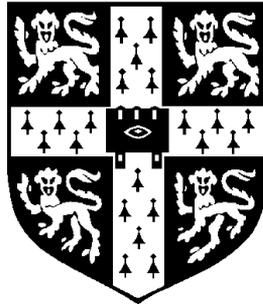


E. C. QUIGGIN MEMORIAL LECTURES 3

DAVID N. DUMVILLE

**Councils and Synods of the Gaelic
Early and Central Middle Ages**



DEPARTMENT OF ANGLO-SAXON, NORSE, AND CELTIC

UNIVERSITY OF CAMBRIDGE

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.

Councils and Synods of the Gaelic Early and Central Middle Ages
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Organised christianity in Ireland began with the appointment in 431 by Pope Celestine I (422-432) of Palladius as bishop for the island's believers.¹ The Church's tradition of conciliar government began immediately after the Peace of the Church, with a council summoned to meet at Arles (in southern Gaul) in 314 under the presidency of the Emperor Constantine I.² By 431 such practice was well established, as was that of provincial synods of bishops meeting to regulate the government of a more local division of the Church. Palladius would have been quite familiar with such organisational forms but there would scarcely have been scope in Ireland for council or synod until christianity had spread to the extent that a plurality of bishops was needed and had been appointed. There is no clear evidence as to when that moment was reached.

Rome seems to have remained in contact with Palladius's new Church for several years.³ After the mid-fifth century, however, we find a close association of British christians with the government of the Irish Church.⁴ It was a British synod (whose geographical location and the breadth of whose jurisdiction are unknown) which appointed a bishop for Ireland in preference to Patrick (who would in due course become the national apostle of the Irish).⁵ Whether that bishop was Palladius's successor, or rather successor to a Continental or British successor to Palladius, or a bishop supplementary to a succession deriving from Palladius, is unknown. What is clear from the evidence provided by Patrick's *Confessio* is that the synod was an established governmental form in fifth-century British christianity also. From the sixth century we have further evidence for British synodal activity.⁶

It was in the nature of ecclesiastical councils and of synods that they would engender written records, *acta*, of their proceedings: these *acta* seem for the most part to have constituted public records, no doubt because the decisions reached at any such meeting acquired at once the status of legislation for the Church(es) of the province(s) whose bishops had been summoned. Over time, elements of such records became canon law for a geographically wider range of Churches, at first by being incorporated into systematic collections of conciliar and synodal decrees.⁷ In the Gaelic world the first known collection

¹ David N. Dumville *et al.*, *Saint Patrick, A.D. 493-1993* (Woodbridge 1993), p. 1. It is not clear whether Palladius's responsibilities extended to Gaelic colonists elsewhere in the British Isles: this is perhaps unlikely in as much as colonies in Galloway and Mann, Wales and the British south-west might have fallen within British bishoprics (if such existed there), while those in Argyll and the Isles were the most distant from any sources of christian influence. Nor is it even clear when such colonies began to be established.

² For the *acta* see *Conciles gaulois du IVe siècle*, ed. & transl. Jean Gaudemet (Paris 1977), pp. 35-67; *Concilia Galliae A. 314-A. 506*, ed. C. Munier (Turnhout 1963), pp. 3-25.

³ T.M. Charles-Edwards, *apud* Dumville *et al.*, *Saint Patrick*, pp. 1-12.

⁴ Dumville *et al.*, *Saint Patrick*, pp. 133-45.

⁵ E.A. Thompson, *Who was Saint Patrick?* (Woodbridge 1985), pp. 66-78, 166-75.

⁶ *The Irish Penitentials*, edd. & transl. Ludwig Bieler & D.A. Binchy (Dublin 1963), pp. 66-7 (*Sinodus Aquilonalis Britanniae*, a possibly Breton text as Léon Fleuriot and Gwenaël Le Duc have argued), and 68-9 (*Sinodus Luci Uictorie*); cf. p. 242 for notes.

⁷ James A. Brundage, *Medieval Canon Law* (London 1995), pp. 9-13.

of that sort now bears the name *Collectio canonum hibernensis*;⁸ probably of the earlier eighth century, its compiler(s) drew on previous such texts, notably the fifth-century Gaulish *Statuta ecclesiae antiqua*, but also incorporated much material from the *acta* of synods held in the Gaelic world itself.

The earliest surviving *acta* of individual synods of Gaelic Churches present problems of authenticity. This difficulty is not unusual among mediaeval texts either of Gaelic origin or of a legal character. The mediaeval Gaelic scholarly tradition enjoyed a marked tendency to ask about a text's authorship and circumstances of production and not to accept an imprecise or uninformative answer. Equally, anywhere in the mediaeval world a text bearing legal consequences might be forged, interpolated, or given an authorship which allowed it extra authority. In the Irish context, the texts in question are those known to modern scholarship as 'The First Synod of St Patrick' (Pa. 1) and 'The Second Synod of St Patrick' (Pa. 2).⁹

The so-called 'First Synod of St Patrick' survives in a single manuscript written *ca* 900.¹⁰ It bears an elaborate opening rubric: *Incipit sinodus episcoporum id est Patrici Auxilii Issernini*, 'The bishops' synod begins, that is, of Patrick, Auxilius, and Isserninus'. The text opens with a salutation giving essentially the same information: *Gratias agimus Deo Patri et Filio et Spiritui Sancto. Presbiteris et diaconibus et omni clero Patricius Auxilius Isserninus episcopi salutem*; 'We give thanks to God the Father and the Son and the Holy Ghost. To the priests and deacons and all the clergy, the Bishops Patrick, Auxilius, and Isserninus [send] greeting.' Almost two hundred years earlier than that manuscript, quotations from this text in *Collectio canonum hibernensis* were assigned to St Patrick. In the last twenty years, scholars have generally adopted the bland title *Sinodus episcoporum* from the manuscript-rubric.

The so-called 'Second Synod of St Patrick' has survived in rather more copies and was likewise known to the compiler(s) of *Collectio canonum hibernensis*; it has attracted less attention from scholars. It bears a Patrician attribution found in all the manuscripts, the earliest of which date from the late eighth century. However, in its use in *Collectio canonum hibernensis*, it is referred to only once as the work of Patrick, but eleven times as that of *Romani*, the internationalist party in early Gaelic christendom.¹¹

This pair of *acta* may be held to reflect the status and authority of St Patrick in the Irish Church by *ca* 700. However, it has not proved possible to disprove absolutely the implied claims that these are fifth-century texts, although few scholars of recent years have been inclined to allow them such antiquity.¹² Patrick's fellow-bishops as named in the 'First Synod' are traditional associates of his in Irish chronicles and hagiography, but it remains

⁸ *Die irische Kanonensammlung*, ed. Herrmann Wasserschleben (2nd edn, Leipzig 1885).

⁹ *The Irish Penitentials*, edd. & transl. Bieler & Binchy, pp. 54-9 (cf. p. 240) and 184-97 (cf. 254-5).

¹⁰ Cambridge, Corpus Christi College, MS. 279, probably written at Tours. See H. Simpson, 'Ireland, Tours and Brittany: the case of Cambridge Corpus Christi College, MS. 279', in *Irlande et Bretagne. Vingt siècles d'histoire*, edd. Catherine Laurent & H. Davis (Rennes 1994), pp. 108-23. The sequence of display-scripts employed (see nn. 17-19) conforms precisely to the usage of Tours.

¹¹ Kathleen Hughes, *Church and Society in Ireland A.D. 400-1200* (London 1987), essay X, a paper first published in 1976. The text is found in MSS. DIJKQY (DQ being the earliest) according to the sigla used in *The Irish Penitentials*, edd. & transl. Bieler & Binchy; see *ibid.*, p. 10, on the attribution.

¹² Cf. Dumville *et al.*, *Saint Patrick*, pp. 175-8.

impossible to say whether the names are those of historical figures, foreign ecclesiastics in Ireland in the fifth century.¹³

Sinodus episcoporum Patrici Auxilii Issernini is by no means untypical of its genre. Its thirty-two canons are devoted first to captives, then to order within the Church, to relationships with pagans, to excommunication, to episcopal jurisdiction, and to wandering ecclesiastics.¹⁴ There is every likelihood that many of the provisions arise from decisions in specific cases, which have then been generalised. There is evidence for textual dislocation.¹⁵ This text, though undated, stands at the head of the Gaelic conciliar tradition. I give here an edited text from the unique manuscript-witness, with a facing English translation.¹⁶

¹³ *Ibid.*, pp. 89-105.

¹⁴ I have renumbered the canons to reunite editorially separated items and to separate individual items joined by editorial activity. The numbering of previous editors is given in brackets.

¹⁵ §§1*a*(1) and 1*b*(4) belong together (and with §29[32]). The intrusive items (§§2-3) clearly demonstrate their status: *denique* in §2 shows that this canon belongs at the end of a (this?) text or at the end of a sequence of related provisions (not found in this text); §3 belongs with §§30(33)-32(35) and could indeed be a variant of one of them. The presence of §29(32) suggests that either it is or §§1*a*(1)-1*b*(4) are displaced.

¹⁶ For a facsimile reproduction (where p. 2 is printed before p. 1) of the unique manuscript copy see *The Bishops' Synod* ed. M.J. Faris (Liverpool 1976), pp. 65-75, which also contains the most recent edition and translation. The latinity is often weak in respect of grammar and syntax: editing and translating have to proceed with that in mind. Standard editorial conventions have been employed: ordinary brackets () indicate matter to be deleted; angle-brackets < > indicate editorial intervention.

**INCIPIT SINODUS EPISCOPORUM
ID EST PATRICI AUXILII ISSERNINI.¹⁷**

GRATIAS AGIMUS DEO PATRI ET FILIO ET SPIRITUI SANCTO.¹⁸

PRESBITERIS ET DIACONIBUS ET OMNI CLERO PATRICIUS AUXILIUS
ISSERNINUS EPISCOPI SALUTEM.

**Satius nobis neglegentes premonere <quam> culpae que facta sunt, Solamone dicente:
melius est arguere quam irasci.¹⁹**

Exempla difinitionis nostrae inferius conscripta sunt et sic inchoant:²⁰

<1a(1)> Si quis in questionem captiuus quesierit in plebe suo iure sine permisi<one>,
meruit excommunicari.²¹

<2> Lectores denique cognoscant unusquisque ecclesiam in qua psallat.

<3> Clericus uagus non sit in plebe.

¹⁷ The text printed in bold capitals is written in Square Capital in the manuscript.

¹⁸ The text printed here in ordinary capitals is written in Uncial in the manuscript.

¹⁹ This sentence is found attributed to *Patricius* in *Collectio canonum hibernensis* LXVI.18 (ed. Wasserschleben, p. 239) from which *quam* is supplied.

²⁰ The text printed in ordinary bold type is written in Half-uncial in the manuscript.

²¹ *Collectio* XLII.25c (ed. Wasserschleben, p. 169), attributed to *Patricius*, from which the emendation is drawn.

**THE BISHOPS' SYNOD BEGINS, THAT IS, OF PATRICK, AUXILIUS, AND
ISSERNINUS.**

WE GIVE THANKS TO GOD THE FATHER AND THE SON AND THE HOLY SPIRIT.
TO THE PRIESTS AND DEACONS AND ALL THE CLERGY, THE BISHOPS
PATRICK, AUXILIUS, AND ISSERNINUS <SEND> GREETING.

**To us it is more fit to warn the careless <than> to censure what has been done, as
Solomon says: it is better to rebuke than to be angry.**

The heads of our decision have been drawn up as under, and they begin thus:

1a If anyone in respect to captives has quested in the community on his own
authority without permission, he has deserved to be excommunicated.

2 Lastly let the lectors get to know, each one of them, the church in which he is
to sing the psalms.

3 A wandering cleric may not remain in the community.

<1b(4-5)> Si quis permissionem acciperit et collectum sit praetium, non plus exigat quam quod necessitas poscit. Si quid supra manserit, ponat super altare pontificis ut detur ali indigenti.²²

<4(6)> Quicumque clericus ab hostiario usque ad sacerdotem sine tunica uisus fuerit atque turpitudinem uentris et nuditatem non tegat, et si non more romano capilli eius tonsi sint, et uxor eius si non uelato capite ambulauerit, pariter a laicis contempnentur et ab ecclesia separentur.²³

<5(7)> Quicumque clericus ussus negligentiae causa ad collectas mane uel uespere non occurrerit, alienus habeatur nisi forte iugo seruitutis sit detentus.

<6(8)> Clericus si pro gentili homine fideiutor fuerit in quacumque quantitate et si contigerit — quod mirum non (pot)est — per astutiam aliquam gentilis ille clerico fallat, rebus suis clericus ille soluat debitum. Nam si armis conpugnauerit cum illo, merito extra ecclesiam computetur.²⁴

<7(9)> Monachus et uirgo, unus abhinc et alia ab aliunde, in uno hospitio non conmaneant nec in uno curru a uilla in uillam discurr(e)ant nec adsidue inuicem confabulationem exercent.

<8(10)> Si <quis> incoeptum boni operis ostenderit in psallendo et nunc intermisit et comam habeat, ab ecclesia excludendus nisi statui priori se restituerit.

²² The two sentences of §1b(4-5) are editorially divided in the manuscript (which previous modern editors have followed). *Collectio XLII.26a* (Wasserschleben, p. 169), attributed to *Patricius*, formally shows them to be a unity, as their content in any case demonstrates.

²³ Cf. *Collectio LII.7 (Patricius)*: ed. Wasserschleben, p. 213.

²⁴ *Collectio XXXIV.2b and 8b (Patricius)*: ed. Wasserschleben, pp. 122, 124.

