rendered by the vassal, the king, just what is the nature of the services rendered? The full use of his "pruz" and "talent" in their "druerie" comes to mind. But the question of just what "cunfort" means to the woman is really at issue here. Is it simply a matter of sexual satisfaction? Or rather is the woman earnestly contracting the more life-and-death matter of protection?

This question is raised with such ambiguity as to allow us to follow either train of thought, or even to encourage us to pursue them both. It brings up the rather ironic consideration that a woman, who at that time had almost no social or legal rights, could suffer violently from this same physical frustration. Perhaps this is to suggest that men realize the preposterousness of the claim they have been making:

E si vus partirez de mei;...
E jeo, lasse, que devendrai?
Pur vus m'estuet avoir la *mort*,
Car jeo ne sai autre *cunfort*.

"And if you leave me, and I, left (behind),
what will become of me? Because of you it would
be to me to have death, since
I know no other comfort (sexual satisfaction)." (line 216)

Is this claim any less silly coming from a man than it is from a woman? It would seem more likely that she is envisioning here the perils of an abandoned woman, without the protection of her lover, the king, or her husband, his officer of justice. We are left to believe that she has no "cunfort" with her husband, the seneschal, by either definition, which raises the possibility of the impotence of justice. Can justice deliver either sexual satisfaction or protection? In terms of the character in the story, the king speaks as if he thinks the seneschal is not capable of satisfying his wife and we can continue to read in both meanings:

Li seneschals, si l'ot cunter
Ne l'en deit mie trop peser:
Suls ne la pout il pas *tenir*!

"The seneschal, if he heard of it (our affair)
should not let it weigh too heavily on him:
alone he can not possess her!"
(or possibly, "he cannot have her alone, all to himself").
(line 85)

Teneure, from *tenir*, means "condition sous laquelle on tient un fief" (Greimas 623,4). If she is his "fief" and he cannot hold her, neither can he be expected to extend protection to her. The feudal contract, in terms of protection promised, seems to be a critical consideration as this form of contract is transferred to the "couche" of courtly love.

Symbolically speaking, the case for the impotence of justice is even stronger. For all his efforts to "justiser...tute sa tere", the seneschal, justice, is incapable of righting the wrongs being done him: "Lung tens durat lur druërie" (line 185). Can mercy rob justice?

E tant li ad crié merci
Que de s'amur l'aseuëra
E el sun cors li otria. (line 178)

It would certainly seem so, for "lung tens" at least. A definitive answer will be sought in the discussion of the "Nouvelle Loi".

The two elements of the ritual remaining to be dealt with in the text are 1b) the "*immixtio manuum*" and 1c) the "*osculum*". We find the word for kiss only in line 207:

Quant ele pout a lui parler
E el li duit joie mener,
Baisier, estreindre e acoler,
E ensemblé od lui juer,
Forment plura e grant deol fist.

"When she was able to speak with him and was supposed to bring him joy, to kiss, embrace and couple with him, loudly she cried and made a great sorrowing."
(She goes on to complain about her future status if he leaves her.) (line 205)

Does the king receive *any* kiss, documented in the text? No. "C'est un fait que dans l'amour courtois l'homme est le vassal de la femme et qu'un moment essentiel du système symbolique courtois est le baiser" (LeGoff 382). Why is this essential moment missing? Guillaume de Lorris writes in the first part of the *Roman de la Rose*:

Je vueil pour ton avantage
Qu'orendroit me fasses hommages
Et qui me *baises* enmi la bouche
A qui nus villains home no touche
A moi touchier ne laisse mie
Nul home ou il ayt villenie
Je n'i laisse mie touchier
Chascun vilain, chascun porchier;
Mais estre doit courtois et frans
Celui duquel homage prens"

"I want for your advantage that from now on you make homage to me and that you should *kiss* me, whom no villains touch, on the mouth; I don't let any man who should have any villainy touch me at all; I kon't let any villain, any "porchier", touch me there at all; but he must be courtly and noble, he from whom I take homage." (LeGoff 383).

