LIAM BREATNACH

The Early Irish Law Text *Senchas Már* and the Question of its Date
Edmund Crosby Quiggin (1875-1920) was the first teacher of Celtic in the University of Cambridge, as well as being a Germanist. His extraordinarily comprehensive vision of Celtic studies offered an integrated approach to the subject: his combination of philological, literary, and historical approaches paralleled those which his older contemporary, H. M. Chadwick, had already demonstrated in his studies of Anglo-Saxon England and which the Department of Anglo-Saxon, Norse and Celtic continues to seek to emulate. The Department has wished to commemorate Dr Quiggin’s contribution by establishing in his name, and with the support of his family, an annual lecture and a series of pamphlets. The focus initially was on the sources for Mediaeval Gaelic History. Since 2006 the Quiggin Memorial Lecture is on any aspect of Celtic and/or Germanic textual culture taught in the Department.

The Early Irish Law Text *Senchas Már* and the Question of its Date

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The Early Irish Law Text *Senchas Már* and the Question of its Date

DEPARTMENT OF ANGLO-SAXON, NORSE AND CELTIC

UNIVERSITY OF CAMBRIDGE
ABBREVIATIONS

DIL = *Dictionary of the Irish Language and Contributions to a Dictionary based mainly on Old and Middle Irish Materials* (Dublin 1913–75).
O’Dav. = Stokes (1904).
OGSM = The Old Irish Glossing of *Senchas Már (CIH 874.35–924.31, etc.*) see Companion, Chapter 7.2.
SNG = Kim McConé et al. (eds) *Stair na Gaeilge in ómós do Phádraig Ó Fiannachta* (Maynooth 1994).
THE EARLY IRISH LAW TEXT *SENCHAS MÁR*
AND THE QUESTION OF ITS DATE

After a brief overview of *Senchas Már*, including an annotated edition and translation of its introductory tract, this paper will present evidence which indicates that it emanated from an ecclesiastical milieu, discuss the question of dating, and conclude with arguments for its having being composed in Armagh in the seventh century.¹

The importance of *Senchas Már* (*SM*) is evident from a number of considerations, such as the wide-ranging scope of the text, and its position as an authoritative source in other mediaeval Irish legal writings.² The scope of the text is readily appreciated from the list of the component tracts of *SM*, each devoted to a particular legal topic,³ and in what follows reference will be made to the tracts as numbered below.⁴

1. **Introduction**
2. *Cethairślicht Athgabálae* ‘The Four Divisions of Distraint’
2a. *Di Choimé Gligethec* ‘On Lawful Impounding’
3. *Di Gnímaib Gíall* ‘On the Functions of Hostages’
4. *Cáin Íarraith* ‘The Regulation of Fosterage-Fee’
5. *Cáin Sóerraith* ‘The Regulation of Noble Fief’
6. *Cáin Aicillne* ‘The Regulation of Base Clientship’
7. *Cáin Lánamna* ‘The Regulation of Couples’
8. *Córus Bésgnai* ‘The Ordering of Discipline’
10. *Bretha Comaithchesa* ‘Judgements of Neighbourhood’
11. *Din Techtugud* ‘On Taking Possession’

¹Apart from those cases where passages are normalised (and indicated as such), in the citations from *CIH* below punctuation and macrons over long vowels are supplied, and proper names are capitalised. Missing lenition is supplied in square brackets, as are occasionally other letters, and abbreviations are expanded. Otherwise unspecified page and line references are to *CIH*.
²For details see Breathnach (2010, 107–9, and 2010b, 218–19).
³Some topics, for example marriage in tracts 7 and 40, have more than one tract devoted to them.
⁴There are translations into German of some of the component tracts of *SM*, namely 5 (Thurneysen, 1925), 6 (Thurneysen, 1923), 7 (Thurneysen, 1936), 16 (Thurneysen, 1931, 63–7) 19 (Thurneysen, 1931, 4–26) and 20 (Thurneysen, 1931, 27–36), and of some others into English, namely 21 (Charles-Edwards and Kelly, 1983), 22 (Binchy, 1955), 24 (Hull, 1956), 33 (Binchy, 1938) and 34 (Binchy, 1966). Unless otherwise indicated, I follow these translations here, and supply references to the paragraph numbers of the relevant editions. In addition, a new edition and translation of tract 1 is provided below. All other translations are my own.
The titles of most of the tracts are mediaeval, and some, such as those mentioned in tract 1 (§6), or those titles which form the opening words of a tract, are as old as SM itself; a small number of titles, however, are modern. The text was arranged in three parts, referred to as the trian toísech, trian

\[5\]

A number of tracts survive only in incomplete copies. For further details on the individual tracts see Companion, 286–309. For the reconstruction of the contents of Senchas Már see Breatnach (1996), revised in Companion, 268–314, and McLeod (2005), and for some general comments on the extent of the individual tracts and their state of preservation see Breatnach (2010, 107–9).
medónach and trian déidenach ‘first third’ (tracts 1–8), ‘middle third’ (tracts 9–24), and ‘final third’ (tracts 25–47).\textsuperscript{6} Senchas Máir generated a number of secondary texts, two of which are as early as the Old Irish period,\textsuperscript{7} namely, the Old Irish glossing of Senchas Máir (OGSM),\textsuperscript{8} and the Old Irish commentary on tract 10, Bretha Comaithchesa.\textsuperscript{9}

As good a way as any to begin to appreciate the nature of this text and the legal system it describes is to read the Introduction to SM itself, tract number 1. Two continuous copies of this tract survive, at CIH 344.24–352.24 and 1896.23–1897.15. In addition, fragments with OIr glosses are found at 877.9–881.3, as part of OGSM, and longer extracts with glosses and commentary at 1657.10–1663.19, as part of a (mostly) MidIr glossing and commentary on Senchas Máir.\textsuperscript{10} The edition presented here takes due account of that in Thurneysen (1927, 174–87), while differing in some points of interpretation; the text, moreover, is normalised, and the numbering of paragraphs differs from Thurneysen’s.\textsuperscript{11}

\textsuperscript{6}For further details see Companion, 270–1 and Breathnach (2010, 109).
\textsuperscript{7}The conventional dating of Old Irish (OIr) is c. 600–900, and that of Middle Irish (MidIr) c. 900–1200 AD.
\textsuperscript{8}See Companion, 338–46.
\textsuperscript{9}See Companion, 346–8.
\textsuperscript{10}See Companion, 71–2, 97.
\textsuperscript{11}The text of the copy at CIH 344.24–352.24, together with variant readings, can be found in the Appendix. I leave out of account here the copious glosses and commentaries attached to the various copies of this tract.
TEXT


§2. Is and ro airled rí 7 aithech, rígain 7 amrígain, sóer 7 dóer, sothcedach 7 dothcedach, sonae 7 donae.

§3. Is and ro airled díre cáich fó míad. Ar ro buí in bith i cutrummu conid tánic Senchas Már.

§4. Is i Senchas Már ro airled comdíre do ríg 7 epscop 7 águ rechto litre 7 süd filed di-chain di chennaíb, for-osnai imbas, 7 briuguid di-renar cétaib, oca mbí caire ansic cona thochus téchtu.

§5. Is i Senchas Már con-amas arná ructhae maith do ulc 7 olc do maith.

TRANSLATION

§1. The tradition of the men of Ireland, what has preserved it? Joint recollection of two elders, transmission from one ear to another, chanting of poets, augmentation from the law of Scripture, reliance on the law of nature. For those are the firm foundations on which the judgements of the world are fixed.

§2. It is there that [the distinction between] king and churl, queen and non-queen, noble and base, prosperous and indigent, fortunate and unfortunate has been determined.

§3. It is there that compensation to everyone according to their rank has been determined. For the world had been in [a state of] equality until *Senchas Már* came to it.

§4. It is in *Senchas Már* that the same compensation has been determined for a king and a bishop and a pillar of the law of Scripture and a master poet who chants extempore, whom inspiration illuminates, and a hospitaller who is paid compensation on the basis of [possessions amassed in] hundreds, who has a cauldron which is never dry, together with his appropriate possessions.

§5. It is in *Senchas Már* that it has been prescribed that good should not be adjudged to a bad person and bad to a good person.

§6. It is in *Senchas Már* that the four regulations have been determined: The Regulation of Fosterage-Fee, The Regulation of Noble Fief, The Regulation of Base Clientship, The Regulation of Lawful Union. Holding everyone to contracts, for the world would be in chaos if contracts were not held to.

§8. Aataat a trí noda ícat: dechmda γ prómiti γ almsona ara-gairet réchuaird duinebath; tráethad cairde la ríg γ túaith ara-gair túarathliae coctho; astud cáich inna śochur γ inna dochur ara-gair bailiuth in betho.


§10. Olchenae ad-suiter cuir bél la Féniu, amail ad-rodad Ádam inna derbdúpairt: at-bath in bith uile ar óenuball.

§7. There are three occasions when the world becomes chaotic: an epidemic of plagues, a deluge of warfare, dissolution of contracts.

§8. There are three things which remedy them: tithes and first-fruits and alms which prevent an epidemic of plagues; the imposition of treaties by king and people which prevents a deluge of warfare; holding everyone to their advantageous contract and their disadvantageous contract which prevents the chaos of the world.

§9. Except for the five [kinds of] contracts which are dissoluble in Irish law, though they be bound: the contract of a slave independently of his lord, the contract of a church vassal independently of his abbot, the contract of the son of a living father without father by him, the contract of a madman or a madwoman, the contract of a woman independently of her husband.

§10. Otherwise, contracts are held fast in Irish law, as Adam had been held to his obvious unequal bargain: the whole world perished for a single apple.

§11. There are four eminences of a kingdom who debase themselves through petty things: a falsely-judging king, a stumbling bishop, a fraudulent poet, an unworthy noble. Those who do not fulfil their obligations are not entitled to honour-price.
NOTES

§1 tindnacul: I restore the OIr form; all the MSS show the MidIr development of tindn- to tidn- (SNG 234 §3.14).

trénailig: Lit. ‘strong rocks’. All four copies have trēnailche, vel sim., showing the MidIr replacement of the nom. pl. of consonantal stems by the acc. pl. In defence of taking the replacement as scribal and restoring the OIr nom. plural one can cite the variant readings ailig anscuithi, CIH 596.29, ailec anscuichti, 751.4, and ailc h u anscuithi, 1376.2, ‘immovable stones’, in a passage from Berrad Airechta (Thurneysen, 1928, 21 §62; Stacey 1986, 221; cf. also Breathanach, 2006, 75–6), where replacement affects two variants but not the third.

§2 rígain γ amrí gain: I restore the OIr forms; all the MSS have the MidIr forms with non-palatalised finals (SNG 247 §5.10), except for amrig an, CIH 1896.27, where the final syllable is written with a suspension-stroke, and could just as well be expanded as -ain.

§4 águ: The OIr form with non-palatalised -g- is attested in one MS, while the other shows MidIr palatalised -g-. The ‘pillar of the law of Scripture’ is a term for the highest grade of Latin and Scriptural scholar, equivalent terms being druimchli, fer léigind, rośút, and sul litre; cf. Breathanach (1987, 84) and Charles-Edwards (2000, 128–9).

súid: The two MSS in which this word is found have, peculiarly, the genitive where a dative is required (and is restored).

di-chain: I follow the reading in OGSM (CIH 878.37), which has the finite form corresponding to the verbal noun found in the fairly well attested phrase dichetal do chennaib, for which see Carey (1997). As for-cain ‘teaches’ is entirely inappropriate here, the reading forcan in the other two copies must be an error going back to their ultimate source, and is probably due to the influence of the following verb, for-osnai.

for-osnai imbas: I base the restored text on the reading of three of the copies, and take it that that in OGSM, fort-n-osnæ a n-imus ‘the inspiration illuminates him’, 878.19, represents a re-wording of the original text rather than an exact citation. Certainly such a reading, with its infixed pronoun, could not be restored as the second of two relative clauses qualifying súid filed.

briuguid: For the briug ‘hospitalller’, who achieves status through using his accumulated wealth to provide hospitality to all, see Kelly (1988, 36–8).

§5 con-amus: The reading ro hairlæd, CIH 1896.33 is taken over from §§2–4, as is the sg. ro hairlæd, 1896.34, for the pl. in §6.

§7 réchuaird: Also in §8; see the Appendix for variant readings. It is attested only in this passage (which derives from tract 8, Córus Bésegnai). Thurneysen (1927, 180) translated ‘der andauernde Umlauf von Menschen-Sterben (Pesten)’, with the note ‘Rē-chuairt, sicher als Kompositum zu fassen, muss wohl einen Umlauf bedeuten, der eine ganze Zeit (rē) andauert’. Subsequently (1933, 127), he changed his mind, and took the view that the readings with non-lenited -c- were probably superior, and that the first element was the same as that found in ar rec (areg) ‘immediately’ (cf. DIL s.v. rec(e)). Thurneysen’s first interpretation, however, is preferable semantically. Furthermore a long vowel in the first syllable seems guaranteed by the spellings récuaird, CIH 1471.19, and réchuirtd, 2046.29.

túarathliae: While the second element of this compound is doubtless liae ‘flood’, the first is unclear; cf. Thurneysen (1927, 180). Apart from this passage (which derives from tract 8, Córus Bésegnai) it is attested only in the MidIr tale Erchoitmed Ingine Gulidi, in the phrase Tuarath lia in ar n-áthandaib, Meyer (1894, 64.16), which can be translated ‘There is a deluge in our drying-kilns’. The translation given in Meyer (1894, 68.26), and followed in
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DIL s.v. tíaradlia, ‘There is great dryness in our kilns’, misses the point of the phrase, which is found in a list of excuses for not being able to provide hospitality. As dryness is a desirable quality in a drying-kiln (see Kelly, 1997, 241, on the necessity, due to the damp climate, of drying grain in a drying-kiln), this meaning would be precluded for tíarathlia, even if we had no other examples of the word.