1b (4-5) If any one has received permission and the price has been collected, he shall not exact more than need demands. If anything is left over, he shall place it on the bishop's altar so that it may be given to another needy person.

4 (6) Whatever cleric, from porter to bishop, has been seen without a tunic and does not cover the shame of his belly and his nakedness, and if his hair has not been cut after the Roman fashion, and if his wife has gone about with her head unveiled, they shall equally be held in contempt by the laity, and let them be separated from the Church.

5 (7) Whatever cleric, out of neglect of the custom, does not come to morning or evening prayers shall be considered excommunicate unless it happens that he has been held in the yoke of slavery.

6 (8) If a cleric has stood surety for any amount for a heathen, and if it has happened — which is not surprising — that that heathen by some trick defaults upon the cleric, that cleric shall pay the debt from his own resources. For if he engages in armed combat with him, he shall rightly be reckoned outside the Church.

7 (9) A monk and a nun, he from here and she from elsewhere, shall not stay together in one guesthouse, nor shall they travel about in one carriage from settlement to settlement, nor shall they engage eagerly in conversation together.

8 (10) If <anyone> has shown the beginning of good work in singing psalms and has now given up and has a full head of hair, he is to be shut out from the Church unless he returns himself to the former state.

- <9(11)> Quicumque clericus ab aliquo excommunicatus fuerit et alius eum suscipit, ambo coaequali penitentia utantur.²⁵
- <10(12)> Quicumque christianus excommunicatus fuerit, nec eius elemosina recipiatur.²⁶
- <11(13)> Elemosinam a gentibus offerendam in ecclesiam recipi non licet.
- <12(14)> Christianus qui occiderit aut fornicationem fecerit aut more gentilium ad aruspice[m] iurauerit per singula cremina annum penitentiae agat; impleto cum testibus ueniat anno penitentiae et postea resoluetur a sacerdote.²⁷
- <13(15)> Et qui furtum fecerit de medio <annum> peniteat, .xx. diebus cum pane; et, si fieri potest, rapta representet; sic in ecclesiam reuertetur.²⁸
- <14(16)> Christianus qui crediderit esse lamiam²⁹ in saeculo — quae interpretatur striga — anathemazandus, quicumque super animam famam istam inposuerit, nec ante in ecclesiam recipiendus quam ut idem creminis quod fecit sua iterum uoce reuocet³⁰ et sic poenitentiam cum omni diligentia agat.
- <15(17)> Uirgo quae uouerit Deo <ut> permanere^a casta et postea nubserit carnalem sponsum excommunicata sit donec conuertatur; si conuersa fuerit et dimiserit adulter(i)um, penitentiam agat, et postea non in una domo³¹ nec in una uilla habitent.

²⁵ *Collectio XXXIX.10b (Patricius)*: ed. Wasserschleben, p. 151.

²⁶ *Collectio XL.8 (Patricius)*: ed. Wasserschleben, p. 155.

²⁷ *Collectio XXVIII.10c (Patricius)*: ed. Wasserschleben, p. 97.

²⁸ *Collectio XXIX.8a (Patricius)*, from which *annum* is drawn: ed. Wasserschleben, p. 101.

²⁹ Altered by erasure in the manuscript from *laminam*.

³⁰ In the manuscript *-cat* has been interlined as an alternative termination.

³¹ Altered in the manuscript from *domu*; cf. n. 36, below.

- 9 (11) Whatever cleric has been excommunicated by someone, and another has received him, both shall undertake the same penance.
- 10 (12) Whatever christian man has been excommunicated, not even his alms shall be accepted.
- 11 (13) It is not permissible for alms offered by heathens to be received into the church.
- 12 (14) A christian man who has killed or committed fornication or, in the manner of heathens, has sworn before a soothsayer shall spend a year of penance for each offence; the year of penance completed, he shall come with witnesses and then he will be absolved by the priest.
- 13 (15) And the man who has committed theft shall do penance for half <a year>, twenty days on bread; and, if it can be done, he shall return the stolen goods. In this way will he be restored to the Church.
- 14 (16) A christian man who has believed that there is such a thing in the world as a *lamia* — that is to say a vampire — is to be excommunicated — whoever has cast that slur upon a living soul; and he is not to be received back into the Church before he retracts verbally the charge which he has made and so does penance with all zeal.
- 15 (17) A virgin who has vowed to God that she will remain chaste and then has married a spouse in the flesh shall be excommunicate until she changes her way of life; if she has changed her way of life and has sent away the adulterer, she shall do penance, and they shall not live thereafter in the one house or in the one settlement.

<16(18)> Si quis excommunis fuerit, nec nocte pascharum in ecclesiam non introeat donec penitentiam recipiet.

<17(19)> Mulier christiana quae acciperit uirum honestis nuptis et postmodum discesserit a primo et iunxerit se adulter(i)o, quae haec fecit excommunis sit.

<18(20)> Christianus qui fraudat debitum cuiuslibet — ritu gentilium — excommunis sit donec soluat debitum.³²

<19(21)> Christianus cui dereliquerit aliquis et <qui> prouocat eum i<n iu>d<i>c<i>um³³ et non in ecclesiam ut ibi examinetur causa, qui sic fecerit alienus sit.

<20(22)> Si quis tradiderit filiam suam uiro honestis nuptis et amauerit alium et consentit filiae suae et acceperit dotem, ambo ab aecclesia excludantur.

<21(23)> Si quis presbiterorum aecclesiam aedificauerit, non offerat antequam adducat suum pontificem ut eam consecret, quia sic decet.

<22(24)> Si quis aduena ingressus fuerit plebem, non ante baptizat neque offerat nec consecret nec aecclesiam aedificet <quam do>nec permissionem accipiat ab episcopo; nam qui a gentibus sperat permissionem alienus sit.³⁴

³² *Collectio XXXIII.1e (Sinodus romana)*: ed. Wasserschleben, p. 118.

³³ *imductum*, MS.; the emendation was first made by Henry Spelman.

³⁴ *Collectio XLIII.4 (Sinodus Patricii)*, which provides *donec* (for *quam*, cf. §§14[16] and 26[29]): ed. Wasserschleben, p. 172.

16 (18) If anyone is excommunicate, (s)he shall not enter the church even on the night of Easter until (s)he accepts penance.

17 (19) A christian woman who has taken a husband in valid marriage and afterwards has left the first man and has coupled herself with an adulterer, she who has done these things shall be excommunicate.

18 (20) A christian man who defaults on what is, by the heathens' custom, anyone's due shall be excommunicate until he pays the debt.

19 (21) A christian man whom someone has wronged and who calls him <to court> and not to the church so that the case may be considered there, he who does that shall be excommunicate.

20 (22) If anyone has handed over his daughter to a man in valid marriage and she loves another and he allows <this> to his daughter and accepts a bride-price, both shall be excluded from the church.

21 (23) If any of the priests has built a church, he shall not perform the eucharist before bringing his own bishop to consecrate it, for so it is proper.

22 (24) If any newcomer has come into a community, he shall not baptise or perform the eucharist or consecrate or build a church before he receives permission from the bishop; for he who looks for permission from heathens shall be excommunicate.

<23(25-26)> Si que a religiosis hominibus donata fuerint diebus illis quibus pontifex in si<n>gulis habitauerit aecclēsis, pontificalia dona — sicut mos antiquis ordinare — ad episcopum pertinebunt, siue ad usum necessarium siue aegentibus distribuendum prout ipse episcopus moderabit. Si quis uero clericus contrauerit et dona inuadere fuerit deprehensus, ut turpis lucri cupidus ab ecclesia sequestretur.³⁵

<24(27)> Clericus aepiscopi in plebe quislibet nouus ingresor, baptizare et offerre illum non licet nec aliquid agere; qui si sic non faciat, excommonis sit.

<25(28)> Si quis clericorum exco(m)mmonis <fuerit>, solus — non in eadem domo³⁶ cum fratribus — orationem facit; nec offerre nec consecrare <illum> licet donec se faciat emendatum; qui si sic non fecerit, dupliciter uindicetur.³⁷

<26(29)> Si quis fratrum accipere gratiam Dei uoluerit, non ante baptizetur quam ut .xl. mum agat.

<27(30)> Aepiscopus quislibet qui de sua in alteram progreditur parruchiam nec ordinare presumat nisi permissionem acciperit³⁸ ab eo qui in suo principatu(m) est. Die Dominica offerat tantum susceptione et obsequi hic contentus sit.

³⁵ The two sentences of §23(25-26) are editorially divided in the manuscript (which previous modern editors have followed). The second sentence does not, however, make sense except in relation to the first.

³⁶ Altered in the manuscript from *domu*: cf. n. 31, above.

³⁷ Cf. *Collectio* XL.9 (*Patricius*), which provides the basis for the emendations: ed. Wasserschleben, p. 155.

³⁸ Altered in the manuscript from *acceperit*.

23 (25-26) If gifts have been given by devout persons on those days on which the bishop resides in the several churches, <these> pontifical gifts — as was the custom for the ancients to prescribe — shall belong to the bishop, whether for essential purposes or to be distributed to the needy, as the bishop himself will decide. But if any cleric has disobeyed and has been caught making inroads on the gifts, he shall be cut off from the Church as one greedy for sordid gain.

24 (27) Any cleric who is a new arrival in a bishop's community may not baptise or perform the eucharist or undertake any act; if he does not comply with this, he shall be excommunicate.

25 (28) If any of the clerics <is> excommunicate, he shall say prayer alone — not in the same house with the brethren —; he is not allowed either to perform the eucharist or to consecrate until he has corrected himself; if he does not behave thus, he shall be punished twofold.

26 (29) If one of the brethren wishes to receive the grace of God, he shall not be baptised before he fulfils a forty-day fast.

27 (30) Any bishop who goes from his own into another jurisdiction shall not presume to ordain unless he receives permission from him who is in his own dominion. On Sunday he may perform the eucharist only by formal invitation and he shall be content to be subordinate here.

<28(31)> Si quis conduxerit e duobus clericis — quos discordare conuenit — per discordiam aliquam prolatum uni e duobus hostem ad interficiendum, homicida congruum est nominari; qui clericus ab omnibus rectis habetur alienus.³⁹

<29(32)> Si quis clericorum uoluerit iuuare captiuo, cum suo pretio illi subueniat. Nam si per furtum illum inu(i)olauerit, blasfemantur multi clerici per unum latronem. Qui sic fecerit, excommonis sit.

<30(33)> Clericus qui de Britanis ad nos uenit sine epistola, etsi habitet in plebe, non licet ~~ill~~um⁴⁰ ministrare.

<31(34)> Diaconus nobiscum similiter qui inconsultu suo abbate sine litteris in aliam parruchiam adsentiat, nec cibum ministrare decet, et a suo presbitero quem contempsit per penitentiam uindicetur.

<32(35)> Et monachus inconsultu abbate uagulus decet uindicari.⁴¹

FINIUNT SINODI DISTITUTA.⁴²

³⁹ Cf. *Collectio X.x (Synodus kartaginensis)*: ed. Wasserschleben, p. 29.

⁴⁰ *licitum*, MS. For the use of *licet* with an accusative, see §24(27) and §25(28) with n. 37, above.

⁴¹ This canon begins a new line in the manuscript but was not given a large initial: previous editors have not numbered it while yet separating it from §31(34). Cf. *Collectio XXXIX.11 (Patricius)* which shows it able to be free-standing: ed. Wasserschleben, p. 151.

⁴² This closing rubric is written in Rustic Capital in the manuscript.

28 (31) If one of two clerics who, it is agreed, are at odds has hired an enemy of one of the two, induced by some quarrel to kill, it is appropriate that he should be called a murderer; such a cleric is regarded as excommunicate by all righteous people.

29 (32) If any of the clerics wishes to help a captive, he shall come to his aid with his own resources. For if he kidnaps him, many clerics are blamed because of one robber. He who does this shall be excommunicate.

30 (33) A cleric who comes to us from the Britons without a letter, even though he may be resident in the community, is not permitted to minister.

31 (34) A deacon with us likewise who without consulting his own abbot may go without a letter into another jurisdiction should not even give out food; and he shall be punished with penance by his own priest whom he has slighted.

32 (35) Also, a monk wandering without consulting the abbot should be punished.

THE DECISIONS OF THE SYNOD END.

The origins of the synodal tradition in the Gaelic world can be pursued as far back as our evidence runs — to the middle of the sixth century —, though not on testimony of unimpeachable quality.⁴³ Certainly contemporary evidence emerges only as we enter the second quarter of the seventh century. Nevertheless, given a background of synodal activity in Britain and Gaul in the fifth and sixth centuries, it need occasion no surprise that we find Gaelic bishops (and abbots) meeting in synod to discuss matters of pressing concern. The Gallican tradition may have proved particularly important, for this was vigorous in the sixth century in a period of considerable political upheaval, and from 541 very significant conciliar activity is to be seen there.⁴⁴ Indeed, the Council of Orléans (541) has been thought to have fired the starting pistol for the paschal controversy which was to rage in one part or another of the British Isles for the next two centuries, in that it decreed the adoption of the paschal tables of Victorius of Aquitaine.⁴⁵ In the decade on either side of 600 Columbanus of Bangor was to come into direct contact — conflict, indeed — with Gallican bishops meeting in synod: during his self-imposed spiritual exile in Gaul, he joined battle with the local hierarchy wherever his tenaciously self-confident pursuit of his inherited customs clashed with Continental practices.⁴⁶

The Life of St Columba, founder of Iona, written *ca* 700 by the saint's eighth successor Adomnán (abbot, 679-704),⁴⁷ offers us a view of Columba's involvement in conciliar activity. Columba's experience was not an entirely happy one: a synod 'had been convoked against him' at *Tailtiu* (Teltown, Co. Meath), perhaps in 562, which had excommunicated him before his arrival at it, according to Adomnán; but the hagiographer would have none of this, writing that 'St Columba was excommunicated for some trivial and quite excusable offences by a synod which, as eventually became known, had acted wrongly'.⁴⁸ Those who had gathered there were described by Adomnán as *seniores*:⁴⁹ we know nothing else of their status.⁵⁰ The place of the meeting, however, was a site of considerable political importance, where an annual *oenach* ('fair') of the Southern Uí Néill overkingdom was held.⁵¹ Adomnán's account contains many obscurities and other difficulties for us and the event cannot be historically validated: it is, however, the first of many indications in Gaelic sources that synods (however constituted) were perceived as part of the normal mechanism of ecclesiastical government.