LeGoff explains, "Comme aux femmes le baiser symbolique "l'osculum", lui (au vilain) est refusé" (383). The king has debased himself to the category of "vilain" by violating his obligation of loyalty to his vassal, the seneschal. Hence the "osculum" is refused him. By making the wife of his underling his mistress he has failed in his previously sworn duty to protect his "homme de *bouche et mains*", justice. This prior commitment was fully solemnized in ritual, it is safe to assume, or how could the text state,

Equitan ot un seneschal,
Bon chevalier, pruz e leal; (line 21)

Moreover, the king recognizes his fallen status in line 293

Li reis garda, sil vit venir;
Pur sa vileinie covrir

He admits his "vileinie" by trying to hide it.
Dedenz la cuve saut joinz piez;
E il fu nuz e *despullez* .

"Despullez" means, in addition to "deshabillé, *dépouillé*" (Greimas 182,3). *Dépouiller* translates to "to divest of "droits" (Atkins 108). The king has, by his "vileinie", divested himself of the rights ordinarily due him and in the realm of courtly love, of the right to the "osculum" or binding kiss between two equal participants, the Lady and her lover.

The final missing element of the ritual, 1b) "*l'immixtio manuum*", finds its only reference the faint one in the line cited above:

"Dedenz la cuve saut joinz piez;"

"He jumped into the vat feet together." (line 295)

This is the only hint the text gives of the symbolic submission to a superior power. The substitution of feet for hands underscores the upside down nature of the situation. We will later see how the plea for protection that this ritual symbolizes comes to naught.

As we see the "confort" of courtly love overpower the discipline of feudal law at almost midpoint in the story:

Que de s'amur l'aseura
E el sun cors li otria

"That of her love she assured him
and accorded to him her body," (line 178)

We see the beginning of a general disintegration of things as they should be. We have already mentioned the impotence of the seneschal, of justice. Next we see the attack on the king, figure of authority in feudal society.

Amurs l'ad mis en sa maisniee:

"Love had "set up housekeeping" with him" (line 54)

Une seete ad vers lui traite,
Ki mut grant plaie li ad faite.
El quor li ad lanciee e mise!

"Love had shot an arrow toward him, that a great wound (*knot* of trouble, contradicting *claims*, *plea* for "confort") had made in him, to his heart it had been thrust and placed (struck home)." (line 55)

This rather common image of being smitten by love does not yet show loss of power or kingliness, but as we continue to read:

N'i ad mestier sens ne cointise.

"He did not have there (in his household, kingdom) mastery of good sense or "savoir faire". (line 58)

He did not have mastery in his kingdom because the woman was in power over him. He had lost the intelligence or wisdom his whole kingdom looked to him to exercise in their behalf. He no longer knew what to do, "savoir faire". As monarch, all action in his kingdom originated out of his authority. If he is incapable of action or decision, his whole country suffers. The significance of this situation is highlighted by the fact that it is alluded to at the very beginning of the story:

ICil metent lur vie en nuncure
Ki d'amur n'unt sen ne mesure;

"Those who love without good sense or moderation put their life in negligence." (line 17)

We see clearly the neglected state of affairs here.

Tels est la mesure d'amer
Que nuls n'i deit reisun garder.

"Such is the measure of love,
that no one can keep reason in it." (line 19)

But a king should keep his wits about him. He can not.

To continue, his kingly countenance has changed for the worse (a loss of his "chevalerie"?):

Tuz en est murnes e pensis.

"In all he is mournful and pensive." (line 60)

His demeanor is gloomy and he is brooding, not acting.

La nuit ne dort ne ne repose,
Mes sei meismes blasme e chose;

"At night he doesn't sleep or rest,
but blames and chatters to himself:" (line 63)

Here the king shows all the traits of the courtly lover, the mindless fool befuddled by love. What becomes of the kingdom, with the head of state in such a condition?

Allas! fet il, queils *destnee*
M'amenat en ceste cuntree?

"Alas, he says, what destiny
led me to this country?" (line 65)

He has now acknowledged that some power other than himself (who *should* be the highest power in the land), has control of his life: destiny.