§8 ara-gairet ... ara-gair ... ara-gair: I restore a series of three cleft sentences here, although relative forms are attested in only one MS, and these only for the first two occurrences. The variants point to the nominativus pendens construction. It may be noted also that the sole continuous copy of tract 8, Córus Bésgnai, from which this passage derives, has ar- rather than ara- (CIH 522.33–5) in all three cases, as do the citation in CIH 1471.19 (O’Dav. 136) for the first, and those in 994.7, 1356.37 and 1372.8 for the last.

bailiuth: I read the singular, against the variant reading with a plural; plural forms are also found in tract 8 of SM and in the citations referred to in the note on ara-gairet above.

§9 Acht na cóic curu: All three copies have acht, while one has curu and the other two have cuir. Thurneysen (1927, 177, 183–4) readinge in place of acht on the basis of the gloss inge ar acht, CIH 351.30, as well as the following accusative. As, however, acht with the accusative is well attested in OIr, the emendation is probably unnecessary; see de Vries (2010, 137–42).

secha: The sequence secha ... secha ... cena ... secha, as reflected in CIH 1897.9–10 would seem to be original, as the alternative in 351.25–6, cena ... cen ... cen ... secha, can be explained as attraction of the first two prepositions to the third. The extract in 1660.27, which has only the second and third of these (with cin apaid ..., cin athuir), goes with the latter.

§10 ad-rodad: For another example of the passive perf. of ad-suidi cf. Thurneysen (1933, 127).

inna derbdíupairt: I restore the possessive pronoun as in ina dergdīubairt, 1897.11, and follow Thurneysen in reading the first element of the compound as derb-, rather than derg- as proposed in DIL s.v. diuáirt (cf. McLeod, 1992, 223). The intensive prefix derg- is otherwise unattested with diuáirt and is doubtless a replacement of derb, as found in the variant reading; for further examples of derbdíupart see McLeod (1992, 253 s.v.).

§11 cethéora: All three copies have the Roman numeral .iii.

desruítheat: The variant readings here (see Appendix) and desruíthidair, CIH 234.4, in the sole continuous copy of tract 14, Di Astud Chirt 7 Dligid, from which this passage derives, as well as desraidhther, 1225.7, and esraidhther, 1011.4, in citations therefrom, all point to a form with strong deponent flexion for this apparently nonce derivative from desruíth ‘mean, ignoble’ etc., although one might have expected the productive formation in -igidir (GOI §524). DIL gives desruíth as a headword, but, as I intend to show elsewhere, the s is not lenited.

i mbecaib: The three copies here, as well as that of the source, CIH 234.4 (and the citations therefrom in 1011.4 and 1225.7), all agree in reading the dat. pl. This means that Thurneysen’s interpretation (1927, 181), ‘die sich zu “Kleinen” entwürdigen (degradieren)’ (followed in DIL, B col. 46.76, with ‘who are degraded to small people’), with bec as a masc. substantive, and confusion of dative and accusative characteristic of MidIr (cf. Thurneysen’s comments 1927, 184–5) is highly unlikely. The problem can be resolved by taking bec rather as a neuter substantive ‘a petty (despicable) thing’ preceded by the preposition i with the dative to denote manner (DIL, I col. 4.29). My translation of the source passage in tract 14 (Bretnach, 2010, 113) should be emended accordingly.

Nád óget: Thurneysen (1927, 177, 181) reads a singular verb with nád óighe, 1897.15, and
punctuates and translates as: "aire esindric nad oigi a manu. Ní dlegar doib díre ‘ein unehrbarer aire (Freier), der seine Obliegenheiten nicht erfüllt. Denen schuldet man keine Buße’. However, not only does reading a plural verb with CIH 352.12 and taking Nád óget as beginning a new sentence make better sense, but it is supported by the text of the source passage in tract 14 (edited and translated in Breatnach, 2010, 113), which begins the corresponding sentence with ar (CIH 234.7). Note, however, that the citations of this passage from tract 14 in CIH 1011.4–8 and 1225.7–11 are closer to §6 of tract 1.

Although quite short, this tract touches on a number of important issues in early Irish law and the society it reflects. While the tract belongs to the primary text of SM, it is in part made up of identifiable citations from two other component tracts of SM, and given the incomplete state of preservation of our text, there may be further such citations which, however, we are not in a position to confirm. The end of §6 and all of §§7–8 are (slightly adapted) citations from tract 8 (CIH 520.1 and 522.28–35), while all of §11 is a partly abbreviated citation from tract 14 (CIH 234.4–8). Section 6 adverts to the fact that SM is made up of component tracts. It is also indirectly signalling that SM is not itself a cáin (pl. cánai), although it contains some tracts on relationships which, insofar as they involve the subordination of one of the parties, have a major characteristic in common with cánai.13

In other words Senchas Már is a legal handbook, a text about the law, which sets out to state what the law relating to an extraordinary wide variety of matters is. This brings us to one of the many distinctions which need to be made regarding the legal writings of mediaeval Ireland, namely that between texts of legislation and legal manuals. As Charles-Edwards (1999, 9) says of legal texts in Irish:

‘On the one hand, there were those which recorded the decisions of an assembly; they were called cáinai, rechtgai, or rechta ... On the other hand, there were texts which embodied expertise; instead of decrees promulgated by an assembly and binding upon ordinary people by virtue of the authority of that assembly, these other texts had an authority simply by being good accounts of Irish law. They have usually been seen as having been composed by lawyers to instruct other lawyers — as legal manuals rather than as being primary law directed at a general population’.

The majority of the surviving texts belong to the latter category. On the other
hand, there is a substantial amount of annalistic evidence for the promulgation of cánaí, as well as the survival of two apparently complete such texts, Cáin Adomnán ‘The Law of Adomnán’ and Cáin Domnaig ‘The Law of Sunday’, as well as fragments of others.\(^{14}\) In Companion, 193–202, I attempted both to determine how one might recognise fragments belonging to cánaí, and to point up some characteristic features of these texts as a whole. Apart from specific identifications of the source, or cases where a citation is introduced by a phrase such as amail as-beir i cáin ‘as it states in cáin’, the two diagnostic features I proposed for identifying fragments of cánaí are the phenomenon of self-reference (Companion, 194–5) and the use of the expression for-tá / fora-thá ‘further’ (Companion, 195–201). Taking the complete texts and the fragments together, it emerges that a particularly distinctive feature of these texts of legislation is a concern with various aspects of enforcement (such as the provision of evidence, punishment for harbouring wrongdoers, etc.). This very concern serves to underline the distinction between these texts, which represent formally promulgated legislation, and legal handbooks or manuals of instruction, where the issue of how the law might be enforced was not so immediate or pressing.

Of particular significance is the question and answer formula on the nature of Irish law with which the tract opens. In it Irish law is said to be an admixture of traditional practices and the precepts of Christianity. What is there presented as a statement receives narrative expression in tract 8, in the well-known account of Patrick’s revision of Irish law,\(^{15}\) the end of which may be quoted here:

\[
\text{(1) \textit{Ro ráidi Dubthach maccu Lugair in fili bretha fer nÉrenn i recht aicned \(\gamma\) i recht fáide ... Dos-arféin didiu Dubthach do Phátraic. Ní nád tudchaid fri bréithir nDé i recht litre \(\gamma\) fri cuibsiu na créisen con-airiged i n-ord mbritheman la heclais \(\gamma\) fileda.}}
\]

‘Dubthach moccu Lugair the poet stated the judgements of the men of Ireland [delivered] according to the law of nature and the law of the prophets ... Dubthach, then, expounded them to Patrick. What did not conflict with the word of God in the law of the letter and with the conscience of the faithful has been fastened into the canon of the judges by the church and the poets’.\(^{16}\)

The underlying concept receives yet another form of expression in the early


\(^{15}\) At CIH 527.14–529.3. Cf. Ó Corráin, Breatnach and Breen (1984, 385–6) and Breatnach (2010b, 227–8, 230).

\(^{16}\) Text normalised from CIH 528.17–529.3.
law text Cáin Fúithirbe, where in the fragmentarily surviving introduction it is stated *ro dílsiged la dub in díchubus* ‘that which is contrary to conscience has been made forfeit by ink’.  

The importance of status is brought out in §§2–4 and the possibility of the loss thereof in §11. A concern with distinctions of status is, of course, evident throughout SM, e.g. in tracts 4 (*CIH* 1760.12–1761.1), 8 (*CIH* 532.8–12) and 33 (Binchy, 1938, 6–7 §§1–4), but there was also a tract (numbered 26) devoted specifically to this topic. While it survives only in extracts, it is still possible to get a good idea of its contents not only from the set of glossed fragments at *CIH* 1543.3–1546.10, but also from its having been used in commentaries on *Uraicecht Becc* and related texts. In its choice of king, bishop, Latin scholar, master poet and hospitaller, the text captures the principal qualifications by which status may be gained, namely, nobility, rulership, skill and wealth. At the same time the *Introduction* concludes with and highlights the important principle that status is something that must be maintained, and, whatever the criteria by which it is achieved, that it can be lost through dishonourable behaviour. Furthermore *SM* agrees with other early law texts in the high status it accords to the learned classes, both secular and ecclesiastical. The statement in §4 regarding these four classes of person also alludes to the solution adopted to ‘the problem of incommensurable status’. This is the subject of an important discussion in Charles-Edwards (2000, 124–9), in the course of which (124–6) he notes that:

‘In any inegalitarian society there is a need to have a comprehensive hierarchy of status, namely a system by which one person’s status can be related to anyone else’s. If rank is an essential part of any person’s social identity, no one can be left outside the system ... But if there is division of labour and therefore diversity of social function, the different functions performed by people are likely to be incommensurable. An excellent doctor deserves higher status than an incompetent one, but there is no equally indisputable and transparent way to relate the excellence of the doctor to that of the farmer or the warrior.

Two strategies have been employed to escape from this quandary: on the one hand one may have a single criterion of status (for example, purity, as in the Indian caste system, or wealth) ... The other strategy is to have several measuring rods – separate hierarchies of status for each

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17 Text normalised from *CIH* 1554.9; see Breatnach (1986, 43–4, 48).
18 For the significance of status see Kelly (1988, 7–12).
19 See * Companion*, 297–300.
20 For similar collocations of king, bishop and sage elsewhere in *SM* see Breatnach (2010, 110–11). For other texts see Breatnach (1987, 176–84) and Kelly (1988, 46).
function – and then make more or less arbitrary decisions as to the relationship between one hierarchy and another. The early Irish lawyers followed this path ... some decision has to be taken as to the relative status of those in the different hierarchies ... The solution perhaps stemmed from a parallel drawn between the persons at the top of the respective hierarchies: the king of an ordinary minor kingdom, his counterpart in the Church, namely the ordinary local bishop, and the ollam “top person” among the poets’.

In its brief treatment of contracts in §§8–10 our tract also manages to make the point that setting out the law is not always a straightforward matter, as most rules will have their exceptions.\footnote{The classic text on legal exceptions is \textit{Gùbretha Caratniad} (not part of SM), for which see \textit{Companion}, 262.} Great stress is laid on the importance of holding to contractual arrangements.\footnote{For a comprehensive discussion of contracts in early Irish law see McLeod (1992).} This is a major concern of \textit{Córus Bésgnai}, tract number 8, which follows on immediately from the four tracts named in §6, and from which the \textit{Introduction} borrows.\footnote{See above, p. 10. I am at present preparing an edition of this tract.} Furthermore, it may be noted that in tract 8 the discussion of contracts appears in the context of a treatment of the relationship of the church with the laity, and especially of bequests and donations made to the church.\footnote{Cf. Ó Corráin, Bretnach and Breen (1984, 406–12).} This indicates an underlying interest on the part of the church in good title, which is not so immediately obvious in the context of the \textit{Introduction}. On the other hand, there are two further items there which are obviously ecclesiastical in inspiration, namely the efficacy claimed for the giving of tithes, first-fruits and alms in §8 and the well-known invocation of a biblical precedent in §10.\footnote{For the latter see Kelly (1988, 159), Charles-Edwards (1999, 38–41). For this and other examples of ‘the use of secular and religious narratives ... in order to illustrate legal principles’ in SM see Breatnach (2010b, 225–31).}

Nevertheless, \textit{Senchas Már} cannot be described as a canon law text. That its main concern is with secular law will be immediately obvious from the titles of the component tracts listed at the beginning of this paper. At the same time, however, as in the \textit{Introduction}, the influence of Christianity is tangible throughout the text, and the interests of an established church are well represented. Two other tracts where these features are particularly to the fore are tract 8, \textit{Córus Bésgnai}, as mentioned just above, and tract 24, \textit{Bretha im Gatta}.\footnote{For \textit{Bretha im Gatta} see \textit{Companion}, 297.} The opening sentences of the latter tract are particularly striking:
There are three sins which God avenges most upon each people and upon each person that commit them persistently: betrayal and theft and slaying of kindred. For the man who steals and the man who betrays and the man who slays are equally culpable before God, for each one of them is a transgression of the Creator’s commandments.\(^{27}\)

A continuous text of this tract survives only for the opening section, and the treatment of theft in what follows is heavily dependent on the Old Testament; see Ó Corráin, Breatnach and Breen (1984, 413–15) and Charles-Edwards (1998, 224–8).