⁴³ See below, n. 48.

⁴⁴ J.M. Wallace-Hadrill, *The Frankish Church* (Oxford 1983), pp. 94-109, especially 97-9; cf. Odette Pontal, *Die Synoden im Merowingerreich* (Paderborn 1986), and Ian Wood, *The Merovingian Kingdoms* (London 1994), pp. 104-8.

⁴⁵ These had been published in 457 and had presumably been on trial in Gaul against the previously used cycle over the intervening eighty-four years. K. Harrison, 'Episodes in the history of Easter cycles in Ireland', in *Ireland in Early Mediaeval Europe. Studies in Memory of Kathleen Hughes*, edd. Dorothy Whitelock *et al.* (Cambridge 1982), pp. 307-19, especially 318-19. For the *acta* of the council, see *Concilia Galliae A. 511-A. 695*, ed. C. de Clercq (Turnhout 1963), pp. 131-46.

⁴⁶ Wallace-Hadrill, *The Frankish Church*, pp. 63-7, especially 65-6. Cf. *Sancti Columbani Opera*, ed. & transl. G.S.M. Walker (Dublin 1957), pp. 12-23 (*Epistula II*).

⁴⁷ *Adomnán's Life of Columba*, edd. & transl. Alan Orr Anderson & M.O. Anderson (2nd edn, Oxford 1991). See also *Adomnán of Iona. Life of St Columba*, transl. Richard Sharpe (Harmondsworth 1995).

⁴⁸ III.3 (edd. & transl. Anderson & Anderson, pp. 184-7; transl. Sharpe, pp. 207-8, with commentary on pp. 352-5 [nn. 353-356]).

⁴⁹ Compare the *senudh sruith*, 'synod of seniors', in the account of the Synod of Inis Aingin (n. 109, below).

⁵⁰ For Irish *sruith*, apparently the equivalent of *senior*, see *Dictionary of the Irish Language based mainly on Old and Middle Irish Materials. Compact Edition*, gen. ed. E.G. Quin (Dublin 1983), S:379-80.

⁵¹ D.A. Binchy, 'The Fair of Tailtiu and the Feast of Tara', *Ériu* 18 (1958) 113-38.

A less certain area of conciliar activity in the Gaelic world is presented by the *rígdál*, ‘meeting of kings’,⁵² latinised by Adomnán of Iona as *condictum regum*. The famous example repeatedly mentioned in his Life of St Columba was the meeting at *Druim Cett* (near Limavady, Co. Londonderry),⁵³ described in the ‘Annals of Ulster’ for 575 as *magna contio*, ‘a great public assembly’,⁵⁴ around which grew a considerable body of legend.⁵⁵ It is reported in much later texts to have been concerned with thoroughly political matters, but according to Adomnán both Columba and St Comgall, the founding abbot of *Bendchor* (Bangor, Co. Down), were present. A good many *dála* were reported over the years by Irish chroniclers:⁵⁶ they were characteristically meetings between kings and we should not suppose that they were other than highly public events; but that any of them could be described also as an ecclesiastical council presided over by kings seems very uncertain.

In the middle ages the Latin terminology of ecclesiastical councils was neither precise nor consistent, it seems.⁵⁷ More recent students of such meetings and the texts which issued from them have been dissatisfied with the lack of a wholly regular usage. As a result, modern scholars have tended to refer to an ecclesiastical meeting with a significant lay presence — whether in its presidency or as an element of the membership — as a ‘council’ but to a wholly ecclesiastical gathering as a ‘synod’.⁵⁸ This is undoubtedly a convenient distinction, but it has to be remembered that our evidence for the membership of any given meeting may be highly incomplete. Furthermore, when scholars have relied directly on a mediaeval source (whether Latin or vernacular) in giving a name to such an event, the potential for unsystematic usage has remained high. The semantic fluidity is further indicated by Old Irish *senod* (Middle Irish *senad*), a borrowing from Latin *synodus*, which came to be used also for a wholly secular meeting.⁵⁹

In so far as we can see conciliar events of the mediaeval Gaelic world, they came in the same variety of forms apparent elsewhere: wholly ecclesiastical gatherings; ecclesiastical meetings presided over by royalty; and meetings with a substantial lay element. However, Adomnán’s testimony — such as it is — about the Synod of Teltown, and indeed that of subsequent hagiography, allows the possibility that non-episcopal synods were convened in which the principal participants were the heads of monastic or quasi-monastic churches who had status derived either from such office or from perceptions of their personal holiness of life; but this is part of a larger, and still wholly unresolved, question about the character, organisation, and terminology of Irish christianity.⁶⁰ Another possibility is that from an early date in Ireland, as sometimes also in England, abbots might have taken part in conciliar

⁵² *Dictionary*, gen. ed. Quin, D:43-8 (s.v. **2 dál**).

⁵³ *Vita Sancti Columbae*, I.10-11; I.49-50; II.6.

⁵⁴ AU 575.1. For the reading, and a proposed dating of the event *ca* 590, see *Adomnán of Iona*, transl. Sharpe, pp. 313-15 (n. 204).

⁵⁵ For a rather generous discussion of this see John Bannerman, *Studies in the History of Dalriada* (Edinburgh 1974), pp. 157-70.

⁵⁶ See nn. 93 and 100, below, for examples.

⁵⁷ Odette Pontal, *Les Statuts synodaux* (Turnhout 1975), especially pp. 21-5. For discussion concerning England, see *Councils and Synods with Other Documents relating to the English Church*, I, A.D. 871-1204, edd. D. Whitelock *et al.* (2 parts, Oxford 1981), pt 1, pp. v-xii.

⁵⁸ For this usage in an Irish context, see M.T. Flanagan, ‘Henry II, the Council of Cashel and the Irish bishops’, *Peritia* 10 (1996) 184-211, at p. 186, n. 8.

⁵⁹ *Dictionary*, gen. ed. Quin, S:174 (s.v. **1 senad**).

⁶⁰ See R. Sharpe, ‘Some problems concerning the organization of the Church in early medieval Ireland’, *Peritia* 3 (1984) 230-70.

gatherings, whereas in Gaul abbots seem not to have acquired appropriate status until the carolingian era.⁶¹

Conciliar activity and its documentation seem to have developed in quantity in the seventh century. Whether this is to be seen as a new departure depends on assessment of two texts already mentioned, *Sinodus episcoporum Patrici Auxilii Issernini* ('The First Synod of St Patrick') and *Sinodus Patricii* ('The Second Synod of St Patrick'), the former having been assigned variously to the fifth, sixth, and seventh centuries and the latter to the sixth and seventh. One factor which has historically made scholars uneasy about attributing either text (and the synod which each may represent) to the seventh century has been the open references to contemporary heathenism; but this no longer presents a serious difficulty.⁶² Both these texts are quoted in *Collectio canonum hibernensis*, as are others whose *acta* do not (by contrast) survive as continuous texts.

Recorded synodal activity in the Gaelic world in the seventh century is associated with controversy. Synods are found recorded directly by participants, implicitly in a sequence of events, through their quoted *acta*, and as vernacular law-tracts. In terms of external stimulus, papal interest in the paschal question seems to have been a crucial factor. The 'deep south' of Ireland seems to have fallen into line with international usage at papal urging.⁶³ Northern Munster and the south Midlands, with adjoining areas of Connaught and Leinster, conformed following synodal activity and contact with Rome in the late 620s and early 630s: we know this from a letter written by one of the participants,⁶⁴ a letter which could have been commissioned by one of the synods. The association of letters with synods is, in general, striking.⁶⁵ Pope Honorius I (625-638) wrote to unidentified churchmen in Ireland, urging unity on this matter.⁶⁶ Another papal letter and Irish synod provoked by it may be implied by a (now lost) letter to Pope Seuerinus (638-640) received after his death and answered by Pope-elect John IV in 640 in a letter addressed to Northern churchmen beginning with Bishop Toméne (of Armagh):⁶⁷ the addressees are likely to have gathered in a

⁶¹ Wallace-Hadrill, *The Frankish Church*, p. 94.

⁶² Dumville *et al.*, *Saint Patrick*, pp. 180-1, and references given there.

⁶³ Cf. D.N. Dumville, 'Derry, Iona, England, and the governance of the Columban Church', in *Derry and Londonderry — History and Society*, ed. Gerard O'Brien (Dublin 1998). It is worth noting that from the Council of Orléans in 541 (nn. 44-45, above) a period of eighty-four years brings us to 625. One would expect discussion among Gaul's christian neighbours to be most intense about that time.

⁶⁴ *Cummian's Letter De controuersia paschali*, edd. & transl. Maura Walsh & D. Ó Cróinín (Toronto 1988). See pp. 56-9, 91-4, on the chronology of events.

⁶⁵ Cf. Bede's account (*Historia ecclesiastica gentis Anglorum*, V.18) of Abbot Aldhelm's tract on Easter (presumptively his Letter [IV] to the British King Gerent) commissioned by a West Saxon synod before 705: *Bede's Ecclesiastical History of the English People*, edd. & transl. Bertram Colgrave & R.A.B. Mynors (Oxford 1969), pp. 514/15. For further discussion, see *Aldhelm. The Prose Works*, transl. Michael Lapidge & M. Herren (Ipswich 1979), pp. 140-3, 155-60.

⁶⁶ Bede, *Historia ecclesiastica gentis Anglorum*, II.19 (edd. & transl. Colgrave & Mynors, pp. 198/9. Walsh & Ó Cróinín have dated this lost letter to 628/9 (*Cummian's Letter*, p. 6) — they have been followed by Michael Lapidge, *Columbanus. Studies on the Latin Writings* (Woodbridge 1997), p. 282, n. 36 — while Sharpe has placed it in 634 (*Adomnán of Iona*, pp. 37-9), presumably following *Bedae Opera de Temporibus*, ed. Charles W. Jones (Cambridge, MA 1943), pp. 92, 98. Harrison, 'Episodes', p. 318, kept his powder dry (but mistakenly stated that Bede reproduced Honorius's letter).

⁶⁷ Bede, *Historia ecclesiastica gentis Anglorum*, II.19 (edd. & transl. Colgrave & Mynors, pp. 198-202). For a part of the text not preserved by Bede, see D. Ó Cróinín, 'A seventh-century Irish computus from the circle of Cummianus', *Proceedings of the Royal Irish Academy* 82C (1982) 405-30, at pp. 408-9. Cf. D. Ó Cróinín, "'New heresy for old": Pelagianism in Ireland and the papal letter of 640', *Speculum* 60 (1985) 505-16. On the results, see R. Sharpe, 'Armagh and Rome in the seventh century', in *Ireland and Europe. The Early Church*, edd. Próinséas Ní Chatháin & M. Richter (Stuttgart 1984), pp. 58-72.

synod which had decided to write to Pope Seuerinus; perhaps they did so again on receipt of John IV's letter. The far North is reported by Bede as having conformed for the most part at the urging of Abbot Adomnán:⁶⁸ observation of previous practice allows the suggestion that a synod would have taken the decision.

Gaelic ecclesiastics abroad found themselves involved in conciliar activity on a variety of occasions. As I have noted, Columbanus in Gaul *ca* 600 does not seem to have enjoyed being summoned to explain himself at a synod: he sent a letter instead.⁶⁹ In the mission-field in mid-seventh-century England, the only recorded council, that held at Whitby in 664, was an event of decisive significance for the Northumbrian Church (and, in consequence, for English christianity as a whole). Summoned by royal authority and presided over by King Oswiu, the council is reported to have discussed the paschal question and other contentious issues: the result was so decisive that it sundered this English province from the mother-church at Iona, which had nurtured it for thirty years. Although our testimony, from two sources of the earlier eighth century,⁷⁰ is not contemporary, it seems safe to say that this looks very much like an event driven largely by royal will.⁷¹ It is not known whether any decrees were issued by the council: the surviving accounts of it seem to be based on oral testimony.⁷²

Two Roman synods of the period display an Irish dimension. Pope Agatho summoned a synod in 679/80 when the Northumbrian Bishop Wilfrid happened to be in Rome. According to Bede,⁷³ Wilfrid was ordered to attend and to declare his faith. The *acta* contained the following rather strange declaration: 'Uilfridus Deo amabilis episcopus Eburacae ciuitatis, apostolicam sedem de sua causa appellans, ... pro omni aquilonali parte Britanniae et Hiberniae, insulis<que> quae ab Anglorum et Brettonum necnon Scottorum et Pictorum gentibus incoluntur, ueram et catholicam fidem confessus est, et cum subscriptione sua corroborauit'.⁷⁴ If it is correctly understood that Wilfrid vouched for northern Ireland as well as northern Britain (which latter included Gaelic peoples), the basis for that is not satisfactorily explicable. Again in 721 a Roman synod enjoyed Insular participation.⁷⁵ On

⁶⁸ Bede, *Historia ecclesiastica gentis Anglorum*, V.15 and 21 (edd. & transl. Colgrave & Mynors, pp. 506/7, 550/1).