Pur ceste dane qu'ai veüe
M'est une anguisse al quor ferue,
Ki tut le cors me fet trembler:

"For that woman whom I've seen is
anguish to me, to my stricken heart,
that makes all my body tremble." (line 67)

His physical powers are now in decline as well. It matters not whether his heart, the organ, is literally stricken with palpitations, arrhythmias and/or tachachardias (of an anxiety attack?) and making his whole body tremble with weakness, or his infatuation has so enervated him that his body is no longer under his control. His might is on the wane. Even the seneschal is aware of the kings weakness:

Il ne seit pas queils est li maus
De quei li reis sent les fricuns:

"He does not know what is the evil
of which the king suffers to tremble." (line 108)

We have read why the king is "deshaitiez": "Li reis veilla tant que jur fu" (line 101,5). The seneschal, justice is more perceptive: his trembling comes from an evil, of which his wife is direct cause (line 110). The kings weakness goes further.

Que d'autre femme n'ot talent

"He had no desire for any other woman." (line 198)

Or he has lost the ability to perform sexually with any other. He has lost all "proëce". "The king now has nothing save his title and his crown...he is not capable of defending either" his rights or his Lady (Bloch 160).

The final outcome of "lur druërie" is foretold at its very beginning:

Bien les tiendrent, mut s'entrainerent,
Puis en mururent e finerent.

"They possessed each other well, they loved each other
much, then they died from their loving and so finished."
(line 183)

Why is this ending anticipated so early in the affair, if not to signal to us to begin looking for ways of untangling and understanding the divergent forces at work in the situation.

The general downfall, decline, extended beyond the tragic love triangle to the whole countryside:

Femme epuse ot li seneschals
Dunt puis vint el pais granz mals.

"The seneschal had taken a wife from
whom later came great evils to the country." (line 29)

The fact that this is announced in the same couplet that introduces the wife into the story should alert us to the many difficulties to follow, and that there may well be something suspect in this woman's, perhaps in any woman's position in the hierarchy of this society.

III. L'ANCIENNE LOI

Justice in "l'Ancienne Loi", the Old Testament, the law of Moses, is a simple matter of vengeance, an eye for an eye and a tooth for a tooth. It often took the form of the "vendetta", private vengeance for the death of a family member on the murderer or a member of his family. Which caused the often protacted blood feuds that dominated the countryside (and gave excuse to the noble class for the exercise of arms), and was imposed as the most sacred of duties (Bloch 125,6). Although the "Nouvelle Loi" had already been around for many centuries, tradition supported the "Ancienne Loi" in practice. "In short, never was theology less identified with the popular religion as it was felt and lived" (Bloch 83). We find Ecclesiastes 11:1 paraphrased in line 309. Eccl. 11:1 "Cast thy bread upon the waters: for thou shalt find it after many days."¹⁴

Tels purcace le mal d'autrui
Dunt tuz li mals revert sur lui.

¹⁴. The bread in this instance reads as seed, the semination of sin, Which is cast into boiling waters at the end.

"Whoever seeks that evil should befall someone else,
all of those evils come back upon him." line 309

The other aspect of the tradition of "l'Ancienne Loi" is the "ordalie". This was the practice of proving innocence or guilt through trial by fire. The guilty are burned in a fire that symbolizes Hell. The innocent escape unburned. The method chosen by the wife to kill the seneschal was a bath of boiling water. To submit the seneschal to the "ordalie" was truly an attempt to "justify" their relationship and their solution to the whole question of inequality. It shows as well that the "confort" of the courtly code believes it can overpower the hierarchies of the feudal code.

L'ewe buillant feit aporter
U li seneschals dut entrer.

"Boiling water she had brought,
wherein the seneschal was supposed to enter." (line 275)

I find this an uncommon way to kill someone, suggesting that perhaps we are meant to read deeper interpretations beneath the story line. These we will uncover in the "Nouvelle Loi".