The tracts we have looked at thus far are not to be seen as an afterthought, as adding a Christian veneer to a text that was originally different in nature, as the themes apparent in them permeate the text as a whole, although not in quite such an obvious fashion. We can begin with some instances of the kind of general references to God and the church which are scattered throughout SM.

\[^{27}\text{CIH} 477.31.\] I take \textit{do grēs} as qualifying \textit{do-ngniat} rather than \textit{do-fich}, as Hull (1956, 216) does, translating ‘which God always avenges’.

\[^{28}\text{Lit.} \ ‘a dignitary neither of God nor of man’\].
‘A woman who turns back the streams of war so that she settles a period of calm, as the Creator settles the great sea which is tossed against the land’ *O’Dav.* 536 (*CIH* 1486.4) (*SM* 19).

Nī gaibter athgabāl nemed grādh flatha nā eclasa ʔr./-

‘Distraint of dignitaries of the lordly grades or of the church is not undertaken, etc.’, 1459.14 (*SM* 2a).

Fo-suìdether a fłaith ʔ a eclas fádesin cechtar dā līna.

‘Each of them (viz. husband and wife) provides hospitality for their own lord and their own church’, 512.15 (*SM* 7, §20).

bō cīss flatha nō eclasa

‘a cow intended as rent for lord or church’, 38.21 (*SM* 9).

Other more specific instances include the statement in tract 2 concerning four kinds of law:

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29 In spite of all the evidence for *do-aílgi* as the 3sg. present form of the verb, it is registered in *DIL* under the headword *do-álaig*, which is in fact the 3sg. preterite; see also Binchy (1952, 43 n6). Thurneysen’s translation (1933b, 347), ‘Eine Frau, die die Ströme des Kriegs rückwärts wendet, so daß sie zur Ruhe besänftigt, wie der Schöpfer das große Meer besänftigt, das (gegen das Land?) antobt’, involves reading *re* as the MidIr form of the preposition *fri*; taking it as the noun *ré* ‘period’, however, will require no emendation. The third last word appears as *conclethi* in Stokes (1904, 283 §536) and as *concleth* in *CIH* 1486.4. The MS has a suspension-stroke over the *h*, and I would expand as *conclethar* and take it for an original *con-chlechar*, passive sg. present of *con-clich*, and so translate.

The last two words are supplied by Stokes from the copy in Trinity College Dublin MS H 2. 15B, which here, as so often elsewhere, has a superior reading (cf. *Companion*, 100–102). This is from the opening of tract 19 for which only extracts survive (see *Companion*, 295). The glossed extract in *OGSM* reads: *sues srotha i. suides cocta γ essīdha i. banrīgan, CIH 922.12, ‘who turns back streams, i.e. who settles wars and hostilities, i.e. a queen’. That the fuller citation in *O’Dav.* belongs with this extract (see *Companion*, 150 n205) is clear from the fact that it occurs there in the middle of a block of citations from the second third of *SM*, as does the citation of the first part of the sentence in *O’Dav.* 1416 (*CIH* 1523.20). The latter is glossed .i. banflaith .i. ben impōūs imadh coca for cūla, amal Meidb Crūachna ‘a woman ruler, i.e. a woman who turns back abundance of warfare, like Medb of Crúachain’ (the copy in H 2. 15B has *banfēnid* ‘female warrior’ in place of *banflaith*). The expression *ben sues sruta cocta for cūla* recurs in tract 33 (*Bretha Crólige*), with a very different explanation, namely, *ut est bancomarba Cille Dara ... .i. impōūs imad peccad na cocad trēna hirnaigthi* ‘such as the abbess of Kildare ... one who turns back the manifold sins of wars through her prayers’, Binchy (1938, 26–7, §32).

30 In a heptad concerning cattle which cannot be distrained; see Kelly (1997, 524), whose translation I follow.
Occus arinnī it .iii. reachta ro mesruigiustar britheannucht .i. reacht aicnid 7 reacht faide 7 recht petuirluice 7 reacht nūafīadnuisi.
‘And because it is four kinds of law which jurisprudence has estimated: the law of nature and the law of the prophets and the law of the Old Testament and the law of the New Testament’, CIH 1714.17’. 31

Similarly, the application of the text of Mark 10.9, Nī con-āraig Dīa i tosuch, nād etarscaru[d] duine, ‘What God has first joined together let not man put asunder’ 47.18 (SM 9), 32 not just to husband and wife, but to other pairs, such as father and son or church and church vassal, whose relationship was regarded as analogical in early Irish law. 33

The following pieces reflect an established church with a hierarchy and temporalities, which is in no manner new or marginal, and has been in existence for long enough for abuses and corruption to have arisen, as reflected in the first two citations. In particular we may note the interest in the relationship of eclais 7 manaig ‘church and church vassals’. The term manach, borrowed from Latin monachus, has a wider meaning than ‘monk’ in Old Irish and usually means an individual whose relationship with a church is very close to that of a client to a lay lord. 34 Interestingly, the standard term in SM for the service due from a lay client to a lay lord is manchaine, in origin simply an abstract formation to manach. It occurs a number of times in tract 6, Cāin Aicillne, 35 which is devoted to base clientship and which one might otherwise imagine to be entirely secular in inspiration.

(4) Tāit .uii. cella la Fēine nā dlegad dīre nā dicubus: ceall ō n-eitcither cach rīcht, ceall dīa ndēntar ūaim tādhut, ceall dīa ndēntar loch peca, ceall a mbī airchindech laich cin cairiu go abuid, ceall ū tēit cloc 7 salm cin dlige cin fuidell, ceall a mbīd aircindech do-airngair a bithdenma et etarsca fri cach clāen nābī fir noch tindta fri peacad aitherrach, ceall ocnā frithhairither trātha, ceall bīs fās.

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31 A similar list is found in the Hiberno-Latin text known as the Reference Bible (MacGinty, 2000, 25.10–15), where the four kinds of law distinguished are lex litterae, lex naturae, lex prophetiae and lex euangelii; cf. also McNamara (1987, 89).

32 The heptad which ends with this sentence is edited and translated in Charles-Edwards and Kelly (1983, 144).

33 Tract 7, which is mainly concerned with marriage, opens with a discussion of eight such pairs, for which see Thurneysen (1936, 2–16).

34 A useful definition of manaig is given by Charles-Edwards (2002, 274) as “monks” in the sense of those subject to the authority of the abbot.

35 E.g. CIH 484.14 and 486.32. Examples in other tracts are at CIH 1770.23 (tract 5), 435.12 (tract 18) and 2299.32 (tract 33).
‘There are seven churches in Irish law which are not entitled to penalty or penance-fine: a church from which every person is rejected, a church which is made into a den of thieves, a church which is made into a place of sin, a church in which there is a lay superior without being reproved by an abbot, a church from which bell and psalm have departed, without entitlement without judgement (read fuigell), a church in which there is a superior who promises his perpetual purity and parting from every iniquity, and it is not true, rather he reverts to sin again, a church where the canonical hours are not observed, a church which is void’, CIH 1.1 (SM 9).

Tāit .uii. n-anfolad fo-фиаслуицet udburta in domain: a fodearca co fuil, a tabart a coibe ban, loch pecaid do dénam dí, a tabart do brug ríg, a cor fri aicille, a tabart i ndúais filed, a hēiric a cintaib, a reic fri echtarfine.

‘There are seven disqualifications which annul all bequests: reddening it (viz. the church) with blood, giving it as bride-prices, making it into a place of sin, giving it to the demesne of a king (explained in the gloss as ‘giving some of its land to the king to hold an assembly on it’), putting it to base clientship, giving it as a reward for a poet, giving it as compensation for crimes, selling it to a strange kin’, CIH 4.2 (SM 9).

Lethfuillem gill cuich cach epscuip do cuuch cach crōlighe. Triantfuile gill epscuip do chuch cach decoin. For comdīre ro suidged fuillem gill cuich cach comgrādaib ò suidiu di grādaib ecalsa olcena.

‘Half the pledge-interest due for the goblet of every bishop for the goblet of every priest. A third of the pledge-interest of every bishop for the goblet of every deacon. At the same [level of] compensation has been fixed the pledge-interest due for the goblet of every corresponding grade of the church grades from that on’, 473.26 (SM 23).

Dā secht cumal crōlighe cach ríg γ cach epscuip cona comgrādaibh. ‘Twice seven cumals are [the penalty for] the blood-lying of every king and every bishop and their equals in rank’, 2286.31 (SM 33, §2).

Grānde crutnechtu do ollum rī γ escop γ do ollum filed.

‘A grain of wheat for a supreme king, a bishop, and a master poet’, 2305.6 (SM 34, §2).

flaith fria aicgillne, ecials fria manchu

‘a lord together with his base clients, a church together with its church vassals’, 500.29–503.10 (SM 7, §2).36

manach fora abaid

‘a church vassal against his abbot’, 220.2 (SM 13).37

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36 Cf. in a similar list in SM 14, flaith γ a cēile, ecials γ a manaig ‘a lord and his base clients, a church and its church vassals’, 240.33.

37 That is, he cannot act as an enforcing surety against the abbot.
‘every church vassal who is dutiful to his church’, 433.26 (SM 18).

Atā coscomailius dona cânaiab-so frī cân flatha 7 a cēli, 7 frī cân n-eclaise 7 a manac. Air is ògdīre di-renar cēle cētghallna dia flaith, is lethdíire di-renar cēli fonghailna ... Is ògu cân eclaise andās anī-siu, air is ògdīre di-renar di suidiu cach manach arda-fogna māmaib gaire.

‘There is a resemblance of these regulations to the regulation of a lord and his clients, and to the regulation of a church and its church vassals. For it is with full compensation that his lord is compensated for a [slain] client of primary submission, with half compensation that he is compensated for a client of secondary submission ... Fuller than this is the regulation of a church, for it is with full compensation that it is compensated for every church vassal who serves it according to the obligations of dutifulness’, 440.16 (SM 19).

A particular interest in donations to the church is evident throughout our text, as the following citations show.

(5) nī do-rata i ndūais file nō do-berr ar anmuin
‘anything which has been given as a reward for a poet, or which is given for [one’s] soul’, CIH 39.30 (SM 9).

ag do-radtar do Dīa
‘a bullock which is given to God’, 41.3 (SM 9).

tīr at-oibenar do eclais ar anmuin
‘land which is granted to a church for [one’s] soul’, 54.14 (SM 9).

isī in leac aile a hubairt ar anmain
‘the other bedrock is bequeathing it for [one’s] soul’, 245.19 (SM 15).

cuit n-eclalso frisa mbī audacht
‘the share of the church to which he makes a bequest’ 455.2 (SM 21, §49).

Inge secht n-ūasalchuru nādat asu do thaithbiuch neoch mā ro-lāthar: tabert ríg, tabairt epscoip, apert ar a[n]muin ... ‘Except seven high contracts which it is not possible to rescind if they have been made: what is given by(?) a king; what is given by(?) a bishop; an offering for one’s soul’, 459.23 (SM 22).

Inge secht n-ūasalchuru nādat asu do thaithbiuch neoch mā ro-lāthar: tabert ríg, tabairt epscoip, apert ar a[n]muin ... ‘Except seven high contracts which it is not possible to rescind if they have been made: what is given by(?) a king; what is given by(?) a bishop; an offering for one’s soul’, 459.23 (SM 22).

tīr do-berr do ecclais ar anmain nād fācaib easlān a craidhe
‘land which is given to a church for [one’s] soul, which leaves no ailment in the heart’, 224.19 (SM 14).

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38 For the céile cētghallnae, etc. see Kelly (1988, 32).

39 The translation is from Binchy (1955, 67, §7).
tīr ad-uberar do eaclais ar anmain nād ōide foltat ata cōire fri hubairt ‘land which is granted for [one’s] soul to a church which does not fulfill the obligations which are proper to a bequest’, 224.36 (SM 14).

eibirt nemda fora n-īada comsribeann dēoda ‘a heavenly bequest which divine writing closes up’ 231.8 (SM 14).

Cach ben nād fāccaib cin nād ciniud nā sōethar i tūaith, is messe torad a dā llām do chor fri eclais, acht torad duirinn cāich. ‘Every woman who does not leave any liability for an offence, nor any children [to be reared], nor any burden on her people is entitled to donate the produce of her hands to the church, but not the produce of the fist of anyone else’, 442.21 (SM 20).

**DATING**

In attempting to arrive at some idea of the date of composition of SM we must begin with an examination of the linguistic evidence. Although the manuscripts of SM are quite late, dating from the fourteenth to the sixteenth centuries, they preserve the basic OIr character of the text, as will be clear from the collection of diagnostic early features presented below.

**The Noun:**
The neuter gender is well preserved, as shown by the many instances of nasalisation after the nom. sg., as, for example:

\[(6)\] fōcra n-aptha ‘announcement of harbouring [an outlaw]’, CIH 401.16 (SM 2),\(^{43}\) trian n-aithgena ar mīfīchbāil ‘a third of [the cost of] restitution for wrongfully abandoning [cattle]’, 863.12, (SM 2a),\(^{44}\) Ar-saig fiachu gach n-indliged ‘Every illegality gives a claim to penalties’, CIH 1455.33 (SM 2a),\(^{45}\) forus n-acra forus ndītin forus mbrītheamhun

\(^{40}\)Note the variant acht torad duirnd cāich, CIH 1916.17. As Thurneysen (1931, 33) notes, this means that a woman can only donate to the church what she herself has produced, but not that which has been contributed to by another person, namely a man, given the use of dorn ‘fist’ rather than lām ‘hand’.