⁶⁹ See above, n. 46.

⁷⁰ Stephanus, *Vita Sancti Wilfridi*, §10 (*The Life of Bishop Wilfrid*, ed. & transl. Bertram Colgrave [Cambridge 1927], pp. 20-3); Bede, *Historia ecclesiastica gentis Anglorum*, III.25-26 (edd. & transl. Colgrave & Mynors, pp. 294-309). For discussion of their relationship see Walter Goffart, *The Narrators of Barbarian History (A.D. 550-800)* (Princeton, NJ 1988), pp. 235-328.

⁷¹ R. Abels, 'The Council of Whitby: a study in early Anglo-Saxon politics', *Journal of British Studies* 23 (1983/4), no. 1, pp. 1-25.

⁷² For discussion of the nature of Bede's oral sources and his use of them, see D.P. Kirby, 'Bede's native sources for the *Historia ecclesiastica*', *Bulletin of the John Rylands Library* 48 (1965/6) 341-71, and 'The genesis of a cult', *Journal of Ecclesiastical History* 46 (1995) 383-97.

⁷³ *Historia ecclesiastica gentis Anglorum*, V.19 (edd. & transl. Colgrave & Mynors, pp. 522-7), drawing on Stephanus, *Vita S. Wilfridi*, § 53 (ed. & transl. Colgrave, pp. 112-14). I have taken <que> from Stephanus's text: it gives a rather different sense to the passage.

⁷⁴ For discussion of the documentation for the synod, see Reginald L. Poole, *Studies in Chronology and History* (Oxford 1934), pp. 38-55; cf. Hanna Vollrath, *Die Synoden Englands bis 1066* (Paderborn 1985), pp. 76-92, and references given there. On the participants, see Georgine Tangl, *Die Teilnehmer an den allgemeinen Konzilien des Mittelalters* (Weimar 1922), pp. 66-72.

⁷⁵ *Sacrorum Conciliorum Nova et Amplissima Collectio*, ed. Joannes Dominicus Mansi (36 vols in 38, Firenze &c. 1759-1911), XII, cols 261-8. On the participants see Tangl, *Die Teilnehmer*, pp. 72-6, who unfortunately described Sedulius and Fergustus as 'die englischen Bischöfe' (p. 73). For the subscriptions, see *Collectio*, ed. Mansi, XII, col. 262 (the last two bishops in the list); the attestation-formula is the same as that

this occasion we find two relevant subscriptions: *Sedulius, episcopus Britanniae de genere Scotorum, huic constituto a nobis promulgato subscripsi*, ‘I, Sedulius, a Gaelic bishop of Britain, have subscribed to this agreed document promulgated by us’; and *Fergustus episcopus Scotiae Pictus*, ‘Fergustus, a Pictish bishop of Ireland (Gaeldom)’, with the same formula of attestation.

Interaction between Britain and Ireland at an ecclesiastical level continued to produce anomalous results. When a bishopric was established in the English monastery at Mayo (*Mag Eo na Saxan*) in Connaught in the eighth century, its bishops attended councils of the Northumbrian Church to which their see belonged. It disappears from record in the First Viking-Age and the connexion with York evidently lapsed.⁷⁶ Some three centuries later, as a result of the circumstances of Viking-Age Scandinavian settlement in Ireland, some Irish bishops once more came under the jurisdiction of an English Church, this time that of Canterbury. In the course of the relationship, which was terminated in 1152, we again find Irish episcopal involvement in the governmental processes of the English Church.⁷⁷ Both the ninth-century and the twelfth-century situation arose from circumstances very specific to each period, and no linkage should be seen between them. No surviving documentation is associated with the conciliar events in question.

Irish Church-government of the seventh century (and perhaps earlier) is visible in important measure through *Collectio canonum hibernensis*, compiled early in the eighth century. It is clear that the compiler(s) of this systematic collection drew extensively on earlier conciliar legislation, both from the wider Church and from the Gaelic world. That canon-collections were available already to Cummian by 632 is made plain in his Paschal Letter⁷⁸ (as is also the case with Columbanus in the previous generation).⁷⁹ Cummian quoted from the decree(s) of the Synod of Mag Léne, held three years before he wrote his Paschal Letter.⁸⁰ This was but one of a series of seventh-century synods which confronted controversial questions, ranging internationalist against nativist opinion on issues as diverse as the calculation of Easter and the nature of marriage in a christian society. We see synods described as the work of *Romani* (‘Romans’, the internationalists) and of *Hibernenses* (‘Irish’, the nativists): that they issued written *acta* seems clear from the quotation of such under these labels in *Collectio canonum hibernensis*.⁸¹ While they may have been legislating for the territories, populations, or ecclesiastical houses accepting their jurisdiction, there is a

used by the pope, by two immediately following bishops, and by the Spanish bishop who preceded Sedulius. At the beginning of the document twenty-three bishops are listed (cols 261-2): no. 19 is *Sedulio episcopo Britanniae* and no. 21 is *Fergusto episcopo Scotiae*. (It should be noted that the Andreas Albanensis who follows was bishop of Albano, nothing to do with St Andrews in Scotland.) It is inconceivable that these bishops were from Strathclyde, as suggested in *Councils and Ecclesiastical Documents relating to Great Britain and Ireland*, edd. Arthur West Haddan & W. Stubbs (3 vols, Oxford 1869-78), II.7.

⁷⁶ For the history of Mayo, see Hughes, *Church and Society*, essay XVI (a paper first published in 1971), pp. 51-3; cf. Dumville, ‘Derry, Iona, England’. AFM 905.6 presents a last glimmer before the late eleventh century.

⁷⁷ See, for example, the presence of ‘Gilbert’, bishop of Limerick, at the Council of Westminster in 1115: *Councils and Synods*, I, edd. Whitelock *et al.*, pt 2, pp. 709-16 (no. 121).

⁷⁸ *Cummian’s Letter*, edd. & transl. Walsh & Ó Cróinín, pp. 68-73. Cf. J.E.L. Oulton, ‘On a synod referred to in the *De controversia paschali* of Cummian’, *Hermathena*, no. 49 (1935) 88-93.

⁷⁹ *Sancti Columbani Opera*, ed. & transl. Walker, p. 221 (*s.n. Concilia*), referring to *Epistulae* II, III, V.

⁸⁰ *Cummian’s Letter*, edd. & transl. Walsh & Ó Cróinín, pp. 90-3.

⁸¹ *Die irische Kanonensammlung*, ed. Wassersleben, p. 6 (I.8.b: *romana*) and p. 16 (II.14: *hibernensis*), etc. I count more than seventy-five attributions to a *synodus Hibernensis*, and approaching fifty citations described as ‘Roman’.

very real possibility that they were also legislating against one another; Cummian's Paschal Letter indicates that the atmosphere was already able to become charged in the first half of the seventh century.⁸² Only with Iona's acceptance of international paschal usage in 716 is the situation likely to have started to calm down. *Collectio canonum hibernensis* seems to have been compiled in a period when differing views on many issues were still widely held but perhaps when the worst of the heat was beginning to abate.

It was the function of a synod to hand on to its own generation the wisdom expressed in, among other sources, the conciliar tradition of legislation,⁸³ but it would nevertheless tend to do so with immediate concerns in mind. It is therefore in principle difficult to know whether the canons transmitted in *Collectio canonum hibernensis* as those of *Synodus hibernensis* or (especially) of *Synodus romana* are new legislation or merely the recycling of earlier provisions (as indeed sometimes seems to be the case).⁸⁴ Nevertheless, it is clear that the *acta* of foreign councils had authority for the author(s) of *Collectio canonum hibernensis*, and we should probably accept that they did so too for many (if not all) of the synods which met in seventh-century Gaeldom. What is striking, however, in that text is the very few references to synods as part of the governmental articulation of the Church envisaged by the compiler(s).⁸⁵ While synods provided, through their canons, a great part of the source-material for the collection as a whole, none of the sixty-seven books of the published A-text is devoted to the synod as an ecclesiastical entity and the particular provisions mentioning synods are scarce. One is almost tempted to wonder whether the compiler(s) sought to present the synod as an historical rather than a current form.

In general, we do not see the complete *acta* of any Gaelic council or synod of the sixth or seventh century. The exceptions are the two conciliar texts associated with the name of St Patrick already by the eighth century, a series of canons specifically labelled as the result of a (presumptively specialist) synod about dogs,⁸⁶ and an altogether different type of council and record, to which we must now turn. The conciliar gatherings responsible for the texts which we have met thus far are most easily taken to have been wholly ecclesiastical affairs, although we lack direct evidence on the point; certainly the records which they produced are wholly in Latin. There was, however, a different category which seems to have had more direct links with the Gaelic secular legal tradition.⁸⁷

⁸² *Cummian's Letter*, ed. & transl. Walsh & Ó Cróinín, pp. 90-7.

⁸³ Wallace-Hadrill, *The Frankish Church*, p. 95.

⁸⁴ This also depends on the assumption (not necessarily always justified) that the source-labelling in *Collectio canonum hibernensis* is correct.

⁸⁵ I.10i: 'Ut episcopus ad sinodum ire satis graui necessitate inhibeat, sic tantum per personam legatum mittat, suscepturus salua fidei ueritate quidquid sinodus statuerit (ed. Wassersleben, p. 7). X.n: 'Clericus, qui episcopi distractionem circa se iniustam putat, recurrat ad synodum' (attributed to *Synodus kartaginensis*: ed. *ibid.*, p. 28). XX.5a: 'Si in qualibet prouincia ortae fuerint questiones, et inter clericos dissidentes non conueniat, ad maiorem sedem referantur, et si illic facile non discutiantur, ubi fuerit sinodus congregata, iudicentur' (attributed to *Synodus romana*: ed. *ibid.*, p. 61). XXX.5c: 'Placuit sinodo, ut nullus grauet ecclesiam, quia ecclesia recipit, nutrit, satiat, et peccatum uniuscuiusque non ueniet super eam' (attributed to *Synodus arlatensis*: ed. *ibid.*, p. 104).

⁸⁶ *The Irish Penitentials*, ed. & transl. Bieler & Binchy, pp. 174/5 (amid a collection of largely synodal records: *ibid.*, pp. 160-75; cf. pp. 8-9, 251-3). Cf. Fergus Kelly, *A Guide to Early Irish Law* (Dublin 1988), pp. 146, 275, 282, and L. Breatnach, 'On the glossing of early Irish law-texts, fragmentary texts, and some aspects of the law relating to dogs', *Commentationes Humanarum Litterarum* (Helsinki) 107 (1996) 11-20.

⁸⁷ See T.M. Charles-Edwards, *The Early Mediaeval Gaelic Lawyer*, Quiggin Pamphlet 4 (Cambridge 1997).

One of the very few circumstances in which a Gaelic king had any legislative power over his *tuath* was in an emergency, whether natural or man-made.⁸⁸ Probably late in the seventh century a clever ecclesiastic or lawyer (or perhaps even king) saw scope for an interesting extension of such practice. Formal recognition of a moral emergency could be used to gain the opportunity to promote social legislation, something otherwise effectively unimaginable. Adomnán, abbot of Iona, may have been the figure in question, or he may have been a particularly successful exponent of the vision of one of his approximate contemporaries. In any event, the closing years of the seventh century saw certainly one and perhaps two decree-laws first promulgated which, though ecclesiastical, seem to have relied upon the active backing of kings to carry them into effect. These *cána* mark a specific phase of Irish legal history. Chronicle-evidence shows us that they mushroomed in number during the next century and a half and were repeatedly repromulgated, not uncommonly by a stated combination of king and coarb.⁸⁹ Arguably the first such law was *Cáin Fhuithirbe*, the text of which survives only in fragments but which — if correctly dated — belongs to 678×683.⁹⁰

Cáin Adomnáin, also known as *Lex innocentium*, ‘The Law of the Innocents’,⁹¹ was promulgated at a great council held early in 697 at *Biror* (Birr, Co. Offaly)⁹² on the border of the provinces of *Mumu* (Munster) and *Mide* (Meath), also the border between the Northern and the Southern Half. The location was no doubt politically deliberate.⁹³ In his *Vita Sancti Columbae* Adomnán referred to his return to Iona *post Euerniensis sinodi conductum*, ‘after the meeting of the Irish synod’,⁹⁴ which has been taken to be the meeting which issued his *cáin*.⁹⁵ There were presumably many ecclesiastics there from all over the Gaelic world (and perhaps also from Pictland) and possibly also many kings: the surviving text of the law — encrusted as it is with story and gloss — presents a list of ninety-one guarantors, forty of them ecclesiastics, the remainder kings, the very last being the (over)king of Picts.⁹⁶ It is not known whether or how many of these appeared in person, whether the gathering was wholly ecclesiastical (which seems unlikely), and how the guarantors had been collected. This law defined classes of non-combatants in time of war and sought to protect them by a combination of spiritual and financial penalties: it represents a remarkable piece of social engineering and must have required significant political skill to introduce.

Cáin Adomnáin seems to have been the only one of these laws not named after a long-dead founding saint,⁹⁷ apart from *Cáin Fhuithirbe*, already mentioned, and *Cáin Domnaig*, ‘The Law of Sunday’, a sabbatarian law whose text survives but about whose

⁸⁸ *Críth Gablach*, ed. D.A. Binchy (Dublin 1941), pp. 20-1 (§38); for commentary see pp. 79, 104.

⁸⁹ For a troublesome possible example, see below, n. 100.