IV. LA NOUVELLE LOI

The Golden Rule epitomizes the teachings of "La Nouvelle Loi." Expounded seven times in the New Testament, Gal. 5:14 phrases it "For all this law is fulfilled in one word, even in this, Thou shalt love thy neighbor as thyself." This makes the question of justice an equally simple equation: justice is to internalize the feelings of the other and act so as to bring him the greatest good. The king is clearly aware of this principle as he considers seducing the wife of the seneschal:

E si jo l'aim, jeo ferai mal:
Ceo est la femme al seneschal;

"And if I love her, I would do wrong: that is the wife
of the seneschal:" my officer of justice. (line 71)

Garder li dei amur e fei

"I owe to keep love and (good) faith with him." (line 73)

(This was also a feudal duty) *Si cum jeo voil k'il face a mei—As I wish that he should do to me—*He knows that to pursue the matter would be wrong. However, at no other time has the professed religious belief been shown to be more lacking in the behaviors of a society (Bloch 83). So he again finds an excuse to go ahead with his selfish indulgence, considering it perhaps the more fitting, in view of his feudal superiority.

Mes nepurquant pis iert asez
Que pur li seie afolez.

"But nevertheless it would be that much worse
that I should be disabled, wounded or killed by him." (line 77)

Why should he risk dying of sexual frustration to the benefit of one of his inferiors? "The sentiment of honor (arising out of the feudal code), says Burckhardt, this strange mixture of conscience and of egotism, "is compatible with many vices and susceptible to extravagant delusions"" (Huizinga 69). We see how poorly the feudal code meshes with the selfless considerations of the "Nouvelle Loi". We will move now to an ordinance that parallels that of the "ordalie" in the "Ancienne Loi": baptism.

As the plan is set forth by the wife and acted out by the king, the king comes to be bled for three days.

Surjurnez; si serez seigner. (line 245)

I must add here the alternate meaning for se seigner: se croiser, evoking a religious connotation and suggesting that perhaps the lovers were even invoking a blessing on their actions.

E al tierz jur si vus baignez.

"Stay with us; and be bled and on the
third day, bathe." (line 246)

This brings us back to the baths that were to serve as the "ordalie" under the "Ancienne Loi". But viewed from the "Nouvelle Loi" the baths represent baptism. Originally performed by submersion in water, baptism was to wash away the sins of the penitent. 1) It symbolizes the death of Jesus Christ and, through Him, 2) the death of sins. 3) Three days after His death came the resurrection, 4) life after the death of sin. Each of these ideas is paralleled in our story. 3) Three days are spent losing life's blood (though this was considered a health cure at the time), after which the king and the seneschal's wife anticipated 4) a new life unencumbered by considerations of justice and equality. 1) This was to come about by the death of an innocent, the seneschal, justice. 2) The death of sins happens in a very different way than planned: the lovers are not penitent, so they die with their sins. We have examined "Equitan" from the point of view of the woman and of the king. We must now complete the love triangle and briefly discuss the seneschal's attitude throughout all of this.

The seneschal likely suspected his wife's infidelity.

Dolenz en est li senescaus;
Il ne seit pas queils est li maus
De quei li reis sent les friçuns;
Sa femme en est dreite acheisuns.

"The seneschal is sorrowful over this;
 he knows not from what evil the king feels to tremble:
 his wife is directly the cause, or *his wife is in direct
 accusation of it.*" (line 107)

He is nevertheless, at all times willing to serve his king. On the symbolic level, justice is always willing to serve appropriate authority.

Al tierz jur dist k'il baignereit,
Li seneschals mut le voleit.

"On the third day tell him to bathe,
 the seneschal wanted to very much." (line 267)

It's possible here to see a desire on the part of justice, as symbol, to facilitate repentance from sin, by participating in baptism. As the character in the story this is much less likely. This brings us to the climax of the story and perhaps to some conclusions. After the three days the baths are prepared and the seneschal returns from a brief walk:

Le rei e sa femme ad trovez
 U il gisent, entr'acolez.

"The king and his wife he found where
 they lie, coupled together." line 291)

Justice has discovered sin in flagrant delicti. The king acknowledges his wrong doing by trying to hide:

Pur sa vileinie covrir
 Dedanz la cuve saut joinz piez;

In order to cover his villainy he jumped
 into the vat feet together." (line 294)

Here, in the end, we find an inverted attempt at the 1b) "*immixtio manuum*". The king is here, with the symbolism of the "joinz piez", finally submitting to a higher authority, which must be construed as religious in nature. The water that closes over him, and accepts his inferiority, is baptismal and/or "ordalie".

Unques garde ne s'en dona:
 lleoc murut e escauda.