\(^{41}\) Cf. Companion, 3–9. Even earlier is the twelfth-century MS Rawlinson B502 (Companion, 7–8), which contains citations from SM in glosses on its copy of Gūbretha Caratniad, for which see Breatnach (2010b, 218–19).

\(^{42}\)The relevant forms are highlighted in bold.

\(^{43}\) Similarly 894.22.

\(^{44}\) Similarly 850.21 and 1738.39, both also with nasalisation.

\(^{45}\) Note, however, the variant ar-suīg fiachu cach inndligi, CIH 1723.14, where the nasalisation has been omitted.
‘the pound of [a person who brings] an action, the pound of safekeeping, the pound of a judge’, 1726.4 (SM 2a), lethdīre n-ārib ‘half [the normal] compensation for them’ 1741.31 (SM 2a), aílim n-éicne ‘forcible leaping-trespass’ 71.2 (SM 10), and taithmeach n-udburta ‘undoing a bequest [to the church]’, 231.16 (SM 14).

In addition to nasalisation there is the neuter article in:

(7) Cair, caitē a n-ime n-indraic? ‘Query, what is the nature of standard fencing?’, CIH 73.7 (SM 10), and in addition to both of these there is the nom./acc. sg. neut. form of aíle (GOI §486) in a leth n-aíll ‘the other half’, 508.16 (SM 7, §12), a trian n-aíll ‘the other third’, 450.22 (SM 21, §37), and a lethorad n-aíll ‘the other half of the produce’ 453.31 (SM 21).

As regards the use of cases, there are two features in our text which point to the earlier OIr period, namely the predicative genitive and the independent dative. Examples of the former are:

(8) mād na mnā a ndo-rata ‘if what she have given is the woman’s’, CIH 518.25 (SM 7, §34), as athar āendān in coibche-sin ‘that bride-price is the father’s alone’, 222.8 (SM 13), and a leth n-aíll is na flatha ‘the other half is the lord’s’, 427.33 (SM 16, §6).

Examples of the latter are:

(9) 7 briugaid do-renar cētaib, ‘and for a hospitaller who is paid compensation on the basis of [possessions amassed in] hundreds’, CIH 1896.32 (SM 1, §4), do-ranidar sētaib ōige ‘they are paid compensation in accordance with the amount due to a virgin’ (lit. ‘with the chattels of virginity’), 230.14 (SM 14), cach manach arda-fogna māmai gaire ‘every church vassal who serves it (viz. the church) according to the obligations of dutifulness’ 440.25 (SM 19), and di-renar dib trenib

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46 Similarly 1959.22, also with nasalisation.
47 As it stands the MS reflects a gen. sg., but one should probably emend the phrase to taithmech n-audbar ‘undoing bequests’.
48 Also a leth n-aíll, 516.9 (SM 7, §29), a leath n-aíll, 520.32 (SM 8), a leth n-aíll, 427.33 (SM 16).
49 All in prose; the use of the independent dative lasts longer in verse. Cf. GOI §251.3.
50 See the normalised text above p. 4.
51 The passage in which this occurs is cited in full under item 4 above.
fuillema gill aiccde airgit la athgin ‘it is compensated for by [payment of] two thirds of the pledge-interest on a silver object, together with restitution’, 468.24 (SM 23).

The Adjective:
The superlative as a separate category is well attested in SM. It is found as predicate of the copula, as in:

(10) acht tēora fuidre ada duīrem dīb ‘except for the three basest semi-freemen of them’, CIH 428.10 (SM 16, §7), and (used adverbially) Atā trī pecethi ata moom do-fīch Dīa ‘There are three sins which God avenges most’, 477.31 (SM 24).\(^{52}\)

The use of a superlative with interrogative cīa is rare, and is doubtless old. DIL cites (C col. 166.60–3) two examples from Bretha Nemed Dédenach (at CIH 1119.18 and 1123.26), and the last of the examples cited here. It is, however, not infrequent in SM, the examples I have noted being:

(11) Cīa annsom trebdīre la Fēniu? ‘What is the most difficult [aspect] of compensation for theft from a dwelling-place in Irish law?’, CIH 472.6 (SM 23), Cīa dech raith? Sōerath ‘What is the best [kind] of fief? A fief of free clientship’, 436.8 (SM 18), Cīa dīlsium? ... Cīa hindīlsium? ‘What is most irrecoverable ... What is least irrecoverable?’, 1770.6 (SM 4), Cīa luigem i fuillemaib gell la Fēniu? ... Cīa luigem i nārīb gell la Fēniu? ‘What is least among interest payments on pledges in Irish law ... What is least among compensations for pledges in Irish law?’, 462.19–30 (SM 23),\(^ {53}\) Cīa luigium hi macdīrib? ... Cīa sruithium in macdīrib? ‘Who is the lowliest in regard to compensations paid for children? ... Who is the most esteemed in regard to compensations paid for children?’ 439.28–33 (SM 19), and Cīa measom do cāin tsaorraith? ‘What is the worst [aspect] of the regulation of noble fief?’, 1770.16 (SM 5).

The Pronoun:
The use of the infixed pronoun in SM conforms with the norms of OIr. Examples of Class A pronouns are:

\(^{52}\)The passage in which this occurs is cited in full under item 2 above.

\(^{53}\)The second of these is cited as cīa luigium i mārīb gell in CIH 1471.40 (O’Dav. 147).
Examples of the use of Class C pronouns in relative clauses are numerous, as in:

\[(12)\) (with the verb \textit{do-meil}) \textit{cīa do-s-roimli āes 7 fognam} ‘even if age and toil may have worn them out’ \textit{CIH} 496.1 (\textit{SM} 6), and (with \textit{beirid}) \textit{cosnum a breithe 6 ros-n-uca} ‘arguing his judgement after he has delivered it’, 36.6 (\textit{SM} 9); note the nasalisation in the case of the latter.

\[(13)\) \textit{cach manach arda-fogna māmaib gaire} ‘every church vassal who serves it (viz. the church) according to the obligations of dutifulness’, \textit{CIH} 440.25 (\textit{SM} 19),\(^{54}\) (with \textit{as-ren}) \textit{cipē asdo-comren} ‘whoever has paid them over’, 29.9 (\textit{SM} 9), \textit{cidbē asdo-comra} ‘whoever may have paid them over’, 17.5 (\textit{SM} 9),\(^{55}\) (with \textit{benaid}) \textit{la fūr ōtā suidiu nād romarb in bech rod mbē} ‘with an oath from him that he did not kill the bee which stung him’, 449.12 (\textit{SM} 21, §29), \textit{nech conda-ruice ar gnē} ‘anyone who may have brought them together for amusement’, 519.24 (\textit{SM} 7, §36),\(^{56}\) (with \textit{do-aithboing}) \textit{conda tathbongat a meic} ‘so that his enforcing sureties dissolve them’, 512.31 (\textit{SM} 7, §22),\(^{57}\) \textit{cīa do-rata ben bīs for foxal ara fine ni dia chēle foda-cosle} ‘if a woman who is abducted from her kindred have given anything to her companion who abducts her’, 518.23 (\textit{SM} 7, §34), (with \textit{fo-tlen} and \textit{gataid}) \textit{Bech bīte i llugbart nó i lius, cipē foda-rothla nó roda gatta} ‘Bees which are in a garden or in a courtyard: whoever carries them off or whoever steals them’, 455.31 (\textit{SM} 21, §50), (with \textit{imm-cing}) \textit{a n-ēlōd nach a n-imchim cipē imda-roich} ‘neither absconding from them nor evading them, whoever may evade them’, 1044.36 (\textit{SM} 9),\(^{58}\) \textit{co n-aisnēis brēithre Dē do cāch inda-tūaise 7 noda comallnathar} ‘together with the expounding of the word of God to all who listen to it and fulfil it’, 529.22 (\textit{SM} 8),\(^{59}\) and (with \textit{téit}) \textit{cipē doda-coī} ‘whoever may undertake (lit. go to) them’, 27.32 (\textit{SM} 9).\(^{60}\)

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\(^{54}\) Also cited above under item 9 above.

\(^{55}\) Note the variant readings \textit{cipē asdo-comra}, 540.36, \textit{cidbē as-do-comra}, 1048.30, and \textit{cebē is-comrad}, 1891.27; in the latter two the infixed pronoun has been dropped.

\(^{56}\) Cf. Bergin (1946).

\(^{57}\) Cf. \textit{conda tathbongat a maic}, 903.29. From the time of the earliest surviving commentary on our text, \textit{OGSM}, there has been uncertainty as to whether we have here the word \textit{macc} ‘son’ or \textit{macc} ‘surety’; see Eska (2009, 199 n). I follow the interpretation in McLeod (1992, 75).

\(^{58}\) Note the variant readings \textit{cidbē ’ndo-roith}, 15.26, \textit{cipē imde-roich}, 539.8, \textit{cipē imda-roich}, 1044.36, \textit{cidbē imada-roich}, 1293.15, and \textit{cebē ando-roich}, 1890.34.

\(^{59}\) Cited in \textit{CIH} 1294.17 as \textit{co n-aisnēis brēithre Dē do cāch inda-tūaisi 7 noda comallnathar}.

\(^{60}\) Similarly \textit{cepē doda-cōe}, 1049.34.
In *co lānlōg einech bes sruiThem fordo-bē* ‘together with the full honour-price of the highest-ranking person who is over her’, 519.4 (*SM* 7, §35), the pronoun (leg. *forda-bē*) could be either Class B or C. Note also the OIr use of the 3sg. neuter infixed pronoun with *at-baill* ‘dies’ (*GOI* §423), attested in *Cis n-ē tēora haimsera inad apail a torad ar cach flaith* ‘What are the three occasions when his fruits perish from every lord’, 231.15 (*SM* 14).

Instances of the suffixed pronoun are:

(14) *Toingthi in rīg āenur hic 7fūaslucud n-aitire*, ‘The king on his own swears that hostage-sureties will be paid for and released’, *CIH* 791.35 (*SM* 31),\(^{61}\) and *beirthe* ‘he receives it’, 2306.8 (*SM* 34 §3).\(^{62}\)

**The Verb:**

The existence of the deponent as a separate category at the time of composition of *SM*, although in some cases there is confusion with the passive in the course of transmission, is securely attested by forms such as the following:

(15) *teagdais i n-āgathar in fuilech formag cnete* ‘a dwelling in which the wounded man fears an increase of his hurt’, *CIH* 2292.1 (*SM* 33, §23), *gō cach diūpait nā airigter baīth* ‘every over-payment which unwise persons do not perceive is wrong’, 521.14 (*SM* 8),\(^ {63}\) *Dochar ara-findathar gaīth do-gniat* ‘A disadvantageous contract which the wise persons who make [it] know about beforehand’, 520.31 (*SM* 8),\(^ {64}\) *slān ara-finnathar gaīth* ‘that which wise persons know about beforehand is immune from action’, 521.13 (*SM* 8), *co n-aisnēis brēithre Dē do cāch inda-tūaise 7 nodā comallathar* ‘together with the expounding of the word of God to all who listen to it and fulfil it’, 529.22 (*SM* 8),\(^ {65}\) *co tairisedtar i lānlōg einach na flatha* ‘until it stops at the full honour-price of the lord’, 498.3 (*SM* 6),\(^ {66}\) *Mād i n cēle tathcuirdter fair ar dīmund lais* ‘If it be the client who returns [the fief] to him out of contempt’, 499.20

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62Note further that the use of suffixed pronouns is well attested in the secondary *OGSM*, for which see *Companion*, 341–2.
63The form in question should be normalised to *airigetar*, but the MS spelling clearly reflects an OIr deponent form.
64The MS here and in the next example shows the common later confusion of singular and plural in passive and deponent verbal forms; leg. *ara-finnatar* in both cases.
65Also cited under item 13 above.
66This and the following three forms can be normalised to *tairisedar*, *tathcuirethar*, *do-cuirethar* and *do-thluichethar*, respectively. In all cases the MS spelling indisputably reflects an OIr deponent form.
(SM 6), *ach cētlāeg 7 *ach cētūan do-cairichther isin bliadhain* ‘every first calf and every first lamb which are brought forth in the year’, 531.17 (SM 8), *Ímscarad do-tluigigter flaith fri aigillni* ‘A mutual separation which a lord desires from base clients’, 496.9 (SM 6), *Óthā suidiu is la rīg fallnathar tūa[i]th* ‘The rest (lit. ‘from that on’) goes to the king who rules the kingdom’, 1276.29 (SM 42), A[r] *ro fallnastar fāidsine a racht aicníd i mbreithemns indse hĒrend 7 ina filedaib* ‘For prophecy according to the law of nature had held sway in the judgement of the island of Ireland and in its poets’, 528.18 (SM 8), nī *ro fīachaigastar dlígid nō urdliged nō airlecud* ‘and whatever entitlement or prior claim or lending has made liable to a penalty’, 502.9 (SM 7, §1), *im boin fo-suïdethar carrudh* ‘with regard to a cow which supports champions’, 372.1 (SM 2), fo-suíđiđther bōairig anaile; nī foðhadár īarum co īar ndē treise ‘a bóaire provides hospitality for another bóaire; he does not provide it [any more] after three days’, 512.14 (SM 7, §20), Fo-suïdithar in ben lethdām in fir amail bes mīad chēle na mnā ... fo-suïdithar ... fo-suïdithear ... fo-suïdither ... fo-suïdither ‘The woman provides hospitality for half the number of guests the man provides for, in accordance with the rank of the woman’s husband ...’, 513.33–514.8 (SM 7, §24), a marathar dé ... muna marathar ‘what is extant of it ... if it is not extant’, 516.28–9 (SM 7, §30), co finnathar maigin in suidegetar ‘and who finds the place where they settle’, 453.5 (SM 21, §43).