⁹⁰ D.A. Binchy, ‘The date and provenance of *Uraicecht Becc*’, *Ériu* 18 (1958) 44-54 (at pp. 51-4); L. Breatnach, ‘The ecclesiastical element in the Old-Irish legal tract *Cáin Fhuithirbe*’, *Peritia* 5 (1986) 36-52; S. Ó Coileáin, ‘Mag Fhuithirbe revisited’, *Éigse* 23 (1989) 16-26.

⁹¹ AU 697.3.

⁹² *Cáin Adomnáin*, §28, for the place and for the list of guarantors: *Cáin Adomnáin. An Old-Irish Treatise on the Law of Adamnan*, ed. & transl. Kuno Meyer (Oxford 1905); *Adomnán’s ‘Law of the Innocents’*, transl. Gilbert Márkus (Glasgow 1997).

⁹³ It is clear from Adomnán’s account of the Synod of Teltown (n. 48, above) that the church of Birr stood in high favour with Iona. For a subsequent *rígdál* at Birr, see AU 827.10.

⁹⁴ II.45 (edd. & transl. Anderson & Anderson, pp. 176-9; transl. Sharpe, pp. 202-3).

⁹⁵ *Adomnán of Iona*, transl. Sharpe, pp. 346-7 (n. 341), for comment, including a note on ‘Synods in the Irish Church’.

⁹⁶ M. Ní Dhonnchadha, ‘The guarantor list of *Cáin Adomnáin*, 697’, *Peritia* 1 (1982) 178-215.

⁹⁷ It was renewed in 727 with the aid of his relics (AU 727.6; cf. 730.3); cf. Herbert, *Iona, Kells, and Derry*, pp. 50-3, 55, 61-5, 146, 152, 160-7, 178, on this *cáin*.

promulgation little is known.⁹⁸ These three texts are the only examples of the genre to survive. References to the *cána* of saintly founders may be found in chronicles, however: in the ‘Annals of Ulster’ for 721 we read *Inmesach relegiosus legem cum pace Christi super insulam Hiberniae constituit*, ‘Inmesach the religious established a law with the peace of Christ over the island of Ireland’.⁹⁹ It was not long before a ‘Law of St Patrick’, *Cáin Phátraic*, was introduced, perhaps first in 734; but in 737, we are told, *Lex Patricii tenuit Hiberniam*, ‘The Law of Patrick was in force in Ireland’.¹⁰⁰ It was last renewed in 842: we read in the ‘Annals of Inisfallen’ that <*Cáin*> *Phátraic co Mumain la Forannán ocus la Diarmait*, ‘<The Law> of Patrick <was brought> to Munster by Forannán and Diarmait’, joint-abbots of Armagh.¹⁰¹ *Cána* of various other saints followed these.¹⁰² The significance of the renewals of *cána* remains uncertain:¹⁰³ they may have been deemed to lapse in the territory of a royal guarantor upon his death, or there may have been local and particular reasons for repromulgation. It has been supposed that the lack of evidence for renewal after the first shock of the Viking-Age meant that the *cána* fell into desuetude thereafter.¹⁰⁴ Certainly there is no sign in the late eleventh century and the twelfth, when Irish clerics once again turned their minds to reform under foreign stimulus, that these saintly *cána* were still known.

We lose sight of conciliar activity after 697 and possess no *acta* of Gaelic councils or synods for the next four hundred years. It is almost as if the seventh century exhausted the capacity or taste of Gaelic clerics for them. The compilation and circulation of *Collectio canonum hibernensis* may have seemed to provide a substitute for meetings and legislation.¹⁰⁵ Of course it is unlikely that no councils or synods were held: these may have been the very bodies needed for promulgation of *cána*, although that was perhaps able to be done by a coarb and a major overking acting together. In any event, it is not until the first two generations of the culdee-movement, the radical ascetic tendency which seems to have developed in Gaelic christianity in the last part of the eighth century,¹⁰⁶ that we see anything

⁹⁸ V. Hull (ed. & transl.), ‘Cáin Domnaig’, *Ériu* 20 (1966) 151-77. Cf. D. Whitelock, ‘Bishop Egred, Pehtréd and Niall’, in *Ireland in Early Mediaeval Europe*, edd. Whitelock *et al.*, pp. 47-68.

⁹⁹ AU 721.9.

¹⁰⁰ AU 734.3a: ‘Commotatio martirum — Petir ocus Phóil ocus Phátraicc — ad legem perficiendam’. AU 737.10 (quoted in the text) is preceded by an entry reading *Dál iter Aedh nAlddán ocus Cathal oc Tír dá Glas*, ‘A meeting between Aed Allán and Cathal at Terryglass’ (AU 737.9): B. Ó Cuív, ‘Literary creation and Irish historical tradition’, *Proceedings of the British Academy* 49 (1963) 233-62, at p. 244, has doubted the suggestion that the meeting led directly to the promulgation of *Cáin Phátraic* in both Halves of Ireland.

¹⁰¹ AI 842.1; for their status see AI 852.2 and AU 852.1, their death-notice.

¹⁰² For a recently recovered example see P. Ó Riain, ‘A misunderstood annal: a hitherto unnoticed *cáin*’, *Celtica* 21 (1990) 561-6 (on AI 810.1). Cf. Kelly, *A Guide*, pp. 275-6 (no. 50).

¹⁰³ What did the annalist mean by *Lex tertia Commáin et Aedháin incipit* (AU 780.14)?

¹⁰⁴ Kathleen Hughes, *The Church in Early Irish Society* (London 1966), pp. 149-52, and *Early Christian Ireland: Introduction to the Sources* (London 1972), pp. 80-2, on the history of *cána*. Cf. Kelly, *A Guide*, pp. 21-2, 273 (no. 39), 275-6 (no. 50), 281-2 (nos 73-76).

¹⁰⁵ For the versions of the text see *Die irische Kanonensammlung*, ed. Wassersleben, introduction; Hubert Mordek, *Kirchenrecht und Reform im Frankenreich* (Berlin 1975), especially pp. 255-9; R.E. Reynolds, ‘Unity and diversity in carolingian canon law collections: the case of the *Collectio hibernensis* and its derivatives’, in *Carolingian Essays*, ed. Uta-Renate Blumenthal (Washington, DC 1983), pp. 99-135; D.N. Dumville, ‘Ireland, Brittany, and England: transmission and use of *Collectio canonum hibernensis*’, in *Irlande et Bretagne*, edd. Laurent & Davis, pp. 84-95; Charles-Edwards, *The Early Mediaeval Gaelic Lawyer*.

¹⁰⁶ *Ireland’s Desert-Fathers*, edd. & transl. E.J. Gwynn *et al.* (Chichester 1997).

recorded which might pass as conciliar activity. The ‘Annals of Ulster’ preserve two relevant notices.¹⁰⁷

[780] Congressio senodorum nepotum Néill Laginentiumque in opido Temro ubi fuerunt ancoritae et scribe multi, quibus dux erat Dublitter.

[804] Congressio senadorum nepotum Néill cui dux erat Condmach, abbas Airdd Machae, i nDún Chuaer.

A great deal of ink can be devoted to these two entries which are plainly related to one another. The opening formula would appear to mean ‘A meeting of the synods of Uí Néill ...’ and thus opens up numerous questions about Church-government. However, we have no other material to bring directly to bear on these meetings and issues. Dublitter was a *céle Dé* but we have little reason to think thus of Condmach, a pillar of the ecclesiastical establishment.¹⁰⁸

That the possibility of synodal activity was not lost, even a century later, is indicated by an entry in *Chronicum Scotorum* for 899.¹⁰⁹

Crech la Connachtoibh a n-iarter Midhe. Sáruccadh Innsi Aingin et duíni do guín for a lár, ocus scrín Ciaráin inte, ocus senudh sruith im Cairpre Crom, epscop Cluana muc Nóis. Maidm for Connachtoibh oc Áth Luain ria n-iarter Midhe isin ló cédna, co-ffargsad drem.

‘A raid by the Connachta into western Meath. The profanation of Inis Aingin and a man was wounded in the middle of it, and the shrine of Ciarán was there, and a synod of seniors around Cairbre Crom, bishop of Clonmacnoise. A victory was gained at Athlone on the same day by <the men of> western Meath over the Connachta, and they lost many men.’

That this Synod of Inis Aingin was the target of the attack is both a reasonable inference and an indication of the perils of holding ecclesiastical meetings in troubled times.¹¹⁰ The increasing disorder of the ninth and tenth centuries, due both to vikings and to their native imitators, was no doubt a further disincentive to ecclesiastical travel and conference-going within Gaeldom. However, it was but a prelude to the crescendo of Irish interprovincial warfare which characterised the eleventh century and which, at its very end, was to provoke the leading churchmen of Ireland, beginning with the coarb of St Patrick, to intervene to seek peace.

The peace-movement,¹¹¹ which partly took its inspiration from other parts of Europe, intersected with the results of direct external pressures towards reform in Ireland. Whatever reflexes eleventh-century reforming ideas may have had in Ireland as a result of the existence of Irish monastic settlements in Germany,¹¹² it was the Norman conquest of England in 1066 which was to have the most profound external impact on the development of the Irish Church. The interest which new archbishops in England, and particularly at Canterbury,

¹⁰⁷ AU 780.12 and 804.7.

¹⁰⁸ For discussion see Herbert, *Iona, Kells, and Derry*, pp. 69-70; D. Ó Corráin, ‘Congressio senadorum’, *Peritia* 10 (1996) 252; *Ireland’s Desert-Fathers*, edd. & transl. Gwynn *et al.*, pp. xxxviii-xl.

¹⁰⁹ CS 899.4.

¹¹⁰ On vikings and gatherings at ecclesiastical sites, see Alfred P. Smyth, *Scandinavian Kings in the British Isles 850-880* (Oxford 1977), pp. 147-9, 155-6, 167, 181-2, and *Scandinavian York and Dublin* (2 vols, Dublin 1975/9), pp. 130-2.

¹¹¹ On this see D.N. Dumville, ‘The peace-movement in Ireland in the later eleventh and twelfth centuries’, to appear in a Festschrift in 1998.

¹¹² Aubrey Gwynn, *The Irish Church in the Eleventh and Twelfth Centuries* (Blackrock 1992), pp. 1-16, 331-2; N. Bulst, ‘Irisches Mönchtum und cluniazensische Klosterreform’, in *Die Iren und Europa im früheren Mittelalter*, ed. Heinz Löwe (2 vols, Stuttgart 1982), II.958-69.

were to show in their inheritance and in all its possibilities rapidly encompassed Ireland, thanks to a reading of Bede's *Historia ecclesiastica gentis Anglorum* and royal diplomata issued after the founding of the kingdom of England in 927.¹¹³ Archbishop Lanfranc (1070-89) soon involved Pope Gregory VII (1073-85) and both wrote to Ireland, urging kings and clergy to undertake reform of Church and society.¹¹⁴

There are traces of councils being held in Munster in the mid-eleventh century, to issue decrees on various matters; it is not clear to what extent these represent a new development.¹¹⁵ One held at an unknown location in 1040 had a strongly sabbatarian cast, according to the 'Annals of Inisfallen' which, however, record no ecclesiastical participation:¹¹⁶

Cáin ocus rechtge do dénam oc mac Briain innas na-dernad ó ré Pátraicc i nHéirind connalaimthe gait do dénam na henggnam Domnaig na himthecht nach aire ar muin i nDomnuch; ocus dano na-laimthe míl innille do thabairt hi tech.

'A law and ordinance, such as was not enacted in Ireland from Patrick's time, was made by Brian's son, to the effect that none should dare to steal or do feats of arms on Sunday or go out carrying any load on Sunday; and, furthermore, that none should dare to fetch cattle within doors.'

In 1050, a council was held at Cell Da Lua (Killaloe, Co. Clare) in response to natural disaster and social disorder, according to the 'Annals of the Four Masters':¹¹⁷

Doinend mhór do thiachtain hi ttír Éreann, co rucc ith agus bliocht agus mess agus iascc ó dhaoineibh, co ro fhás eisionnracus hi cách, co ná haincedh ceall ná dún ná cairdes Críost ná comluighe, go ro tionólsat cléirigh Mumhan agus a laoiach agus a ríoghraidh im Donnchadh mac Briain .i. mac rígh Éreann agus im Céle mac Donnacáin, im cenn crábhaidh Éreann, co Cill Da Lua, co ro ordaighsiot cáin agus cosc gach indlighidh ó bhiucc co mór. Tucc Día síth agus soinenn for sliocht na cána sin.

'Much inclement weather happened in the land of Ireland, which carried away corn, milk, fruit, and fish from the people, so that there grew up dishonesty among all, that no protection was extended to church or fortress, gossiped or mutual oath, until the clergy and laity of Munster assembled, with their chieftains, under Donnchadh, son of Brian, i.e. the son of the king of Ireland, at Cill-Dalua, where they enacted a law and a restraint upon every injustice, from small to great. God gave peace and favourable weather in consequence of this law.'

This can be seen as a prelude to what was necessary when, after a year of plague in 1095/6, mass hysteria gripped the country; what appears to have been a national council met in 1096

¹¹³ For discussion see J.A. Watt, *The Church and the Two Nations in Medieval Ireland* (Cambridge 1970), pp. 217-25; Margaret Gibson, *Lanfranc of Bec* (Oxford 1978), pp. 111-13, 116-31; cf. David N. Dumville, *Wessex and England from Alfred to Edgar* (Woodbridge 1992), chapters 4-5.

¹¹⁴ *The Letters of Lanfranc, Archbishop of Canterbury*, edd. & transl. Helen Clover & M. Gibson (Oxford 1979), pp. 66-73 (nos 9-10), 154-61 (no. 49); *The Epistolae Vagantes of Pope Gregory VII*, ed. & transl. H.E.J. Cowdrey (Oxford 1972), pp. 138-41 (no. 57, to King Toirrdelbach ua Briain, datable only 1074×1084).