"However he didn't take care and
 there died and was scalded." (line 297)

He failed the "ordalie" and was burned *in* his sins, satisfying the "Ancienne Loi". The potential baptism to wash away or kill sin did not occur and the sinner died *with* his sins: the new life offered by the "Nouvelle Loi" was rejected.

Now that the figure of authority has dismissed himself from the scene, is justice finally capable of action?

Li seneschals ad bien veü
Coment del rei est avenu.

"The seneschal saw clearly
what had happened to the king." (line 301)

He was killed by the scalding water. He hears the collective voice of Middle Age society,

"Justice should prosecute the unjust everywhere and to the end. Reparation and retribution have to be extreme, and assume the character of revenge. In this exaggerated need of justice, primitive barbarism, pagan at base, blends with Christian conceptions of society" (Huizinga 23).

Sa femme prent demeintenant,
El bain la met le chief avant.

"His wife he took immediately and
put her in the bath head first." (line 303)

Justice acted to right "le monde à l'inverse" and meted out the justice of the "Ancienne Loi": trial by fire which delivers vengeance to the guilty. But this is the justice of the "Nouvelle Loi" as well, as the death of sin is required, either by baptism of the penitent, or by the eventual death of the sinner in his\her sins if he\she chooses not to repent.

Leaving the consideration of the Old and New Law for a moment to return to the ritual of homage, we find the 4) "*l'exfestucatio*", or destruction by the seneschal of his bond of vassalage to the king. The significant object is the wife, whom he throws at the feet of the king in the boiling cauldron. Though mute, he seems to be echoing Meyer, "Man (my equal, no longer my lord)! I take back from you my oath of loyalty. Do not say that I have betrayed you." Justice has, with this symbolic act, removed himself from subjection to feudal authority and from subjugation to the king.

Justice is left finally to stand alone. He retains, nonetheless, his fief: the responsibility to "justiser" in all the land.

E cil (le seneschal) en est *saufs* et *gariz*.

"And he is *saved* and *cured*." (line 300)

He is saved from the wrongs he has endured and from his impotence. Justice is no longer in the position to have to submit to a superior, a king. He is no longer in a position to be vulnerable to disloyalty from an inferior, his wife. It would almost seem that for justice to be *cured* of being a victim, he would have to prevent any future entanglements with superior authority, "le Code Féodal"; with social love (in any fashion?),

"le Code Courtois"; that he must be free to act on an *individual* (not a word that even existed in Old French) basis to deliver the new life of the "Nouvelle Loi" to the penitent, or vengeance of the "Ancienne Loi" to the unrepentant.

Have I "justified" drawing these conclusions from Marie de France's Equitan? regardless of an author's and/or participant's consciousness of symbolism in a ritualistic society, such symbolism has power to order and inform life as well as literature.¹⁵ As Marie struggles to unknot the demands of these conflicting codes of conduct on life in her time, she gives us, in this artfully crafted tale, insightful consideration with which to re-weave a better one.

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15. "Quelle conscience les acteurs et les spectateurs d'une action symbolique avaient-ils de son symbolisme? Un systeme symbolique peut fonctionner dans toute son efficacité sans prise de conscience explicite."

"Prise de conscience: probleme central et combien difficile de l'histoire! Il faudrait ...un critere fondamental pour saisir ce phénomène essentiel: L'instant décisif où les infrastructures sont perçues, où le groupe se reconnaît, s'affirme, naît une seconde fois, décisivement par la conscience de son originalité" (LeGoff 391, 182)

"Having attributed a real existence to an idea, the mind wants to see this idea alive, and can only effect this by personifying it. In this way is allegory born."

"Symbolism was like a second mirror held up to that of the phenomenal world itself."

"In the Middle Ages the symbolic attitude was much more in evidence than the causal or the genetic attitude."

"Every event, every action, was still embodied in expressive and solemn forms, which raised them to the dignity of a ritual" (Huizinga 205, 214, 156, 9).

"In the eyes of all who were capable of reflection the material world was scarcely more than a sort of mask, behind which took place all the really important things; it seemed to them also a language, intended to express by signs a more profound reality. Since a tissue of appearances can offer but little interest in itself, the result was that observation was generally neglected in favor of interpretation" (Bloch 83).

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