Characteristic of OIr are the perfective forms of the present indicative, as, for example, those of *beirid* and *saidid* in:

(16) Nī tēchta fair nī bes mō ar nī rucāi ‘Anything more is not proper [as a burden] on him, for he cannot bear it’, CIH 484.33 (SM 6), and *is trian*

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67 For the passage in which this occurs see Breatnach (2010, 119).
68 See Kelly (1997, 524). Note the variants *im boin fo-suïdethar carru*, 888.31 (similarly 892.10), *imin boin fo-suïgiter carrra*, 400.3, and *buin fo-suïther cauru*, 1683.38.
69 Note the superior variant for the second form, nī foðhadar īarom, 903.28.
70 Note the variation in spelling of the six successive occurrences (to which can be added the variant reading of the first, *fo-suïdaighthur*, 1809.25) of the verbal form which can be normalised to *fo-suïdethar*. All of these spellings at least reflect the original deponent flexion.
71 Present subjunctive; similarly *mumu marathar*, 1810.26. The verb in question, *maraid*, is one of a number which have deponent flexion only in certain tense and mood categories; cf. *GOI* §514.
lõige eneach di-heset lasin chëili ‘it is a third of the honour-price which stays with the client’, 501.16 (SM 6).

Instances of the s-subjunctive are frequent, such as those of:

(17) ad-eirrig in mā 'd-eirr ind aithgin īar tres cinuid ‘if he repeats it, there is restitution after the third offence’, CIH 1769.1 (SM 4), of as-boind in mā 's-bō flaih fœigium ‘if the lord gives notice of an objection’, 493.32 (SM 6), of as-toing in ci as-tō ‘if he refuses’, 514.15 (SM 7, §25), of do-formaig in seisidh saire diā fuidhir donnāch bé asa tōrmustar saire dhō ceana ‘a sixth of the exemption period to his semi-freeman if he (the latter) does not have anything else on the basis of which an exemption period might be increased’, 1369.4 (SM 2a),73 of do-ic in cīa da-n-ī tarum aithrechus īar dain ‘though afterwards regret may come to him after a time’, 522.18 (SM 8), of fo-oirg in mā fo-n-orr anetail ‘if a sinful person assails him’, 529.25 (SM 8),74 and of ro-fitir in dīa fiastar cāch a saithiud ‘if everyone is aware of his obvious over-payment’, 522.17 (SM 8).

Note also the perfective (augmented) subjunctive forms of:

(18) do-aithboing in fo-cīge cenniro taithim ‘he objects, although he cannot dissolve it’, CIH 536.2 (SM 8), of naiscid in cīa ro nasatar ‘though they be bound’, 351.24 (SM 1, §9), of con-boing (with ad- rather than ro; GOI §532) in mād imuich con-apastar cnām in rig ‘if it be away from home that the king’s bone has been broken’, 2311.8 (SM 34, §22), and of saidid (GOI §534) in co ndeset cirt coïr ‘so that they may sit correctly and rightly’, 524.12 (SM 8).

Other early inflexional patterns are found in the subjunctives of:

(19) crenaid and renaid in cennir cria neach acht nī ria ‘even if a person does not purchase, that at least he does not sell’, CIH 535.16 (SM 8), of ernaid (perfective) in maniro era flaih sēotu turculúde ‘if the lord has not granted chattels of prostration’, 486.9 (SM 6),75 of imm-fen (with perfective com-; GOI §533) in gaibet aire co n-imc[h]ua ‘let them

73That is, if the fuidēr has no qualifications of his own which might make the period of exemption greater than a sixth of that of the person whose dependant he is.
74Leg. fa-n-orr.
75For the sēoit taurchluúdeo, a payment made by the lord to the client, see Kelly (1988, 29).
distrain him until he have fenced’, 75.25 (SM 10), and of do-esta in creic neich do-da-esaid do toiscidib ‘purchasing whatever essentials may be lacking to them’, 506.17 (SM 7, §5). For these see GOI §§597 and 787.

Note also the position of perfective ro in the subjunctive forms of:

(20) ad-daim in mā ‘d-rodma fine ‘if the kin have consented’, CIH 494.17 (SM 6), of do-meil in nī to-roiacle cechtar do līna diaraile ‘whatever either of the two parties may have consumed of [what belongs to] the other’, 510.30 (SM 7, §16), of do-oggel in acht mād nī do-rūacle fadesin ‘unless it be what he has purchased himself’, 534.20 (SM 8), and of fris-gnì in mā fris-rognaither somaíne ‘if returns are rendered’, 496.1 (SM 6).

Among examples of strong verbs in the preterite and perfect we can note the active forms of:

(21) as-ren (with perfective com-; GOI §533) in Noch is ed slān as-comrair dī rāith for rāith la taisic a rāithe ‘And the indemnification which he made (to the paying-surety) was two forts for a fort together with the restitution of his fort’ CIH 63.26 (SM 9), of benaid in la fīr ōtā suidiu nād romarb in bech rod mbī ‘with an oath from him that he did not kill the bee which stung him’, 449.12 (SM 21, §29), and of di-tuit in co ndic[h]ir do Ḗogan mac Durtacht ‘so that it fell forfeit to Ḗogan son of Durthacht’, 63.9 (SM 9).

Examples of early formations in the passive are those of:

(22) ernaid in co somaíne 7 aithgin feib ro ratha, ‘with revenue and restoration as they had been granted’ CIH 498.29 (SM 6), of fichid in Fo bīth na roe fechtae iter dī i Maig Inis ‘because of the duel which was fought between two men in Mag nInis’, 406.27 (SM 2), and of imm-

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76 Sic leg.; for the verbal form in question (3sg. pres. subj. of do-esta, with 3pl. Class C infixed pronoun) the MS has do-daesaib (with subscript second a), over which is written nō desaib, as a correction; see Thurneysen (1936, 19 note o). The reading dodaisib in CIH 506.17 is inaccurate.

77 Also cited under item 13 above.

78 The variant co ndocerr do Ḗogan mac Durtachtta, 1854.18, is clearly inferior.

79 The place in question corresponds roughly to the Barony of Lecale in Co. Down; cf. Charles-Edwards (2000, 260). That it is not a compound (as printed in CIH) is indicated by the forms with nasalisation, co toracht Mag nlnis, Stokes (1887, 452.6), and Magh nlnis, O’Donovan (1856, vol. 1, 36 line 2), as well as by the semi-Latinised form in Muirchú’s
goin in ar is im fīr ban cīato imargāet rōe ‘for it was to establish the truth in a case regarding women that a duel was first fought’, 379.12 (SM 2). 80

Relative Clauses:

Characteristic of OIr are certain relative forms of verbs, namely the ending -e / -ae in simple verbs, and the disyllabic forms of the preverbs ar- and imm- in compound verbs, both of which features are well attested in our text. Some instances of the ending -e / -ae are:

(23) in the 3pl. pres. indicative, noch at fir ailde inī berda ‘and it is the men who rear what they (the women) bear’, CIH 1894.6 (SM 9), 81 fāenledaig fine bīte for urfōcrā ‘abscolders from the kin who are formally proclaimed’, 522.1 (SM 8), Bech bīte i llugbart nō i lius ‘Bees which are in a garden or in a courtyard’, 455.31 (SM 21, §50), Tāit secht rātha la Fēniu deilighthar ina mbēscna amail dlegda slān γ uide γ ēardaig[e] ‘There are seven paying-sureties in Irish law which are distinguished in their conduct according to how they are entitled to indemnification and time limits (for payment) and supplementary payment’, 61.8 (SM 9), 82 and be[i]ch tethechta gaibte crann hūasalnemid ‘tracked bees which settle in the tree of a noble dignitary’, 450.13 (SM 21, §36), in the 3pl. s-preterite, for Conall Cāech cāechs i te[i]ch, ‘on Congal the One-eyed, whom bees blinded in one eye’, 449.25 (SM 21, §31), 83 as well as the relative form of 3sg. pres. téit in cach ben tēte for otrus ‘every woman who goes on sick-maintenance’, 2296.2 (SM 33, §36), and bean tēite di t[h]a[i]rr ‘a woman who dies in childbirth’, 242.15 (SM 14).

Examples of the disyllabic preverbs are:

Life of Patrick, where it is mentioned four times, namely: in campum Inis, 80.17, de campo Iniss, 84.4, ad mare dexterum campi Inis, 106.3, and in campo Inis, 112.5–6 (references are to the page and line numbers of the edition in Bieler, 1979).

80 Note the variants ceta imargēt rāe, 1903.5, and cīado imargat rōe, 1686.28.

81 Note the variant readings noch- it fir ailder nī berda, 20.27, noch is fir ailde mberdae, 546.1, noch at fir aillte ani bertai, 1054.1. The second form can be normalised to berdae or bertae.

82 For the heptad which begins with this sentence see Thurneysen (1928, 51). The form in question can be normalised to dlegdae or dlegtae.

83 In two of the citations of this passage the name appears as Conall Caoch (CIH 1140.21 and 1924.30), and in the third as Congal Caoch (CIH 2205.33). See Charles-Edwards and Kelly (1983, 123) for the confusion of the two names.
(24) ben ara-tūaisi a sleith ... ben ara-fuīm imurfīs do chind a cēile, ben ara-dāla fer cuice i muine nō līge ‘a woman who remains silent about her rape (by stealth), ... a woman who agrees to transgression in despite of her spouse, a woman who makes a tryst with a man in a thicket or a bed’, CIH 42.14–28 (SM 9),84 is mūch dī cach mīs ara-bī co ceand mbīādna ‘it is a bushel (of wheat) for her every month which remains over until the end of the year’, 515.14 (SM 7, §28),85 Flaih ara-mbīatha is sī nod beir γīccas a chinait ‘The lord whom he provides refection for, it is he who takes it (viz. compensation for an offence committed against his dependant), and who pays for an offence committed by him”, 426.5 (SM 16, §1),86 cen on cen ainim ara-cuilliu éric do flaith ‘without blemish which [thereby] excludes [payment of] a penalty to a lord’, 482.37 (SM 6), nach fer eclusa ara-cuile cāin otrusa la Fēniu ‘any churchman whom the rule of nursing in Irish law debars’ 2291.12 (SM 33, §20), acht nī ara-cuirethar deichbire dē ‘except for to whatever extent a just cause prolongs it’, 1465.21 (SM 2a),87 acht nī fetatar cīabad airet ara-curthe ‘except that they did not know for how long it might be extended’, 406.32 (SM 2), im ocht mbullu ara-fognat muillond ‘with regard to the eight components which serve a mill’, 374.19 (SM 2),88 cach bean ara-nascar la Fēniu ‘every woman who is betrothed in Irish law’, 48.21 (SM 9); [A]tāit airlimenda ima-dīchset smachta ‘There are leaping-trespasses which stave off penalties’, 71.1 (SM 10),89 Tāit secht turbaide ima-dīchitis cach rē la Fēniu ‘There are seven grounds for deferral which used to stave off every duel in Irish law’, 52.6 (SM 9),90 and acht nī ima-thōrmaig cubus γ aicned, ‘except for anything which [the demands of] conscience and natural law add’, 377.9 (SM 2).91

84Taking imurfīs to be for immarmus. For sleth see Kelly (1988, 134–5).
85Similarly 1809.31.
86Similarly 248.26 (with ari-mbīatha) and 2008.22.
87Lit. ‘whatever a just cause prolongs of it’.
89Note the variant reading Atat airmêanna imandīched smacht, CIH 1492.40 (O’Dav. 714), with superfluous nasalisation.
90Note the variants imma-dīcitis cach rāe, 189.36, and ima-dīchdis cach rē, 1850.20; the syncope in these is doubtless secondary.
91Note the variant ima-tōrma, 1902.19, with the pres. subj. The variants imatōrmaig, 1146.15, 1931.11, ima-tōrmaig, 1313.12, are ambiguous, as the final syllable is written with a suspension-stroke. The same phrase recurs later on in the same tract as acht nī ima-tōrmaig cubus γ aicne, 396.5; note the variant ima-tōrmaig, 1378.21, with a suspension-stroke for the final syllable.
Instances of nasalising relative clauses where the antecedent is the object of the verb of the relative clause are plentiful, as for example:

\[(25)\text{ ad-ren tri sēto amail bid a ceathrae fodesin ad-n-agad ind} \text{ ‘he pays a fine of three sēts, just as if it were his own cattle that he had driven into it (viz. the pasture)’, CIH 236.21 (SM 14), nī nād n-ataim flaith ‘that which a lord does not concede’, 494.17 (SM 6), Arm fir a rē do-slī lōg n-einech cach nītho do-n-ecmaing dō ‘the weapon of a man in a battlefield incurs [payment of] honour-price for every battle which he misses’, 34.21 (SM 9).\]

\[92\text{ Aiāt tri pecthi ata moom do-fich Dīa for each tūaith γ for each duuine do-ngniat do grēs ‘There are three sins which God avenges most upon each people and upon each person that commit [them] persistently’, 477.31 (SM 24), mac fo-n-āguib a aithir cin orba ‘a son whom his father leaves without an inheritance’, 1817.25 (SM 8), Ros uc Brīg Bruigad buī hi Feisin γ Sencha mac Ailella maic Culelān fo-ngelltais Ula[i]d, ‘Brīg Bruigad who was in Feisen, and Senchae son of Ailill son of Culelān, to whose judgement the Ulaid used to appeal, passed judgement on it’, 380.14 (SM 2), eiric tar cend cētmuintire fo-n-ochair a cēthmuinntir ‘payment of a penalty on behalf of a spouse whom her spouse proclaims’, 17.19 (SM 9), rāith ar cētmuintir fo-n-ochair a cētmuinter ‘paying-surety for a spouse whom her spouse proclaims’ 1049.35 (SM 9), gell tar ceand mic bēoathar fo-n-ochair athair ‘a pledge on behalf of the son of a living father whom [his] father proclaims’, 18.13 (SM 9), rāith ar mac bēoathar fo-n-ochair a athuir ‘paying-surety for the son of a living father whom [his] father proclaims’, 28.10 (SM 9), and sēt fo-n-ūasluice nemid ‘a chattel [the giving of] which a dignitary annuls’, 25.15 (SM 9).\]