¹¹⁵ AI 1068.4 in reference to apparently wholly secular decree-law has the phrase *cáin ocus rechtge*. Cf. n. 88, above, in this connexion.

¹¹⁶ AI 1040.6 (Mac Airt's translation, slightly modified): note (cf. n. 115) the opening formula, *cáin ocus rechtge*.

¹¹⁷ AFM 1050.8 (O'Donovan's translation); cf. AI 1050.2. For discussion see Hughes, *The Church in Early Irish Society*, pp. 243-4.

under the presidency of the coarb of St Patrick to take measures to restore calm.¹¹⁸ This seems to mark a turning point in the history of Irish christianity, inaugurating a century of reforming councils and synods; but, before that century had been completed, foreign invasion and conquest led to new approaches to reform. We may begin our study of that era by considering a list of councils and synods known to have been held in Ireland in the years 1096-1201.

¹¹⁸ For discussion see James F. Kenney, *The Sources for the Early History of Ireland: Ecclesiastical. An Introduction and Guide* (New York 1929; rev. imp., by L. Bieler, 1966), pp. 749-53; cf. Martin McNamara, *The Apocrypha in the Irish Church* (Dublin 1975), pp. 64-7 (nos 55-57).

- 1096 (location unknown, perhaps Waterford)¹¹⁹
 1101 [I] Caisel (Cashel, Co. Tipperary)¹²⁰
 1111 Fiad mac nAengussa (unidentified; in the Southern Half)¹²¹
 1111 Uisnech (Uisneach/Ushnagh Hill, Co. Westmeath)¹²²
 1118(?) Ráith Bressail (Fortgrady, Co. Cork)¹²³
 1134 [II] Caisel (Cashel, Co. Tipperary)¹²⁴
 1144 Tír dá Glas (Terryglass, Co. Tipperary)¹²⁵
 1148 Inis Phátraic (Patrick's Island/Holmpatrick, Co. Dublin)¹²⁶
 Droichet Átha (Drogheda, Co. Louth)/Cenannas na Mide (Kells, Co. Meath)¹²⁷
 1152 Droichet Átha (Drogheda, Co. Louth)¹²⁸
 1157 Brí Maic Thaidc (i Laegaire) (nr Trim, Co. Meath)¹²⁹
 1158 Ros Comáin (Roscommon, Co. Roscommon)¹³⁰

¹¹⁹ AClon 1094.6; AFM 1096.6; ALC 1096.4; AU 1096.3; CS 1096.1. (Cf. AI 1109.3 on a partial recurrence.) For reasons for Waterford as a possible location, see Kenney, *The Sources*, p. 751. Cf. nn. 151-160, below.

¹²⁰ AClon 1100.1; AFM 1101.2; AT 1101.8; CS 1101.1. For other sources, see below, nn. 161-162.

¹²¹ AFM 1111.5; AI 1111.3; ALC 1111.6; AT 1111.6; AU 1111.8; CS 1111.6. I have discussed this at length in a forthcoming article, 'The Council of Fiad mac nAengusa, A.D. 1111'.

¹²² AB 1111.1; AT 1111.7; CS 1111.7.

¹²³ For this meeting, attested only by Seathrún Céitinn, see below, nn. 163-166. On the location, see A. Candon, 'Ráith Bressail: a suggested identification', *Peritia* 3 (1984) 326-9, and 'Belach Conglais and the diocese of Cork, A.D. 1111', *Peritia* 5 (1986) 416-18.

¹²⁴ AClon 1135.11; AFM 1134.10; McC 1134.1. Cf. AB 1134.1, AT 1134.2, CS 1134.3.

¹²⁵ AT 1143.5-6 and 1144.7-8. Cf. AClon 1140.5; AFM 1144.8.

¹²⁶ AFM 1148.2; CS 1148.2.

¹²⁷ AFM 1152.2 (cf. 1151.2); AT 1152.2. Cf. AB 1151.3; AClon 1141.6. *Annals of Christ Church (Dublin)* 1152.2.

¹²⁸ AClon 1153.10; AFM 1157.9; AT 1157.3; AU 1157.4; *Annals of St Mary's Abbey (Dublin)* 1157.1. Cf. AB 1157.3. It is clear that the location intended was Mellifont Abbey.

¹²⁹ AClon 1158.5; AFM 1158.3; AT 1158.6; AU 1158.3. For discussion, see Herbert, *Iona, Kells, and Derry*, pp. 116-18, 200.

¹³⁰ This is attested only indirectly from a lost chronicle-source (described as 'Annals of the Priory of All Saints' or *Annales Conaciae* — perhaps the missing part of ALC) used by seventeenth-century writers. For a full list of references see Edward Rogan, *Synods and Catechesis in Ireland, c. 445-1962* (Roma 1987), p. 11 (where the reference to Wilkins should be to I.431).

- 1161 Áth na Dairbrige (Dervor, Co. Meath)¹³¹
 1162 Cloenad (Clane, Co. Kildare)¹³²
 1166 Less Mór (Lismore, Co. Waterford)¹³³
 1167 Áth Buide Tlachtga (Athboy, Co. Meath)¹³⁴
 1170(?) Ard Macha (Armagh, Co. Armagh)¹³⁵
 1172 [III] Caisel (Cashel, Co. Tipperary)¹³⁶
 1172 Tuaim (Tuam, Co. Galway)¹³⁷
 1174 Birra (Birr, Co. Offaly)¹³⁸
 1174(?) Port Láirge (Waterford, Co. Waterford)¹³⁹
 1177 [I] Áth Cliath (Dublin, Co. Dublin)¹⁴⁰
 1179(?) Cluain Ferta Brénainn (Clonfert, Co. Galway)¹⁴¹
 1186 [II] Áth Cliath (Dublin, Co. Dublin)¹⁴²
 1192 [III] Áth Cliath (Dublin, Co. Dublin)¹⁴³
 1201 [IV] Áth Cliath (Dublin, Co. Dublin)
 and Áth Luain (Athlone, Co. Westmeath)¹⁴⁴

¹³¹ AFM 1161.7; AU 1161.7.

¹³² AFM 1162.9 (cf. 1169.3); AT 1162.4; AU 1162.3 (cf. 1169.3).

¹³³ AI 1166.2.

¹³⁴ AFM 1167.5.

¹³⁵ *Expugnatio hibernica: The Conquest of Ireland, by Giraldus Cambrensis*, edd. & transl. A.B. Scott & F.X. Martin (Dublin 1978), pp. 68-71 (I.18).

¹³⁶ *Ibid.*, pp. 96-101 (I.34-35); cf. pp. 314-15 (nn. 166-179).

¹³⁷ AFM 1172.12; AT 1172.12.

¹³⁸ AB 1174.7; AFM 1174.9 (?); AT 1174.12(?); AU² 1174.7.

¹³⁹ Giraldus, *Expugnatio hibernica*, II.5 (edd. & transl. Scott & Martin, pp. 142-7).

¹⁴⁰ AFM 1177.1; AU² 1177.7; cf. AB 1177.3. See also Giraldus, *Expugnatio hibernica*, II.19 (edd. & transl. Scott & Martin, pp. 180-3; cf. pp. 355-6 [nn. 322-327]).

¹⁴¹ AClon 1170 (ed. Murphy, pp. 213-14); for discussion and date see Gwynn, *The Irish Church*, pp. 136-40.

¹⁴² Giraldus Cambrensis, *De rebus a se gestis*, II.13-15, and *Topographia Hiberniae*, III.27-31: *Giraldi Cambrensis Opera*, edd. J.S. Brewer *et al.* (8 vols, London 1861-91), I.65-72 and IV.172-8.

¹⁴³ AI 1192.3.

¹⁴⁴ AFM 1201.3; cf. AI 1202.7.

Just as the decisions of the Council of Orléans in 541 may have fired the starting pistol for the paschal controversy in the British Isles, with the letters of Roman bishops in England and of popes in the first half of the seventh century provoking responses and action in the Gaelic world, so a combination of letters from Archbishop Lanfranc and Pope Gregory VII in 1073/4 may have been triggers of activity in the late eleventh. Toirrdelbach ua Briain, overking of Munster 1063-86,¹⁴⁵ was the recipient of a pair of such letters:¹⁴⁶ Lanfranc, who seems to have been equipped by Gregory with legatine authority in respect of Ireland,¹⁴⁷ urged the holding of an Irish council.¹⁴⁸

... episcopos et religiosos quosque uiros in unum conuenire iubete, sacro eorum conuentui praesentiam uestram cum uestris optimatibus exhibete, has prauas consuetudines omnesque alias quae a sacris legibus improbantur a regno uestro exterminare studete, ...

‘order the bishops and all men of religion to assemble together, attend their holy assembly in person with your chief advisers, and strive to banish from your kingdom these evil customs and all others similarly condemned by canon law.’

There is some reason to think that King Toirrdelbach did respond by holding a council or councils, but the details are exceptionally unclear;¹⁴⁹ correspondence between Lanfranc and Ireland continued and was followed by further exchanges with the next two archbishops of Canterbury, Anselm (1093-1109) and Ralph (1114-22).¹⁵⁰ The written requests represented as accompanying bishops elect from the Hiberno-Scandinavian towns, who sought consecration at the hands of successive archbishops of Canterbury, may imply that their elections were the result of conciliar process, but the documents in question are deeply troublesome and it would be unwise to press their wording too hard. Light begins to dawn only in 1096.

The council which met in that year did so in response to crisis. Its location is not directly attested. But the same year saw the despatch to Archbishop Anselm of a request for the consecration of one Malchus — once a monk under Walchelin, bishop of Winchester 1070-98 — as first bishop of Waterford.¹⁵¹ The letter (quoted by Eadmer of Canterbury in Book II of his *Historia nouorum in Anglia*)¹⁵² which is said to have accompanied him is one of the troublesome documents just mentioned. The list of those who requested the consecration may be taken at face-value, however: Muirchertach Ua Briain, overking of

¹⁴⁵ His struggle for the position began in 1058. His accession seems to have provoked his uncle, King Donnchad mac Briain, to go to Rome (AI 1064.5) where he died (AU 1064.4). Gwynn conjectured that the future Pope Gregory VII had met Donnchad at Rome and learned about Ireland from him (*The Irish Church*, p. 72, where the date 1061 is an error for 1064).

¹⁴⁶ See above, n. 114.

¹⁴⁷ *The Epistolae Vagantes of Pope Gregory VII*, ed. & transl. Cowdrey, pp. 138-41 (no. 57); *The Letters of Lanfranc*, edd. & transl. Clover & Gibson, pp. 66/7 (no. 8).

¹⁴⁸ *Ibid.*, pp. 72/3 (no. 10).

¹⁴⁹ Watt, *The Church and the Two Nations*, p. 9; Gibson, *Lanfranc of Bec*, p. 124.

¹⁵⁰ The corpus of letters is contained in *Veterum Epistolarum Hibernicarum Sylloge*, ed. James Ussher (Dublin 1632). For the episcopal professions see *Canterbury Professions*, ed. Michael Richter (London 1973). We must suppose that the exchanges continued beyond 1122: the last profession of a bishop for an Irish see is that of Patrick of Limerick to Archbishop Theobald in 1140. On Patrick's predecessor, still alive until 1145, see below, nn. 163, 171.

¹⁵¹ The consecration took place at Canterbury on 28.12.1096.

¹⁵² For the text see *Eadmeri Historia Novorum in Anglia*, ed. Martin Rule (London 1884), pp. 76-7; *Eadmer's History of Recent Events in England*, transl. Geoffrey Bosanquet (London 1964), pp. 79-81. There is a translation of the letter by Gwynn, *The Irish Church*, p. 105.

Munster 1086-1119; Diarmait Ua Briain (†1118), the king's brother, presented here as ruler of Waterford;¹⁵³ Bishop Domnall, unidentified but presumably Domnall Ua hÉnna (†1098), apparently the leading bishop in Munster in the 1090s;¹⁵⁴ 'Idunan', bishop of Meath, presumably Maelmuire Ua Dúnáin (†1117), who had in the 1110s a status similar to that of Domnall at this time but, though a northern bishop, was described then as 'archbishop of Munster';¹⁵⁵ Samuel, bishop of Dublin 1096-1121, who had been consecrated by Anselm at Winchester on 20 April that very year;¹⁵⁶ Ferdornach, bishop of the people of Leinster, presumably the bishop 'of Kildare' who died in 1101;¹⁵⁷ and many others, the list of names having been abbreviated in copying. We should probably suppose that the gathering which directed this request, which must have been held within the months May-November, had some relationship with the crisis-council of that year.¹⁵⁸ There are other reasons for thinking that an appropriate location for that gathering would have been in the Waterford area.¹⁵⁹ Provision of a bishop for the inhabitants of Waterford may have been seen as one of the acts appropriate to the propitiation of God's wrath.¹⁶⁰

The clear evidence for reforming councils and synods begins with the Council of Cashel in 1101. For only two of the whole sequence of councils and synods which met or may have met in the century 1070-1170 do we have *acta*. Both are transmitted at considerable remove from the original documents issued by the meetings' authority. The first is the proceedings of the Council of Cashel, surviving in two late mediaeval Munster genealogical compilations, *Senchas Síil Bhriain* and *An Leabhar Muimhneach*: we have a series of summary provisions, given in Irish (perhaps not the original language of the decrees), with a narrative introduction and conclusion.¹⁶¹ The accompanying narrative describes Maelmuire Ua Dúnáin as archbishop and papal legate.¹⁶² The second indirectly and incompletely transmitted document is nonetheless much more substantial: it is the detailed *acta* (again in Irish) of part of the proceedings of a national council held at Ráith Bresail in the time of King Muirchertach (†1119) and whose three surviving subscriptions are those of a papal legate, Gilla Espuic, bishop of Limerick 1106/7-(?)40, †1145;¹⁶³ Gilla Cellaig, 'coarb of (St) Patrick and Primate of Ireland' (Cellach, as he was otherwise known, was coarb 1105-29); Maelísa Ua hAinmire, archbishop of Cashel, presumably to be identified with the 'bishop of *Port Láirge* (Waterford) and chief senior of the Irish (*ardshenóir Gaoidheal*)' who

¹⁵³ The brothers enjoyed a stormy relationship: but, on the evidence of the 'Annals of Inisfallen', Muirchertach had Diarmait on side 1093-1114.