Instances in temporal clauses (GOI §497), clauses of manner (GOI §498) and explicative clauses\(^{100}\) are:

\[92\text{ Similarly 1052.18. This is from a heptad on the interest due on pledges; do-n-ecmaing dō means lit. ‘every battle which takes place for him’.}\]

\[93\text{ The passage in which this occurs is cited in full under item 2 above.}\]

\[94\text{ The variant in 1903.20–1 has fo-ngelltais Ulaidh.}\]

\[95\text{ Similarly 541.3 and 1048.33, but fo-n-fögair, 1892.2.}\]

\[96\text{ Note the variant rāith tar cend cētmuintire fo-n-ochair a cētmuinter, 28.12.}\]

\[97\text{ Similarly 542.12, 1049.23 and 1997.38, but fo-n-fögair, 1892.18.}\]

\[98\text{ Similarly 1049.35.}\]

\[99\text{ Similarly 1049.32, 1318.26 and 2007.23.}\]

\[100\text{ See GOI §503. Greene (1969, 90–1) distinguishes between an earlier stage with nasalising relative clauses and a later one with conjunctions (ara n-, etc.) introducing explicative clauses.}\]
(26) comol comuir in tan nād n-air la athair ‘a joint ploughing agreement when he is not ploughing with [his] father’, CIH 45.37 (SM 9),

in tan do-n-athbongairt cuir dar eanch fer ‘when contracts are dissolved in spite of the honour of men’ 424.23 (SM 15),

in tan do-n-egat na hinnsa-so ‘when these dilemmas arise (lit. ‘come’),’ 1882.36 (SM 9),

and in tan do-n-icfat na himaclaide-seo ‘when these mutual inculpations will come’, 240.36 (SM 14); clause of manner, feib ro-n-erthar, ‘as it has been granted’, 494.20 (SM 6); explicative clauses, (with do-ic) ar is di bannoicb tongatar la Fēniu to-n-áncatar aimsera tēchta ‘for it is one of the oaths which are sworn by women in Irish law that [their] proper periods have come to them’, 2296.30 (SM 33, §38), and (with do-aithboing) ní mesi fadesin do-n-aithim curu a bēl ‘he himself is not capable of dissolving his contracts’, 522.19 (SM 8).

All of the above features, found throughout SM, clearly point to a date of composition in the OIr period, a dating which is further underpinned by the indisputably OIr character of two important texts ancillary to, and necessarily later in date than SM, namely the Old Irish Glossing of Senchas Már (OGSM) and the Old Irish Commentary on Bretha Comaithchesa (see above p. 3). The question to be investigated here is whether we can find any criteria for further defining the dating of SM.

There is at least one linguistic feature in our text which, I believe, points to a date in the earlier OIr period, namely the use of connective -ch after ba, ro, and to. This is discussed by Binchy (1960), who states (p. 82) that his ‘examples are drawn exclusively from the archaic stratum of the Laws with the addition of two from the Amra Coluim Chille (one of which is doubtful)’. The fact that, apart from one instance in Amra Choluimb Chille, all the examples whose source can be identified are from component tracts of Senchas Már is all too easily lost sight of if our text is not treated as a unitary whole. I cite here the examples discussed by Binchy with ba, ro and to, giving the text from CIH and following Binchy’s translations.104

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101The translation is as in McLeod (1992, 70).
102The translation is as in McLeod (1992, 38). The variant do-n-athmongar, 246.32, has sg. for pl., but in all the other variants of this passage we find a form even further removed from the OIr original, viz. tathbongar, in CIH 1009.15, 2056.11 and 2239.32.
103Note the variant do-ecat, 4.17, where the nasalisation has been dropped.
104Except for the examples from tract 21, where the translations are taken from the edition by Charles-Edwards and Kelly (1983). Binchy (1960, 86–9) also discusses the use of nochis and sechis in the law texts, but as these are in use throughout the OIr period, they will not be taken into account here. Furthermore, I leave out of discussion the examples of noch with verbs other than the copula, discussed by Binchy, 1960, 89–91, 94, as the case for noch here being a conjunct particle has not been proven; see also Charles-Edwards and
Binchy (1960, 86) gives five examples with *ba*, the 3sg. pret. of the copula. The first four definitely belong to *Senchas Már*:

(27) *bac* tair crīcha comacomol, *CIH* 206.11 (*SM* 11), ‘and it was a joining across boundaries’,\(^{105}\) *bach* for fine a forcomol, 208.14 (*SM* 11), ‘and it was a forcible seizure against [her] kin’,\(^{106}\) *bach* bē dēgabail cindis, 209.29 (*SM* 11) ‘and she was a woman who was descended from two [separate] races’,\(^{107}\) and *Ar isī cēna breth in sō cetara cēd im chinta bech for Conall Cāech cāechsite bech; bach rī Temrach comi dubart assa flaith*, 449.25 (*SM* 21, §§31–2), ‘For this is the first judgment which was passed with regard to the offences of bees on Congal the One-eyed, whom bees blinded in one eye. And he was king of Tara until [this] put him from his kingship’\(^{108}\)

The fifth example is in a citation in O’Davoren’s Glossary:

(28) *bach* breth ol brighter, *CIH* 1477.33 (*O’Dav*. 304(2)), ‘and it was a right forceful (?) judgement’.

Although the source of this has not been identified, it also could well belong to one of the fragmentarily preserved tracts of *Senchas Már*.\(^ {109}\)

Binchy (1960, 83) gives three examples with *ro*. The first two are in compound verbs which have *ro* as the preverb:

(29) *Fer ōa n-ēlat be[i]ch, roch-lamethar forgull in-otat in saithe hi ūr a chēle*, *CIH* 453.15 (*SM* 21, §44), ‘The man from whom bees escape and who ventures testimony that the swarm enters the land of his neighbour’, and *fer foda-coisle di magin in suidigethar fo tēol 7āide roch-fintar fare*, 456.27 (*SM* 21, §54), ‘the man who removes them from the place where they settle by surreptitious removal and secret theft and who is discovered’.

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\(^{105}\) Note the variants *Bach tar crīcha comacomol*, 908.7, and *bach tar crīcha*, 1477.33 (*O’Dav*. 304).

\(^{106}\) Note the variant *Bach for fine a forcomol*, 909.2.

\(^{107}\) Note the variant *bach mbē degabail c.*, 909.18.

\(^{108}\) Note the variants with *bach rī Temrac*, 1924.30, and *bac rī Temrac*, 2205.33. For the form of the personal name see footnote 83 above.

\(^{109}\) While it occurs in a block of citations (*O’Dav*. 303–8) from *SM*, it is the second of two citations in §304. In *Companion*, 106, §4.4.1, I have noted that in the case of the thirty entries where the source of both citations can be identified, nineteen take them from the same source and eleven take them from different sources.
The third is an instance of *ro* as the particle (or augment) to form the perfect from the preterite:

(30) *i neoch mā fo-crethther a Ḟocraic tēcta; ro[ch] suidiged a foχraic-side for sēoit deich screbul, 460.33 (SM 22, §10), ‘if it (sc. the mill-race) be paid for with its proper fee, and the fee for this has been fixed at a sēt worth ten scruples’.

While the *-ch* is not actually found in the MS, its restoration is justified by the gloss *secim nō ēnasaigim ro suidigedh a deicreic lōighi-side for sēd x. screbal, CIH 461.4*, translated in Binchy (1955, 71 §10 gl. 3) as “‘I say” or “I advance”, the “good purchase of value” of this has been fixed at a sēt worth ten scruples’. Such a gloss must owe its existence to the presence of a form *roch suidiged* in an earlier copy; while the latter was altered in the course of transmission the former continued to be copied.¹¹⁰

Binchy (1960, 83–5) gives six examples with *to*:

(31) *athgabāil fir tairrid cen airis fēcheman, toich-fonglen noill ēenfir, CIH 392.32 (SM 2), ‘distraint on a man who is on a journey without foreknowledge of the plaintiff and whom the oath of one [other] man supports’¹¹¹ *Doitorcechnatar didhū fāide leo do-n-icfa bērla bān biad, 528.19 (SM 8), ‘and prophets among them had foretold that the pure language of the Beati would come’,¹¹² *Tā mōrseisir i tūaith ar-cuille coir urnadma toith tinntāt a mnā ūadaib a lānamnus, 4.33 (SM 9), ‘There are seven men in a kingdom whom lawful betrothal debars and their wives return [home] from them’,¹¹³ *aire do-arngai a bithbachuill, toich tinntdāi co uca aitherruch, 15.6 (SM 9), ‘a noble who promises his perpetual pilgrim’s staff (i.e. promises to spend the remainder of his life in pilgrimage) and returns again to desire’,¹¹⁴ it fir indo-loingad, toich do-boing a toibach 7 a teallach, 207.1 (SM 11), ‘It is men who make entry on them (certain kinds of land), and their occupation enforces [claims

¹¹⁰For a comparable instance in tract 23 of SM see Companion, 296; in this case, however, one copy (CIH 467.22) has the gloss alone, whereas the other (CIH 1927.22) has both the relevant passage of the main text as well as the gloss.

¹¹¹Note the variants toichfoglen, 891.30 (OGSM), and toich forglen, 1696.29.

¹¹²Note the variant toich doaircechnatar, 1492.35 (O’Dav. 711).

¹¹³Note the variant with arus-cuille coir n-urnadma toich tinntat, 1883.16.

¹¹⁴Note the variants toith tinntadh, 1229.27, toich tinntdai, 538.3, and toith tinntat, 1890.5.
against the proprietor’, and \textit{to-c-saig fíacha dermar\`a, 2313.13} (\textit{SM} 34), ‘and he enforces immense penalties’.\footnote{Later Binchy (1966, 41 §31, with note on p. 61) took the form as imperative, translating ‘and levy immense fines’.}

Binchy (1960, 84) would emend the first five of these to \textit{to-ch-glen, to-ch-airrchechnatar, to-ch-intat, to-ch-intai} and \textit{to-ch-boing}, respectively, and took the last \textit{(to-c-saig)} as the only instance where no emendation is required. These emendations would appear to be pretty severe, but are less so if the first example is taken differently, namely as containing the verb \textit{do-foglen}, rather than \textit{do-glen}. The two examples cited in \textit{DIL s.v. dofoglen} are \textit{in tan do-foglen} ‘since it adheres’, Power (1913, 23.12), from the ‘Caldron of Poesy’,\footnote{My emendation to \textit{in tan dano fo-glen} (Breatnach, 1981, 64 §3) and the note thereon (p. 81) were completely mistaken.} and \textit{ben do-foglen cis} ‘a woman to whom an impost adheres’, \textit{CIH} 1547.36, from tract 28 of \textit{SM}. I propose that the first of the above examples belongs with this verb, especially as the variant reading \textit{toichfoglen} in \textit{OGSM} would seem to be very early. As for the second example, where the variant readings are \textit{dotoircechnatar} and \textit{toich doairrcechnatar}, the emendation is not so severe if we take the \textit{t} in \textit{dot-} in the first of these as arising from confusion of \textit{c(h)} with \textit{t(h)};\footnote{Thus postulating a sequence along the lines of \textit{tochairrchechnatar} to \textit{tot(h)airrchechnatar} to \textit{dotoircechnatar}.} the second of the variants can be related to this by taking it as showing the incorporation of the standard etymological gloss into the main text. This pair of readings will thus provide us with a concrete example of \textit{toch-} being sometimes replaced by \textit{toich do-}, a development which one would have to assume for the three following examples.

The only other certain instance noted by Binchy is with \textit{ro}, and is found in \textit{Amra Choluimb Chille} (Stokes, 1899, 256 §60; Best and Bergin, 1929, 29.829) in a passage which Binchy (1960, 83) cites and translates as:

\begin{quote}
\textit{(32) Légais rúne ro-ch úaid eter scola(ib) screptra} ‘He learned (lit. “read”) the mysteries and has lent out [copies of] the Scriptures among the schools’.
\end{quote}

All the other examples with \textit{ro} are from \textit{Senchas Már}, as are all those with \textit{to}. Four of the five instances with \textit{ba} are from \textit{SM}, and the fifth may well be from the same source. The example from \textit{Amra Choluimb Chille} is, of course, in a form of verse, but while the first three examples of \textit{bach} cited above, and the last one of \textit{toch-} are from verse (\textit{roscad}) passages, all the rest are found in prose. Inasmuch as it cannot be classified as an archaic stylistic feature
confined to verse, the use of connective -ch in Senchas Már provides a firm linguistic criterion for dating our text to the early part of the OIr period.

In Companion, 310–13, I discussed a number of stylistic features which appear to be characteristic of SM. While some of these had been seen as evidence for common authorship of certain consecutive tracts, I argued that others found throughout SM indicated that we have to do with an integrated coherent text, rather than a loose assemblage of individual tracts or groups of tracts. Thus, whereas Charles-Edwards and Kelly (1983, 28) see the use of enclitic -ch in tract 21, Bechbretha, as evidence for dating that tract to ‘the seventh century, probably towards the middle of the century’, I would see it rather as another characteristic feature of SM, and accordingly as a dating criterion for the text as a whole, rather than for the individual tracts which happen to contain it.

A reasonably firm non-linguistic dating criterion is provided by the reference to Congal Cáech in tract 21, Bechbretha, in the passage cited above in item 27. In the course of a thorough discussion of this, Charles-Edwards and Kelly (1983, 126) state that ‘there is no direct corroboration of [this] statement that Congal Cáech was king of Tara, but it remains plausible’. If we accept that Congal’s tenure of the kingship of Tara was lost (or deleted) quite early from other records, then the reference to Congal, who died in the battle of Mag Rath in 637, is less likely to have been made in an eighth-century text than in a seventh-century one.

PLACE OF WRITING

That Senchas Már was produced in an ecclesiastical milieu can hardly be doubted from the evidence presented above. In what follows I will argue that the place of writing was specifically Armagh. A particularly striking feature of SM are the recurrent references to the legend of the Patrician revision of Irish law. As noted above (pp. 11-12), the legend is most fully recounted in tract 8, and it is alluded to in tracts 14, 24, 30, 39, and possibly tract 26. The first of the four allusions in tract 14 may be cited here:

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119 It is thus mentioned in the first, middle and final thirds of the text. For details see Companion, 313; tract 24 of course belongs to the middle, not the final third, as erroneously stated there. For some comments on the significance of this see also Stacey (2007, 55–6 and 196–7).
(33) Ar-rogart Pátraic inna hindsae-so arnácon rabat la firu Érenn i fláith ind ríg Lóegairi maic Néill do cach fláith 7 do cach eclais.
‘Patrick forbade these abuses, so that they may not be practised by the men of Ireland, in the reign of the king Lóegaire son of Níall, to every lord and to every ecclesiastic’.\(^{120}\)

While in five cases only Patrick is mentioned,\(^{121}\) this and two others have both Lóegaire and Patrick, as in the full account in tract 8. They are:

(34) It é ind sin fíra ro suidígeastar Pátraic do gleud fer nÉrenn i fláith ind ríg Lóegairi maic Néill i nós fer nÉirenn.
‘Those are the ordeals which Patrick set down, to settle disputes of the men of Ireland, in the reign of the king Lóegaire son of Níall, in the regulation of the men of Ireland’\(^{122}\)

(35) Con-amus la Pátraic i fláith in ríg Láegairí bêscna aitiri cáich fò mhiad.
‘The regulation of the hostage-suretyship of everyone in accordance with his rank has been determined by Patrick in the reign of the king Lóegaire’, CIH 2103.33 (SM 39).\(^{123}\)

Now, the legend of Patrick’s conversion of Lóegaire is found in Muirchú’s Life of Patrick, which contains a long-drawn-out account of Patrick’s encounter with Lóegaire at the end of which Lóegaire sees no alternative but to convert to Christianity.\(^{124}\) What is not found in Muirchú’s Life, or in the other Patrician documents edited in Bieler (1979) is any mention of Patrick’s revision of the law, presented most fully, as we have seen, in tract 8 of SM. The account in SM, for its part, does not go into any great detail regarding the encounter with Lóegaire, stating only:

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\(^{120}\) Normalised from: Arrogart padraic inna hindsa-so arnacon rabad la firu eirind i fláith in rig laegaire mac neill do cach fláith 7 do cach eaclais, CIH 226.31–2. There is another copy in CIH 1061.34, and an extract is cited in CIH 1471.2 (O’Dav. 128); a significant variant reading in these is atrogairt, adrogart, for ar-rogart.

\(^{121}\) Namely, CIH 244.13 (SM 14), 240.21 (SM 14), 1977.35 (SM 24; see Companion, 313), 1481.22 (SM 30; see Companion, 302) and 797.33 (possibly SM 26; see Companion, 313).

\(^{122}\) Normalised from At e ind sin fíra ro suidígeastar Padraic do gleod fer nÉrind in fláith in rig Laegaire maic Neill i nós fer nÉirind, 238.18–19 (SM 14).

\(^{123}\) See Companion, 306.

\(^{124}\) Bieler (1979, 83–99).

‘Lóegaire, however, opposed Patrick because of the wizard Mathu macc Úmóir. The latter, the wizard, had prophesied to Lóegaire that Patrick would steal the living and the dead from him’, CIH 527.27.

This appears to agree with the account in Tírechán’s Collectanea, insofar as the latter has Lóegaire remain a pagan, although it has no mention of the wizard.\(^\text{125}\) The three references to decisions made by Patrick i flaith ind ríg Lóegairi (items 33–5 above) might cause one to ask whether the opposition is being represented as permanent, or whether we have to do with an account closer to that in Muirchú’s Life which represents Lóegaire as finally capitulating only after long opposition.\(^\text{126}\) But Tírechán similarly speaks of nouissima illius mirabilia in quinto regni anno Loiguiri M(aiac) Neill finita atque feliciter facta ‘the latest of his wondrous deeds, accomplished and happily performed in the fifth year of the reign of Loiguire son of Niall’,\(^\text{127}\) claims that Duobus autem uel quinque annis regnavit Loiguire post mortem Patricii ‘Loiguire, however, (still) reigned for two or five years after Patrick’s death’,\(^\text{128}\) and, significantly, in §15 of the text represents Patrick and Lóegaire jointly passing judgement on a case of inheritance.\(^\text{129}\)

There is, however, one significant point of overlap between the account in SM and that in Muirchú’s Life, namely the prominence given to Dubthach maccu Lugair. The relevant passage in the latter is:

(37) Adueniente ergo eo in caenacolum Temoriae nemo de omnibus ad adventum eius surrexit praeter unum tantum, id est Dubthoch maccu Lugir, poetam optimum, apud quem tunc temporis ibi erat quidam adoliscens poeta nomine Feec, qui postea mirabilis episcopus fuit, cuius reliquiae adorantur hi Sleibti.

‘As he entered the banquet hall of Tara, none of them all rose in order to welcome him, except one man only, Dubthach maccu Lugir, an excellent poet. With him was then in that place a young poet named Fíacc, who

\(^{125}\) Bieler (1979, 132–3, §12).
\(^{126}\) The account in the so-called ‘pseudo-historical prologue’ in OGSM, although ultimately based on that in tract 8, is much closer to the account in Muirchú’s Life; cf. Mc Cone (1986, 25), Carey (1994) and Companion, 346.
\(^{127}\) Bieler (1979, 126.1).
\(^{128}\) Bieler (1979, 126.4).
\(^{129}\) Bieler (1979, 134).
afterwards became a renowned bishop, whose relics are worshipped in Sléibte’, Bieler (1979, 92.7–12).

The first part of this finds a close parallel in tract 8 of SM:

(38) Do-airfet Dubtach mac ua Lugair in file racht n-aicnig. Is ē Dubthach ceta tarat airmitan fēid do Pātraic; is ē ceta n-ēracht riam i Temair.

‘Dubthach moccu Lugair the poet set forth the law of nature. It is Dubthach who first showed reverence to Patrick. It is he who first rose up before him in Tara’, CIH 527.20.130

In all these sources, of course, Patrick represents Armagh and Lóegaire represents the kingship of Tara. Furthermore a concern with a legal system for all of Ireland, and that alone, rather than for either a particular region of Ireland, or for Ireland together with Gaelic Scotland is implied by the references throughout SM to ‘the island of Ireland’ or simply ‘this island’, as for example in.131

(39) Di-renar do cāch a lānamnus a bēscnu inse Ėrenn, cīapa līn cīapa n-ūaite.

‘Every one is paid dīre for his union according to the custom of the island of Ireland, whether it be manifold or single’, Binchy (1938, 44–5 §57).132

(40) conid Conull cīado escomrai slān rāithe isin indse-so

‘so that is it is Conall who first indemnified a paying-surety in this island’, CIH 63.10 (SM 9).

There can be no doubt that we have to do with an underlying vision of a single realm of Ireland, in which ecclesiastical primacy is conceded to Armagh.133 Binchy (1962, 170–1) argued that

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130 Dubthach’s legal role is mentioned again in this tract at CIH 528.17 and 529.1.
131 As noted in Breatnach (2010b, 217–18), where five further examples are given. Four of these, namely CIH 1897.27 (SM 2), 1525.27 = O’Dav. 1472 (SM 30), 1510.20 = O’Dav. 1115 (SM 39), and 1510.23 = O’Dav. 1116 (SM 39), are references to simply ‘this island’.
132 CIH 2301.35 (SM 33).
'the extension of the cult of Patrick to much wider areas, and eventually to the whole country, is closely bound up with the Easter controversy which convulsed the Irish Church all through the seventh century ... the victory of the “Roman” party in the ecclesiastical dispute strengthened the prestige of the Armagh community ... the stage was now set for the development of the Patrick legend into a “national epic” and for the claim of Patrick’s successor, based on this legend, to an authority over all other churches which, mutatis mutandis, closely resembled that claimed by the king of Tara over the other provinces. Here, unless I am mistaken, we have the real background to the “Patrician documents” in the Book of Armagh’. 134

This being the case, one may conclude that Senchas Már is also a product of Armagh, as much an Armagh document as, for example, Muirchú’s Life, the Liber Angeli, or Tírechán’s Collectanea. A further argument in support of this conclusion is, I believe, to be found in a striking verbal parallel between SM and two Latin Armagh documents, namely the use of the OIr and Latin equivalents of ‘this island’ to mean ‘Ireland’, without however any explicit indication that Ireland is the referent. As mentioned just above, Senchas Már contains five instances of isin insí-so, or the like. 135 There are seven instances in Muirchú’s Life, namely: 136 De primo eius itenere in hac insola ‘Of his first journey in this island’, 64.16, De oblatione +primo pasca+ in hac insola facta ‘How Easter was celebrated in this island for the first time’, 64.22, in hanc barbarorum insulam aductus est ‘he was brought to this barbarian island’, 66.24, ad hanc insolam sub brumali rigore ‘to this island in the cold north’, 72.14, origo stirpis regiae huius pene insolae ‘the starting-point of the royal lineage of almost all this island’, 74.16, 137 in nostra Aegipto huius insolae ‘in the Egypt of this our island’, 82.13, and nihil gustans nihilque bibens de fructu insolae huius ‘neither eating nor drinking anything that grows in this island’, 104.23. In the Liber Angeli there are two instances, namely: 138 in hac insola, 184.35, and huius insolae, 186.11.

The only other examples I know of in Irish-language sources outside SM are three instances in OGSM, namely: ō congbad in insi-seo co creteamh anall ‘from the time when they settled this island until the coming of the

135 See item 40 and footnote 131.
136 References are to the page and line numbers of the edition in Bieler (1979).
137 My translation follows that in Charles-Edwards (2000, 472) except for the last three words, which are rendered there as ‘of almost the entire island’.
138 References are to the edition in Bieler (1979).
faith’, *CIH* 875.41, 139 *la trī cenēla bātar is innsi-so*, ‘by the three free kindreds who were in this island’, 883.32, 140 and *do grēs isinn innsi-seo co brāth* ‘normally in this island forever’, 883.38. The second of these is in a sentence which is a slight re-wording of the sentence of the main text at *CIH* 1897.27 mentioned in footnote 131 above, and the third appears in the same section of the text as the first, so that there can be little doubt that this usage has been taken over into *OGSM* from the text on which it is a commentary.