¹⁵⁴ AB 1099.3, AI 1098.5, ALC 1096.10, and AU 1098.9 memorialise him. Cf. AI 1093.11.

¹⁵⁵ AB 1117.4; AI 1111.3 and 1117.4; McC 1117.1. Cf. Gwynn, *The Irish Church*, p. 119. For a full discussion of his career see D. Ó Corráin, 'Mael Muire Ua Dúnáin (1040-1117), reformer', in *Folia Gadelica. Essays presented by Former Students to R.A. Breatnach*, edd. Pádraig de Brún *et al.* (Cork 1983), pp. 47-53.

¹⁵⁶ *Eadmeri Historia*, ed. Rule, pp. 73-4; *Eadmer's History*, transl. Bosanquet, p. 77; for a further translation see Gwynn, *The Irish Church*, p. 103.

¹⁵⁷ AFM 1101.1.

¹⁵⁸ See above, nn. 118-119.

¹⁵⁹ Kenney, *The Sources*, p. 751.

¹⁶⁰ Were there still (or until recently) heathens among the population of this Scandinavian town?

¹⁶¹ For the relevant part of *Senchas Síil Bhriain*, see *Caithréim Thoirdealbhaigh*, edd. & transl. Standish Hayes O'Grady & R. Flower (2 vols, London 1929), I.174-5 and II.185-6. See also *An Leabhar Muimhneach*, ed. Tadhg Ó Donnchadha (Dublin 1940), p. 341.

¹⁶² This has been disputed and the narrative matter impugned by Ó Corráin, 'Mael Muire'.

¹⁶³ Gwynn, *The Irish Church*, pp. 125-9, 346. For the sources for the date of his consecration see *S. Anselmi Cantuariensis Archiepiscopi Opera Omnia*, ed. Franciscus Salesius Schmitt (6 vols, Seckau &c. 1938-61), V.374-6 (*Epistolae* 428-429). On 1140, see above, n. 150. His death is recorded only in CS 1145.9: *Gilli, epscop Luimnig, quieuit*.

died aged eighty-eight in 1135 at Lismore, near Waterford.¹⁶⁴ The partial text as transmitted stands at at least two removes from the original: it is found in a history of Ireland, *Forus feasa ar Éirinn*, written in the 1630s by Seathrún Céitinn who derived it from some now lost 'Annals of Cluain Eidnech Fintain' (Clonenagh, Co. Laois).¹⁶⁵ The outer limits of date for the Council of Ráith Bresail are therefore 1106×1119 (or, if we were to exclude King Muirchertach as not being mentioned in the quoted text, 1106×1129).¹⁶⁶

The lost 'Annals of Clonenagh' were also the source for Céitinn's detailed account of the Legatine Synod of Kells-Drogheda which met in 1152 in the presence of a *legatus a latere*, Cardinal Giovanni Paparo. The chronicler may have had access to now lost *acta*, for Céitinn ascribed to that text a detailed list of bishops present.¹⁶⁷ However, neither for this nor for any of the other councils and synods before 1172 (except I Cashel and Ráith Bresail) do we have *acta*. Instead we rely wholly on notices by contemporary annalists, most of whose accounts are however transmitted in chronicles contained in much later manuscripts.

It is clear that from the first the overkings of Munster and their bishops played an important role in the process of summoning councils for reform-purposes. This no doubt resulted from the dominance of those kings in Irish national politics at the time of the Norman conquest of England and the Roman and Anglo-Norman approaches to Ireland which soon followed. The presence of Dublin within the Munster overkings' sphere of influence at that time would also have been a significant factor in allowing Lanfranc to identify the most important political authority to address concerning reform: the clergy who arrived in connexion with consecration of bishops elect of Dublin must have been a crucial source of information. The sending of subsequent bishops elect of two other Hiberno-Scandinavian towns (Waterford and Limerick) for consecration by the archbishop of Canterbury must have flowed from that relationship.

Nevertheless, there was no north-south split in Ireland on the reform-question. Bishop Maelmuire Ua Dúnáin, a northerner, was involved early. Cellach of Armagh (coarb of Patrick, 1105-29) was a reformer and we see other northern ecclesiastics, as well as secular rulers, supporting reform. National councils and synods were held in both northern and southern locations. More local reforming councils were also held in the Northern Half.

The most striking development is the appointment of papal legates.¹⁶⁸ Archbishop Lanfranc was the first and it seems fairly clear from Pope Gregory's letter appointing him that Lanfranc cannot have been responsible for arranging that.¹⁶⁹ After Lanfranc's death in 1089 we have only the poor and disputed testimony that Maelmuire Ua Dúnáin was *legatus natus* in Ireland in 1101 (his period of maximum influence was probably 1098-1117, after the

¹⁶⁴ AFM 1135.6.

¹⁶⁵ *The History of Ireland by Geoffrey Keating, D.D.*, edd. & transl. David Comyn & P.S. Dinneen (4 vols, London 1902-14), III.298-307. The material relating to this council was edited separately by J. MacErlan, 'Synod of Ráith Bresail. Boundaries of the dioceses of Ireland (A.D. 1110 or 1118)', *Archivium Hibernicum* 3 (1914) 1-33.

¹⁶⁶ The view championed by Gwynn, *The Irish Church*, pp. 180-92, 351-2 (and perhaps originating, in modern scholarship, with John Lynch in the seventeenth century), that *Fiad mac nAengusa* and *Ráith Bresail* were the same place at which only one council was held, in 1111, seems to me to be fundamentally mistaken. Cf. n. 121, above.

¹⁶⁷ *The History*, edd. & transl. Comyn & Dinneen, III.314-17. They were also available, it seems, to James Ware, *De Hibernia et Antiquitatibus ejus Disquisitiones* (London 1654), pp. 76-7.

¹⁶⁸ For a survey see Gwynn, *The Irish Church*, pp. 116-54, 345-8. See also M.T. Flanagan, 'Hiberno-papal relations in the late twelfth century', *Archivium Hibernicum* 34 (1976/7) 55-70.

¹⁶⁹ The letter announces to Lanfranc the pope's own election. For the text, see n. 147, above.

death of Domnall Ua hÉnna).¹⁷⁰ By the time of the Council of Ráith Bresail (1118?) ‘Gilbert’ (Gille, or Gilla Espuic), bishop of Limerick, was certainly legate, a position which he seems to have held until 1140.¹⁷¹ St Malachy of Armagh (†1148) was the next; Gilla Críst (‘Christian’) Ua Conairche (1151-79, †1186), bishop of Lismore and a Cistercian monk, was succeeded briefly by Lorcán (‘Laurence’) Ua Tuathail, archbishop of Dublin 1162-80; Muirges (‘Matthew’) Ua hÉnna, archbishop of Cashel, is the next known holder of the position (1192-1205).¹⁷²

After 1170 the record begins to change rather radically. Although we are still dependent to a considerable degree on historical writing, more *acta* are available to us, notably those of the Council of Cashel of 1172, which inaugurated the ecclesiastical government of the colonial era. Furthermore the decrees of the Provincial Synod of Dublin in 1186 are extant. In general for the 1170s and 1180s the works of Giraldus Cambrensis are fundamental sources of information about conciliar activity. The process of sending a legate *a latere*, begun in 1152, was continued in the last quarter of the century; Cardinal Vivian presided at Dublin in 1177,¹⁷³ as did Cardinal John of Salerno at Dublin and Athlone in 1201. In as much as King Henry II had professed to invade and conquer Ireland in the pope’s name,¹⁷⁴ the papacy kept a watching brief over the affairs of the Irish Church. The governmental structure which the papacy had introduced in 1152 was sustained; though suffering conquest, the Irish Church kept its formal independence of England, with its four provinces and a primate at Armagh. Its legislation, however, now passed securely into the mainstream of Latin practice and record.

There are some similar threads in Scottish Church-history of the central middle ages. The increasingly gaelicising character of at least Southern Pictland seems to have been recognised by the adoption of the name *Alba*, ‘Britain’, for that kingdom *ca* 900.¹⁷⁵ In the late tenth-century ‘Chronicle of the Kings of Alba’, which drew on contemporary materials, we read that King Constantine and Bishop Cellach met in council in 905/6.¹⁷⁶

Ac in .vi. anno Constantinus rex et Cellachus episcopus leges disciplinasque fidei atque iura ecclesiarum ewangeliorumque pariter cum Scottis in Colle Credulitatis prope regali ciuitati Scoan deuouerunt custodire; ab hoc die collis hoc meruit nomen, id est, Collis Credulitatis.

‘And in his sixth year King Constantine and Bishop Cellach, upon the Hill of Belief near the royal city of Scone, pledged to keep the laws and disciplines of the Faith and the rights in churches and gospels in conformity with the Gaels; from that day the hill has deserved this name, that is, the Hill of Belief.’

¹⁷⁰ See nn. 154-155, above.

¹⁷¹ Gwynn, *The Irish Church*, pp. 125-9, 346. (Cf. above, nn. 150, 163.)

¹⁷² Gwynn, *ibid.*, pp. 144-5, explained the gap by a lack of records, both papal and Irish, for the period 1180-92. For the death of Ua Conairche, see AB 1186.5, ALC 1186.10.

¹⁷³ Cf. n. 140, above. On Cardinal Vivian see M. Pollock, ‘Magister Vivianus, ein Kardinal Alexanders III. Prosopographische Anmerkungen’, in *Papsttum, Kirche und Recht im Mittelalter. Festschrift für Horst Fuhrmann zum 65. Geburtstag*, ed. Hubert Mordek (Tübingen 1991), pp. 265-76. His visit seems to have generated a certain amount of story in Ireland: O. Bergin, ‘What brought the Saxons to Ireland’, *Ériu* 7 (1913/14) 244; cf. Maurice Sheehy, *When the Normans came to Ireland* (Cork 1975), p. 21.

¹⁷⁴ Sheehy, *When the Normans came*, pp. 6-26, for an introduction.

¹⁷⁵ D.N. Dumville, ‘Ireland and Britain in *Táin bó Fraích*’, *Études celtiques* 32 (1996) 143-56.

¹⁷⁶ For the text, see Marjorie O. Anderson, *Kings and Kingship in Early Scotland* (2nd edn, Edinburgh 1980), pp. 249-53, at 251. The starting point for my translation was *Early Sources of Scottish History A.D. 500 to 1286*, transl. Alan Orr Anderson (2 vols, Edinburgh 1922), I.445.

Exactly what this entry is reporting has been a matter of interpretation.¹⁷⁷ What does seem clear, however, is that the Church in the kingdom of Alba must be recognised as having thenceforth an effectively Gaelic character. Records of Scottish history for the tenth and eleventh centuries are exiguous, and the Church gets no more than its fair share of these. We see the beginnings of change in the last quarter of the eleventh century. The evidence comes from T's Life of St Margaret, wife of King Mael Coluim III (1058-93):¹⁷⁸ it was written by one of Margaret's chaplains for her daughter Matilda, wife of the Anglo-Norman King Henry I (1100-35), in the years 1100×1107; Margaret had died, within days of her husband, in 1093. She was an Anglo-Saxon princess who had married King Mael Coluim *ca* 1069 after fleeing north of the border in the wake of the Norman conquest of England. The author of the Life represents her as pious, strong willed, and enjoying an extraordinary degree of support from her husband in religious matters. 'T' devoted a long chapter to an account of her holding many councils to achieve reform of the Church within the kingdom: chief among these was one three-day council in which the king is represented acting as interpreter. The principal reported concerns related to liturgy, sacraments, fasting, Sunday-observance, and marriage-law.¹⁷⁹

The years following 1066 had seen King Mael Coluim brought to acknowledge the overlordship of the Norman kings of England. One result was that his children by Margaret were brought up at the Anglo-Norman court. As they succeeded to power in Scotland from 1097 (Edgar, 1097-1107; Alexander I, 1107-24; David I, 1124-53) their kingdom became wholly involved in the mainstream of the political and religious life of the Latin West. 'Modernisation' of the country's institutions proceeded apace, and the Church was no exception.¹⁸⁰ However, because of the kingdom's political dependence on England, English archbishops were able to claim authority over the Church in Scotland. It proved impossible for the Scots, whose principal ecclesiastical office was the bishopric of St Andrews (Fife), to circumvent these assertions and gain recognition from the papacy for an independent national province of the Church under the metropolitan rule of an archbishop of St Andrews.¹⁸¹ The result was that there was no authority capable under canon law of summoning a synod of the kingdom's bishops: according to that twelfth-century standard manual of canon law, Gratian's *Concordia discordantium canonum* ('A Harmony of Conflicting Canons'),¹⁸² known for short as *Decretum Gratiani* ('Gratian's Decree'), *Nec liceat aliquibus apud semetipsos concilia sine metropolitanorum episcoporum conscientia et consensu facere*, 'Nor should any be permitted to hold councils on their own account without the knowledge and consent of metropolitan bishops'.¹⁸³ Synods could therefore only be held at papal summons, unless the Scots chose (which they did not) to admit English archbishops' claims to metropolitan authority over them. The pope could do this by sending a written command and

¹⁷⁷ For discussion see M.O. Anderson, 'Dalriada and the creation of the kingdom of Scots', in *Ireland in Early Mediaeval Europe*, edd. Whitelock *et al.*, pp. 106-32, at 127-8.