I know of only one other example in an Irish Latin source, namely, the *Collectio Canonum Hibernensis*, where we find *Patricius: Si quae questiones in hac insula oriantur, ad sedem apostolicam referantur*, Wasserschleben (1885, 61), ‘If any disputed issues arise in this island, let them be referred to the Apostolic See’. 141 As for the subject matter, it is quite similar to a passage in the *Liber Angeli*, 142 and for the purposes of the present argument, the attribution to Patricius is surely significant. 143

The closest parallel I have found to this usage is in Welsh sources, both in Latin and Middle Welsh, where *haec insula* and *yr ynys hon* ‘this island’ are used to mean ‘Britain’. Thus, in Latin Redaction A of the Laws we read: *Pretium captivi de ultramarinis partibus libram et dimidiam valet. Si autem ex hac insula sit, libra est precium eius*, Emanuel (1967, 140.34), and Redactions B, D and E (Emanuel 1967, 220.1, 340.13 and 464.3) have almost exactly the same sentence. 144 Here the expression stands in contrast with one meaning ‘abroad’. Elsewhere, however, it is used absolutely, namely in *Llyfr Colan*:

\[Kyn\ no\ duyn\ cor\ Llundeyn\ a’r\ deyrnywalen\ o\ Sssaxon,\ Dyfnwal\ Moel\ Mut\ a\ oed\ urennyn\ yn\ yr\ ynys\ hon...\ ac\ a\ wnaeth\ en\ gyntaf\ keureythyeu\ da\ en\ er\ enys\ honn...\ ac\ a\ uessurus\ er\ enys\ honn...\ en\ hyt\ er\ enys\ honn...\ en\ lled\ er\ enys\ hon.\]

139 Apart from taking the verbal form as active, I follow the translation in Carey (1994, 18 §7). The problem with *congbad* is that is is apparently a prototonic form, and a similar form is found in the variant *o ccungbadh in innsi-so*, *CIH* 1656.18. The three other variants, however, have -*gab*-, namely, *o congabad in insi-so*, 342.10, *ö congabad in innsi-só*, 1310.26, and *ö congabsat in innsí-so*, 1148.26, and in the last two the final syllable of the verbal form is written with a suspension-stroke. As all variants have the accusative the verb must be active; I therefore read (and translate) *con-gabsat*.


141 Book XX, cap. 5b.

142 Bieler (1979, 188.35–190.3).

143 Whether or not Patrick actually made such a statement is irrelevant; what matters is that it most probably derives from an Armagh document.

144 The corresponding sentence in *Llyfr Blegywryd* is *Punt a hanher yw gwerth kaeth tra mor; ac os o’r ynys hon yd henuyd, punt yw y werth*, Williams and Powell (1961, 59.2), translated in Richards (1954, 65) as ‘One pound and a half is the worth of a slave from beyond the sea; if he be a native of this island, a pound is his worth’. 
‘Before the crown and sceptre of London had been taken by the English, Dyfnwal Moel Mut was king in this island ... and made for the first time good laws in this island ... and measured this island ... in the length of this island ... in the breadth of this island’ Jenkins (1963, 38–9 §§638–41).

Outside the law texts I have noted its occurrence in *Armes Prydein*, viz. *Arymes yr ynys hon namyn hyn ny byd* ‘there will be no Prophecy but this for this Island’, Williams and Bromwich (1972, 14–15 line 194), and in the text *Enweu Ynys Brydein* ‘The Names of the Island of Britain’,145 viz. *yr Ynys Honn*, Bromwich (2006, 246 §§1, 3, 7).146 In §6 of the latter text we also find the definition *Teir Ynys Prydein: Lloegyr a Chymry a ’r Alban* ‘Three Realms of Britain: England, Wales, and Scotland’, and in a note (p. 254) the editor refers to Jones (1958) who first showed that *ynys* could also have the meaning ‘territory, realm’.

Whatever about the later development in meaning,147 the term *yr ynys hon* in Welsh surely originally represented a claim to jurisdiction over the whole of the island of Britain. It is my contention that similarly *ind inis-so / haec insula* in SM, Muirchú’s Life and the *Liber Angeli* is a specific verbal reflection of a claim on the part of Armagh that it was entitled to ecclesiastical supremacy over the whole of Ireland, which did not, however, extend to the rest of the Gaelic world.

In all likelihood, then, *Senchas Már* originated in Armagh. At the same time, the legend of the Patrician revision of the law began to circulate fairly soon, to judge by *OGSM*, which was clearly put together in Munster in the eighth century,148 and which contains an elaborated version of the legend.149 It also features, with the same principal characters, Patrick, Lóegaire and Dubthach, in *Bretha Nemed Dédenach*,150 while the later introductions to *Mellbretha* and *Cáin Óuithirbe* have Patrick giving his approval to laws in which a different set of characters are said to be involved.151

Most importantly it appears at the end of the fragmentarily preserved text *Cáin Óuithirbe*, where on the evidence of the extracts together with the

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146 Note that here the editor treats the expression as a proper name, and supplies capitals.
147 It is doubtless due at least in part to changed political realities, as Bromwich and Evans (1992, 94–5) suggest.
148 See *Companion* 344–5.
149 Cf. footnote 126 above.
150 *CIH* 1111.12.
151 *Companion*, 357, 359–61. Some further cases are noted in Carey (1994, 2).
OIr glosses thereon, the text contained an account of Patrick’s conflict with the druids and his conversion of Lóegaire, which in its broad outlines is in agreement with that in Muirchú’s Life, and can be dated to within a few years of 680 AD. There is however nothing in the surviving fragments of Cáin Ċuithirbe to indicate that the original text contained an account of Patrick’s revision of the law, or any mention of Dubthach. McCon (1986, 25–6) notes the connection between Dubthach moccu Lugair and Sléibte, the well-known account of Áed of Sléibte’s submission to Armagh, and the fact that Áed was Muirchú’s patron, and goes on to suggest that it was Muirchú who first brought Dubthach into contact with Patrick, concluding that ‘Córus Béscnai and the pseudo-historical prologue including Dubthach’s poem can hardly have been written much before the beginning of the eighth century’. However, although Dubthach is not mentioned in Tírechán’s Collectanea, his pupil is, near the end of the text where it is stated of Patrick: Ordinauit Feccum Album iSleibti ‘He consecrated Fíacc the Fair in Sléibte’.

The dates for Muirchú’s Life proposed in Bieler (1979, 1–2), who notes that it was written ‘at the command of bishop Áed of Sléibte ... to whom it is dedicated’ are sometime between Áed’s submission in 661 or after and his death in 700. With regard to Tírechán, while there is evidence for some connection with Sléibte, as seen just above, there is no specific mention of Áed. The reference to post mortalitates nouissimas ‘since the recent plague’, Bieler (1979, 142.7), provides a criterion of sorts, but the problem is whether the plagues of 664–8, or others, such as 680 or 700, are meant. As Sharpe (1984, 61–3) emphasises, the Liber Angeli was used by Tírechán, whom he regards as writing about 670, and thus predates the Collectanea. While I argue for an Armagh provenance for Senchas Már, and have noted correspondences between it and the Latin Armagh documents, it is clear that it does not agree in all the relevant details with either one of Muirchú’s Life, Tírechán’s Collectanea, or the Liber Angeli, against the other two. The one certain criterion, however, which emerges is the prominence given to Dubthach moccu Lugair in SM. Given that there must be a connection here with Áed of

152 CIH 776.39–777.5; edited with translation and discussion in Breatnach (1986, 49–51).
153 For the dating (between 678 and 683) see Binchy (1958, 51–4) and Companion, 216–18.
154 Bieler (1979, 176).
156 Bieler (1979, 162.30). Cf. the passage cited from Muirchú’s Life in item 37 above, where both Dubthach and Fíacc are mentioned.
157 Áed submitted to Ségéne, who was bishop from 661 to 688.
Sléibte’s submission to Armagh, our text can be dated to 661 or after, and going by the mention of Congal Cáech, not too long after that date. Another possible, but highly uncertain criterion is the reference to réchuaird duinebath in the Introduction.\textsuperscript{159} Even if it is taken to refer to specific plagues, rather than plagues in general, we are left with the same problem as with the reference in Tírechán.

Thurneysen (1927, 186–7) regarded SM as belonging to the same period of activity in Irish law that produced the Collectio Canónum Hibernensis, namely the first half of the eighth century.\textsuperscript{160} Later (1934, 88) he made a distinction between the compilation of SM and the individual tracts and dated the latter, on the basis of unspecified linguistic archaisms to the seventh century, while allowing that some of them might be even earlier. I, however, hold (cf. p. 34 above) that postulating the separate existence of the component tracts of SM for some undetermined period is not only something for which there is not a shred of evidence, but also a distraction from the fact that SM as we know was conceived of and transmitted as a unitary whole, and must therefore be approached as such.

The evidence I have put forward here, both linguistic and non-linguistic, supports taking SM with other vernacular law texts which belong to an early period of activity, namely, Cáin Êuithirbe, datable to c. 680 (see above), and Cáin Adomnáin, promulgated in 697.\textsuperscript{161} On balance, then, I would date Senchas Már to roughly between 660 and 680, which places it in a period characterised by the aggrandisement of Armagh.\textsuperscript{162} To imagine that SM is later in date than Cáin Êuithirbe would force us into the absurd position of imagining that Armagh had been inactive in the field of law in a period leading up to the writing of an important law text in Munster in which was incorporated a major item of Armagh propaganda of the seventh century.\textsuperscript{163}

\textsuperscript{159}See above pp. 6-7, §§7–8.
\textsuperscript{160}See also Charles-Edwards (2005, 342–50).
\textsuperscript{161}See Companion, chapters 5.24 and 5.19, respectively.
\textsuperscript{162}As de Paor (1971) puts it.
\textsuperscript{163}My thanks are due to Dr Máire Ní Mhaonaigh for inviting me to give the E.C. Quiggin Memorial Lecture on Thursday 2 December 2010. I am grateful to her and to Dr Elizabeth Boyle and Dr Paul Russell of the Department of Anglo-Saxon, Norse and Celtic for helpful comments on earlier drafts. All responsibility for errors and shortcomings, however, lies with me.
APPENDIX

Text of *SM 1. Introduction* from *CIH* 344.24–352.12, with variant readings (see pp. 4, 6 above for the other copies). The text is printed in small capitals, and the variants in ordinary type. I have noted two minor errors in the copy in *CIH*: for *RUCHTA*, *CIH* 350.6, the MS has *RUCTHA*, and for *DOCHAR*, 351.19, the MS has *DOCHUR*.


IS AND RO HAIRLED RIG Þ AITHECH RIGAN Þ AMRIGAN SAOR Þ DAOR SOTHCEDACH Þ DOTHCEDACH (soitcedach ... Þ doitceduch, 878.27–8, soitcedhach Þ doitcedhach, 1896.28, soitceduch ... doitcedhac, 1658.31–3) SONA Þ DONAI

IS AND RO AIRLED DIRE CAICH FO MIAD AR RO BUI IN BITH I CUTRUMA CONID (go, 1896.30) TAINC SENCHAS MAR

IS A SENCAS MAR RO AIRLED COMDIRE DO RIG Þ EPSCOP Þ AIGE (aghu, 1896.31) RECHTA LITRE Þ SUAD FILED FORCAN (forcan, 1896.31, dicain, 878.37) DI CENDAIB FOROSNA IMBAS (fortnosnae a nimus [sic MS; *CIH* reads imus], 878.19, forosna imfos, 1659.15) Þ DO BRUIGAD Þ briugaid, 1896.32, & briughidh, 1659.16) DIRENAR CETAIB OCA (laisi, 1896.32) MBI CAIRE ANSIC CONA THOCHUS TECHTA.

IS A SENCHAS MAR CONAMUS (ro hairled, 1896.33) ARNA RUCTHA (ruca, 1896.33) MAITH DO ULCC Þ OLC DI (do, 1896.34, 880.32) MAITH.

IS A SEANCHAS MAR RO AIRLETHA (ro hairled, 1896.34) NA CETHEORA CANA CAIN IARRAID CAIN SAERRAITH CAIN AICILLNE CAIN LANAMNUSSA TECHTA ASDUD CAICH HI CORUIB BEL AR RO BUI IN BIOTH I MBAILIUTH (mbuiled, 1897.1) MANI ASTAITIS CUIRE (cuir, 1897.1) BEL

ATAIT TEORA AIMSERA IMBI BAILETHACH (builedach, 1897.2) IN BITH RECHUAIRT (recuaird, 1897.2, recuairt, 1659.39) DUINEBAD. TUARATHLIA (toralia, 1897.3, tuaradhla, 1660.1) COCTHA FUASLUCAD COR MBEL.

AATAT A TRI NODA ICAT DECHMADA Þ PRIMITI Þ ALMSANA ARAGAIRET (argairet, 880.40, argairet, 1897.4) RECUAIRT (recuairt, 880.41, rechuaired, 1897.5) DUINEBAD. TRAETHAD CAIRDE LA RIG Þ TUAITH ARAGAIR (argair, 1897.5) TUARATHLIA (tuaralia, 880.41, toralia, 1897.6) COCTHA ASTAD CAICH
IN SOCHAR (ina sochur, 1897.6) 7 INA DOCHUR ARGAIR (argair, 1897.6) BAILIUTH (bailedha, 1897.7) IN BETHA.

ACHT NA CUIC CURU (cuir, 1897.8, 1660.9) ATA TAITHEMECTA LA FENIU CIA RO NASATAR (ro nasaiter, 1897.8) COR MOGA CENA (secha, 1897.9) FLAITH. COR MANAIG CEN (secha, 1897.9) APUID. COR MEIC BEOATHAR CEN ATHAIR NOCA COR DRUIOTH NO MIRE. COR MNA SECHA CEILI

OLCENA ATSUITER CUIR BEL (bel la Feniu, 1897.11). AMAIL ADRODAD (atroadh, 1897.11) ADUM I NDERBDIUBAIRT (ina dergdiubairt, 1897.11) ATBATH IN BITH UILE AR AENUBALL

ATAT .III. SABAID TUAITHE NODA DESRUITHETHAR (nodo desruidhter, 1897.13) I MBECAB (i mbecaib, 880.41, 1897.13). RIG GUBRETHACH EPSCOP TUISLECH (tuisledhach, 1897.14, tuisleduch, 1662.5). FILE DIUBARTACH. AIRE EISINDRAIC NAD OIGET (oighe, 1897.15) A MAMU NI DLEGAITHER (dlegar, 1897.15) DOIB DIRE
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