¹⁷⁸ On this text see first D. Baker, "'A nursery of saints': St Margaret of Scotland reconsidered", in *Medieval Women*, ed. Derek Baker (Oxford 1978), pp. 119-41. For the work itself, see *Early Sources*, transl. Anderson, II.58-86.

¹⁷⁹ §8: *ibid.*, II.69-74.

¹⁸⁰ G.W.S. Barrow, *The Anglo-Norman Era in Scottish History* (Oxford 1980), is the standard account; for a broader perspective see also his book *Feudal Britain* (London 1956).

¹⁸¹ For an introduction to the problem see John Dowden, *The Medieval Church in Scotland, its Constitution, Organisation and Law* (Glasgow 1910), pp. 223-30.

¹⁸² Brundage, *Medieval Canon Law*, pp. 44-9.

¹⁸³ I.xviii.4.

effectively delegating authority to a local ecclesiastic or by despatching a legate *a latere*: usually the latter course was preferred. This arrangement lasted until 1225 when Pope Honorius III, at the instance of the Scottish bishops, authorised the holding of annual provincial councils, an ancient provision revived by the Fourth Lateran Council (1215).¹⁸⁴

During the century 1125-1225 ten legatine synods and councils were held, as far as is known. Two of them were summoned on the authority of British legates. As in the case of Ireland, our knowledge of these meetings is largely dependent on chroniclers' notices of them. However, thorough study of Scottish councils and synods, which began in the mid-nineteenth century, is far ahead of what has been achieved for Ireland, even though the last generation's great advances in the study of twelfth- and thirteenth-century Scottish history have served the historiography of the Church much less well than that of secular affairs. There follows a bare list of the ten legatine meetings of the period 1125-1225, with references to fuller treatments elsewhere.¹⁸⁵

- 1125 Roxburgh
- 1138 Carlisle (Cumbria then part of Scotland)
- 1164 Norham on Tweed (Roger, archbishop of York, was papal legate, but his authority was disavowed by the Scottish clergy.)
- 1175/6 Northampton (England) — the meeting was summoned by a papal legate *a latere* to England.
- 1177 Edinburgh — by Cardinal Vivian, after his departure from Ireland (*q.v.*)
- 1180 Holyrood (Edinburgh)
- 1201 Perth
- 1212 Perth — the bishops of Glasgow and St Andrews had been granted legatine powers.
- 1220 (location unknown)
- 1221 Perth

In the years after 1070, Gaelic christianity had emerged into the glare of European ecclesiastical publicity in an ideologically and politically charged atmosphere dominated by questions of reform, discovering rapidly the necessity for reform of its own attitudes and practices in order to justify itself to the international community of the Latin West. In each case — Scotland and Ireland — it needed, as part of the process, to define itself organisationally as a single Church in relationship to papal authority. This question had last been posed in Ireland in the seventh century but had been allowed to die before being answered.¹⁸⁶ If the Irish Church did not achieve such definition now, it would find itself being subsumed, whether as a whole or in parts, into neighbouring jurisdictions recognised at Rome as well ordered and trustworthy. The relationship with Anglo-Norman churchmen was therefore complex and uneasy at times within the period 1070-1152: in the sequence of Irish appointments to bishoprics and of reformers' activities we may deduce varying responses to

¹⁸⁴ Dowden, *The Medieval Church*, pp. 228-30.

¹⁸⁵ For a brief account, see *ibid.*, pp. 239-41. For a full study, see *Concilia Scotiae. Ecclesiae Scoticae Statuta tam Provincialia quam Synodalia quae supersunt MCCXXV-MDLIX*, ed. Joseph Robertson (2 vols, Edinburgh 1866), I.xxv-xlv.

¹⁸⁶ Sharpe, 'Armagh and Rome'.

continuing Anglo-Norman interest. In particular, there seems to be reason to think that, when Cellach of Armagh was highly influential in the counsels of Irish christianity, Canterbury's embrace was resisted, as evidenced by the consecration of 'Gilbert' of Limerick by some authority other than Archbishop Anselm and by Cellach's seizure of the bishopric of Dublin in 1121 and subsequent refusal to withdraw in face of a bishop consecrated by Archbishop Ralph.¹⁸⁷ It seems to have been the church of Armagh which felt most threatened by Canterbury's interest in Ireland.

In so far as Ireland generally lay beyond the physical power of the Anglo-Norman kings, it had a breathing space of three quarters of a century in which to present itself as having joined the European mainstream. Organisationally this was achieved. It is possible to interpret the arrangements made in 1152 as a *coup* by Pope Eugenius III (1145-53) to resolve matters while England was in chaos. On that reading, the events of 1155, when Pope Adrian IV (1154-9) authorised a quasi-crusade into Ireland by King Henry II, constituted a counter-*coup* in favour of Canterbury, but on the grounds that reform in Ireland had been merely superficial.¹⁸⁸

Scottish christianity had not enjoyed such respite, since it lay within the reach of Anglo-Norman monarchs. Nevertheless, reform was achieved (and through a generally gradual process) by Scottish monarchs beginning with David I, the first of a succession of rulers who held effective sole authority over a great part of North Britain. Scotland managed to seem, at the bar of international opinion, to have its house in order — not least because it did have a monarch who could claim legislative and executive authority. Much work remains to be done, however, on the ways in which such authority interacted with ecclesiastical life and with the structures through which the Scottish Church governed itself.

Neither country emerged entirely happily from the encounter with Norman aggression and papal revival in the late eleventh and twelfth centuries. England had been conquered and thoroughly reorganised by the Normans. The Scots had to submit to force for the time being but kept a substantial measure of political independence and managed to build a direct relationship with the papacy. The Irish bishops, and some major overkings, scrambled towards ecclesiastical reform; in the process, however, an international image of general and uncontrolled moral depravity in Ireland gained currency. This was one of the factors encouraging foreign aggression in 1171 and led directly, via conquest, to new and long-term divisions within Irish christianity.¹⁸⁹

Between Ireland, England, Scotland, and Norway lay a segment of the Gaelic world — Mann and the Isles — which until 1266 stood in an admitted, if nonetheless fractured, relationship to the kingdom of Norway.¹⁹⁰ This situation had arisen from Scandinavian conquest, in the late eighth and ninth centuries, of Pictish- and Gaelic-speaking Hebridean islands (at the same time as or soon after comparable seizure of the Pictish Northern Isles and northernmost mainland of Britain) and from the further conquest, *ca* 900, of Mann from its

¹⁸⁷ Dumville *et al.*, *Saint Patrick*, pp. 259-64.

¹⁸⁸ The controversy which seems to have occurred at the Kells meeting in 1152 should be borne in mind: *The History*, edd. & transl. Comyn & Dinneen, III.312-15. For discussion of the whole question see D.N. Dumville, 'Ecclesiastical reform and foreign invasion: cause and effect in twelfth-century Ireland?', *Anglo-Norman Studies* 20 (1997).

¹⁸⁹ Dumville, *ibid.*; Watt, *The Church and the Two Nations*; Sheehy, *When the Normans came*.

¹⁹⁰ R. Andrew McDonald, *The Kingdom of the Isles. Scotland's Western Seaboard, c. 1100-c. 1336* (East Linton 1997).

native British rulers.¹⁹¹ The result was a zone of mixed Norse and Gaelic speech, which looked politically northwards. With christianisation of the vikings' descendants organisation of the region into a single bishopric, coextensive with a single kingdom or lordship of the Isles, may eventually have followed; in any event, in 1153 Mann and the Isles were officially recognised as constituting a bishopric in a Norwegian province when the Norwegian Church was definitively organised by a papal legate.¹⁹² Although Mann found itself increasingly drawn into a relationship with England, in 1266 the sovereignty of Mann and the Isles was decisively transferred to Scotland by an international treaty. Conciliar activity involving the region is not a visible phenomenon, however, in the period dealt with here.¹⁹³

We have seen that in the Gaelic world from at least the seventh century to the twelfth conciliar activity is particularly associable with controversy. The two busiest periods were indeed the seventh and twelfth centuries. Otherwise, councils and synods lapse largely into invisibility and it is uncertain whether they continued to be held at other times, perhaps especially in the period from the mid-ninth century to the mid-eleventh. It is only the issue of *cána* in the eighth and earlier ninth centuries which offers the prospect, albeit uncertain, of the holding of councils; in general, ecclesiastical routine is invisible to us, but occasional notices, those of a perhaps local Irish synod in 899 and of an apparently national council of the kingdom of Alba in 905/6, give pause. The impression of torpor presented by the Gaelic Churches of this era — particularly in North Britain where sources are so rare — may be misleading: but inherited methods of Church-government certainly left Gaelic christianity open to dismayed and urgent calls for reform after 1066.

As in the seventh century, authoritative letters from the papacy or its representatives in England may have provoked Gaelic conciliar activity, although the bodies convoked seem now to have been councils more often than the synods which appear to have been the seventh-century response. We have no evidence of the use of papal legates in the seventh century (although they were employed in England in the late seventh and eighth centuries),¹⁹⁴ whereas both resident native legates and *legati a latere* were employed in Ireland from at least the first quarter of the twelfth century to hold legatine councils or synods and thus to promote reform and good government. Such activity could proceed only on the basis provided by the social and governmental institutions and *mores* of the country in question, however.

The violence which attended Irish synods of 899 and 1168 shows how dangerous such gatherings could be in a particularist polity.¹⁹⁵ The local rather than the national could be emphasised in a conciliar context, as at Uisneach in 1111. And reform could be opposed by those who feared or knew that their interests would be gravely damaged. Reform had its limits, most visibly in Ireland: compromises were necessary to secure agreement; and it is evident from the recurrence of family-names among reformers of the late eleventh and

¹⁹¹ David N. Dumville, *The Churches of North Britain in the First Viking-Age* (Whithorn 1997).

¹⁹² Wolfgang Seegrün, *Das Papsttum und Skandinavien bis zur Vollendung der nordischen Kirchenorganisation (1164)* (Neumünster 1967).

¹⁹³ See C.R. Cheney, 'Manx synodal statutes, A.D. 1230(?)–1351', *Cambridge Medieval Celtic Studies* 7 (1984) 63–89 and 8 (1984) 51–63, for thirteenth-century legislation.

¹⁹⁴ For the seventh-century example, see Bede, *Historia ecclesiastica gentis Anglorum*, IV.17(15)–18(16) and V.24 (*s.a.* 680): edd. & transl. Colgrave & Mynors, pp. 384–91, 564/5. More generally see Catherine Cubitt, *Anglo-Saxon Church Councils c. 650–c. 850* (London 1995).

¹⁹⁵ CS 899.4 (n. 109, above); AT 1158.6 (cf. n. 129, above).

twelfth centuries that the new-model Church, like the old, was at least partially and at the highest levels ruled by lineages.¹⁹⁶

In general, *acta* of Church-councils in the Gaelic world have been poorly transmitted. Few are extant as independent and original texts. Some few more survive, usually in part, by courtesy of contemporary chroniclers or historians who thought them important enough to include in their own works. On the whole, however, we owe to chroniclers summaries of who summoned a council or synod, who attended, what was discussed there, and what else of interest happened.

Much remains to be done by examining such evidence in detail. Particularly for Ireland, but also for Scotland, collections of textual evidence are needed. A volume or volumes of *Councils and Synods with Other Documents relating to the Irish Church* before the Reformation, in this case accompanied by comprehensive translation, is a great desideratum.¹⁹⁷ From that we should be able to learn much about the government of the Church, the issues which concerned it, and its responses to change in many fields. In particular, comprehensive reassessment of *Collectio canonum hibernensis*¹⁹⁸ with conciliar activity in mind should lead to great gains in our knowledge of the formative centuries of Gaelic christianity.¹⁹⁹

¹⁹⁶ Donngus Ua hAingli, bishop of Dublin, and his successor, Samuel Ua hAingli, must have been related. Domnall Ua hÉnna and Muirges Ua hÉnna are another family-pair. These are by no means the only examples.

¹⁹⁷ It is unfortunate that the plan for continuation of *Councils*, edd. Haddan & Stubbs, as an English series of *Councils and Synods* (I, edd. Whitelock *et al.*; II, edd. F.M. Powicke & C.R. Cheney), did not include revision of that old (and never completed) work and cut loose the Celtic world.

¹⁹⁸ This is the great *desideratum* of early mediaeval Irish historical studies. It is a tragedy that the late Maurice Sheehy's re-edition and translation of this work have never been brought to fruition.

¹⁹⁹ This pamphlet has been prepared at very short notice indeed. I am indebted to friends and colleagues who have spared no effort to help me: Aideen O'Leary, Ingrid Sperber, and Neil Wright. I am obliged for help on particular matters to Simon Keynes, Máire Ní Mhaonaigh, Hérold Pettiau, and Patrick Zutshi. As so often, my work could not have been brought to fruition without the skill and commitment of Ruth Johnson to whom also I offer grateful thanks.

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Seventeenth-century Irish historians

Early modern Irish writers often had access to sources no longer extant. Examples of important works for the present purpose are the following.

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John A. Watt, *The Church and the Two Nations in Medieval Ireland* (Cambridge 1970)

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